

Inset 2: The road ends in cement

The 182-mile pipeline originating in Kanbauk reaches its end in Myaing Kalay. There, on the western bank of the Than Lwin River, it feeds into two state-owned cement factories, both under the auspices of the Ministry of Industry No. 1 (MOI No. 1). According to a civil servant at one of the factories interviewed by HURFOM in 2007, the smaller of the factories is wholly state-owned and run while the second is owned by the Myanmar State Enterprise Company Limited (MSEC Ltd). A Japanese company has been repeatedly reported to be involved in the larger of the two factories, and HURFOM's source inside reported that the company owns a 35% stake, with the remaining 65% controlled by MSEC Ltd. HURFOM has been unable to confirm details on the Japanese company, though sources said it is named "Mit sui."

Both factories have a high output, the civil servant told HURFOM. "Only for the Number 2 factory – the big factory can produce 4,000 tons of cement per day. When we estimate by the bag, this is about 80,000 bags of cement per day." A laborer at the MSEC Ltd factory, meanwhile, reports that 10-wheel trucks regularly travel from the factory to Rangoon, where the cement is transferred to ships bound for Japan and used for "extending the space of the island [Japan] for construction."

government departments in each township, were required to participate and provide information about how many people lived and worked on land traversed by the pipeline. The route was then cleared and trenches were dug during 1999 and 2000, after which sections of the pipeline were delivered to the area, welded together and placed in the ground. From 2001 to 2003, villagers were required to cover the pipeline with soil.

Pervasive human rights abuses have characterized all stages of this project – from its initial preparation to the ongoing maintenance and security efforts that sustain it. The first section of this report details the militarization that has accompanied the project, including the arrival of more than 20 new battalions to the area and the abuses that go hand in hand with the increased military presence. The second section details abuses during the construction process, which entailed forced labor and the confiscation of over 2,400 acres of land. The last section of the report explains the situation along the pipeline following its construction, and includes details on conscription of villagers who are made to repair the pipeline and stand sentry against attacks by insurgents. This section also includes details on the pipeline's frequent explosions and ruptures, as well as the considerable abuses including torture related to post-explosion investigations.



⁴⁴ Increasing numbers of ethnic Burman workers and the families of SPDC soldiers moving to primarily ethnic Mon villages have led to some tensions. HURFOM interview subjects have complained about theft by the "new arrivals," and reported fights between young Burman and Mon men. Villagers also complained that newly arrived ethnic Burmans are favored by authorities when conflicts arise, as well as given positions of authority in the local VPDC, militia or fire brigade. As a result, some villagers have cited Mon-Burman tensions as their reason for supporting continued insurgent activity by armed Mon groups. See, "Living Between Two Fires: villager opinions on armed insurgency," *The Mon Forum*, HURFOM January 2009.

Inset 3: Insurgency and ceasefire along the pipeline

In 2009, the largest and strongest political group active in the pipeline area is the New Mon State Party (NMSP), which agreed to a ceasefire with the Burmese government in 1995. As terms of the ceasefire, the NMSP has been able to maintain its armed wing, the Mon National Liberation Army (MNLA), as well as administer twelve ceasefire zones. These zones are mostly located in southern Mon State, though they also stretch into Tavoy District in Tenasserim Division. The party also operates two small ceasefire zones near Moulmein and in Thaton Districts in northern Mon State.¹

The strongest group that is still actively fighting the SPDC in the pipeline area is the Karen National Union (KNU), whose Karen National Liberation Army (KNLA) has been opposing successive central governments in Burma since the country's independence in 1948. Though the KNU/KNLA has seen territory under its control shrink significantly following the fall of its headquarters in Manerplaw in 1995, it continues to operate 7 Brigades in eastern Burma, mostly in the Thai-Burma border area, from northern Karen State to central Tenasserim Division in Mergui/Tavoy. In the area of the pipeline, the most recent KNLA action to be reported was an attack by KNLA 4th Brigade on IB No. 557 near Amae village, more than 20 miles south of Kanbauk in Tavoy's Metta Sub-township.²

Notably, a number of small MNLA splinter groups have also operated in the pipeline area. The strongest of these has been the Hongswatoui Restoration Party (HRP, renamed the Monland Restoration Party [MRP] in 2003). The HRP/MRP was formed in 2001, when NMSP Central Committee member and MNLA 2nd-in-command Nai Pan Nyunt left the party along with an initial 70 or more MNLA troops. According to the NMSP, Nai Pan Nyunt's departure was motivated by a desire to avoid corruption charges, and party sources allege that he was taxing villagers without party permission, running gambling operations and possibly even selling weapons to SPDC village militia in Thanbyuzayat Township. HURFOM takes no stance on the rumors, and Nai Pan Nyunt's group received considerable support from the overseas Mon community not to mention Mon people in Burma who felt the NMSP could not sufficiently protect them. The HRP/MRP consequently saw forces swell to at least 150 at its high point as more troops left the MNLA or came out of retirement; the group continues to be active in Yebyu and southern Ye Township, though NMSP sources estimate that it currently fields a force of no more than 30 or 40 men. A variety of other small Mon groups have also operated in areas along the southern third of the pipeline, sometimes in cooperation with the HRP/MRP, though they have generally been too small to take organizational names and are referred to by their leaders; the most notable in the pipeline area are the small groups lead by Nai Chan Dein and the brothers Nai Bin and Nai Hloin.³

¹ For more on the NMSP ceasefire, see South, *Mon Nationalism*, 2003. For a discussion of the current state of the NMSP ceasefire, see Ashley South, "Mon Nationalist Movements: insurgency, ceasefires and political struggle," published by the Mon Unity League, Bangkok, January 2008.

² See, "KNU initiates guerilla tactics to counter Burmese Army," *Kaowao News*, April 2, 2009.

³ For more on MNLA splinter groups since 2000, see South, "Mon Nationalist Movements," 2008. For analysis of villagers' views on continued Mon insurgency, see "Living between two fires: villager opinions on armed insurgency," *The Mon Forum*, HURFOM 2009.

IV. Smoke and fire: militarization of the pipeline area

A. The pipeline, militarization and “self-reliance”

Construction of the Kanbauk-Myaing Kalay pipeline is inextricably linked to militarization of the pipeline route, which saw an increase of more than 20 new battalions assigned to the area beginning at approximately the time construction began. By 2003, a newly formed Military Operations Management Command (MOMC) No. 19, based in Ye Town, commanded 10 battalions tasked with guarding the pipeline, with an additional 11 new battalions and a total of more than 32 in areas along the pipeline. The influx of new battalions is highlighted in Maps 2 and 3, which contrast the number of battalions in the pipeline area before and after construction.

Military interests in the area partially explain the concentration of army battalions along the pipeline. Following a 1995 ceasefire between the SPDC and the New Mon State Party (NMSP), the largest armed Mon political group, the party retained control of 12 “permanent ceasefire zones,” which it administers and uses as a base for Mon National Liberation Army (MNLA) troops.⁴⁵ Though the ceasefire agreement included stipulations regarding how close to NMSP territory SPDC army battalions could base themselves and operate, SPDC troops have repeatedly moved close to and even inside ceasefire territory.⁴⁶ NMSP sources have subsequently described the increased SPDC army presence in the area as designed

⁴⁵ For more on the NMSP ceasefire, see Inset 3.

⁴⁶ Residents of the Tavoy resettlement sites in NMSP Tavoy District, Tenasserim Division, for instance, report that SPDC troops frequently enter their villages.

Nai Maung, 60, Kyonebai village, NMSP Tavoy District:

In this January [2009], the Burmese troops arrived here two times already. But what they were looking for we cannot say. We are really afraid of them. Some of my neighbors told me there are some rebel supporters in the village. Because of them I think the soldiers want to observe the situation of the rebels. That is why they came to the village. If fighting happens in the village or near the village, we will have a big problem.



to counter any potential MNLA resurgence. “They are trying to tie us up... The NMSP totally relies on the local people. When we go to a village, we have a chance to tax and also to set up communication and networks with the people. The Burmese authorities worry too much about that,” a MNLA major told HURFOM in February 2009. “Also, they would like to show clearly that there are more SPDC troops than in the MNLA. They do this so that the MNLA troops feel weaker in their minds [decreasing morale].”



Troops from LIB No. 588 training on the battalion's base in Ye Township

Neither the continued presence of the MNLA nor the limited activity of other armed insurgent groups fully explain increased SPDC deployments along the pipeline. The strongest insurgent group on Burma's southern peninsula is the KNLA,⁴⁷ whose 4th Brigade operates only in the area near the southern end of the pipeline and is chiefly relegated to north and eastern Yebyu Township, although there are also small operations in eastern Thanbyzayat bordering with Karen State. The area that would become the pipeline route was relatively

bereft of Mon insurgent activity during the construction phases, meanwhile, until the formation of the MNLA splinter group initially known as the Hongswatoi Restoration Party (HRP) in 2001.⁴⁸ But by the time the HRP began launching attacks the pipeline area was already largely occupied by the new SPDC battalions, making it unlikely that the HRP could have motivated the deployments. Today, no Mon insurgent group can field more than 40 men.

The best proof that the increased deployments are related to the pipeline project is, however, the simple fact that the new SPDC army battalions have been intimately involved in preparation of the pipeline's route, its construction and subsequent security and maintenance. Many battalions are headquartered along or near the pipeline, in places far from the operating areas of active insurgents. This report will repeatedly document the involvement of these SPDC battalions in affairs related to the construction, maintenance and security of the pipeline, including specific mention of more than 10 battalions in testimony and incidents described below. Abuses were not limited to these battalions, however, and the others shown in Map 3 have also been responsible for pipeline security – and human rights abuses.

Confidential internal order documents obtained by HURFOM also provide irrefutable proof of the relationship between SPDC army battalions and the Kanbawk-Myaing Kalay pipeline. HURFOM has on file 7 documents specifically

⁴⁷ For more on the KNLA, see Inset 3.

⁴⁸ For more on the HRP and other Mon insurgent groups, see Inset 3.

mentioning 6 battalions and their security duties relating to the pipeline, an example of which has been translated and included as Appendix 1. The document, distributed in March 2001 to at least 4 SPDC battalions⁴⁹ in northern Ye and Thanbyuzayat Townships, lists its explicit goal as the successful construction of the pipeline. The document then goes on to detail each stage of the construction project, as well as outline areas to be secured by each battalion.

Though Mon and Karen insurgent activity on the southern peninsula would certainly have led to a maintained and even increased deployment of SPDC army battalions over time, it is undeniable that a significant portion of the battalions in Yebyu, Ye, Thanbyuzayat and Mudon Townships would not be deployed in their current locations

Inset 4: Currency, taxation and income in Mon State

This report will repeatedly refer to heavy taxes and fees levied by pipeline battalions. Collected over the last decade, the relative cost of these taxes will necessarily vary as the value of the *kyat* has changed over time. In April 2009, the *kyat* is converted at a rate of approximately 1,090 to 1 USD. This is a decline from the last few years, when the rate was around 1,200:1USD. For 2005 and earlier, the rate was closer to 1,000:1 USD. Notably, currency in Burma is wholly traded on the black market, as the official government exchange rate registers just 6 *kyat* equal to 1 USD.

Baseline income for Mon State residents in 2009 is approximately 50,000 *kyat* per month for a farm worker or day laborer that must find daily employment. Income rates are slightly higher for skilled workers like mechanics or carpenters. Villagers who own their own land, such as paddy fields or rubber plantations, have a higher potential income but also face higher risks and are hence more vulnerable to debt cycles when prices plummet, as they have in 2009. Feeding a typical family of 5 for a month in 2009 costs a minimum average of 150,000 *kyat*, for a daily diet of rice, fish paste and a non-meat curry. A household of 5 with two family members working as laborers, then, can expect to earn just over 100,000 *kyat*. This income falls 1/3 short of paying for food.

In 2009, the value of key crops in Mon State like rubber, paddy and betel nut has seen a steep decline. The global economic crisis has led to slackening demand for rubber, causing a 75% drop in its value and causing serious knock-on effects throughout the rest of the economy.^{iv} Residents across the state have subsequently reported intense struggles as they try to balance declining income with food prices that remain unchanged. This situation would be difficult though not unexpected in any agriculture-dependent economy, but it is made doubly so by a SPDC army that continues to levy high and rising rates of “taxation.” To many residents, this feels more analogous to extortion, for it is often arbitrary and inconsistent, based on no clear law and levied unexpectedly and with no input from residents. For these reasons, the taxation is often referred to as “*akok*” in Mon, which loosely translates as “illegal tax.”^v Importantly, migrant workers in neighboring countries like Thailand have also faced rising unemployment.^{vi} This compounds economic problems for the many residents

^{iv} See, “Rubber prices continue to plummet; workers face dire economic circumstances as others feel the knock-on effects,” *IMNA* December 18, 2008.

^v For more on the impacts of SPDC taxation and the livelihood struggles of villagers in Mon State, see “Economic Predation: taxation, extortion and commandeering in Mon State,” *The Mon Forum*, HURFOM, March 2009.

^{vi} “Economic Slowdown Hits Burmese Migrant Workers in Thailand,” *The Irrawaddy*, November 28, 2008.

⁴⁹ Battalions listed in the confidential document translated in Appendix 1: IB 31, IB 62, LIB 106 and TB No. 4.

without the pipeline. The increased deployment of SPDC army battalions has, in turn, led to massive human rights abuses as the new battalions carry out the SPDC's military self-reliance policy with rapacious fervor. The basing of new battalions from 1999 to 2003 alone resulted in the seizure of 6,000 acres of land, while the subsequent maintenance of barracks and army agricultural and economic projects has led to the seizure of an additional 6,000 acres and countless instances of forced labor. Military self-reliance has also led to capricious taxation of villagers, who are made to pay a variety of fees as well as see their possessions, equipment and agricultural products commandeered or simply stolen. Importantly, the simple fact that large numbers of troops now occupy the pipeline area has also meant that villagers have been subject to arbitrary and violent abuse, killing and rape.

of Mon State who are dependent on relatives outside the country, as they have seen an almost 50% decline in remittances.^{vii}

U Shwe, 50, Ye Town:

This year is the worst conditions I ever faced... Last year, I could spend my income [from the betel nut harvest] over the whole year. This year, I expect the harvest money can last only 5 months. During these last months, I had to pay a special tax to battalions like IB 31 and IB 61 and other military columns who came and made their offensives near my plantations. I have to pay them 10,000 kyat each time for their food supplies. Over all [in past years], I got good prices [for betel nut] but this year it is bad. I cannot even support my kids' educations."

Mi Kya, 45, day laborer, Arutaung village, Ye Township:

I do not have a regular job. The maximum amount I can work is about 10 days a month. Each day I work I can earn 5,000 kyat per day. Overall my income for one month is around 55,000 kyat – the maximum is 60,000 kyat. This is based on working 10 to 12 days in a month. I wish I could work every day... It is still difficult for me to pay for basic food costs. I have to pay about 25% of my income to the different authorities. As you have learned, in our area the cost of oil, salt, chili and rice remain the same – they have not decreased... it is very difficult to take care of my family and all 5 of my children."

Nai Thein, 40, Ye Town:

In my ward, for the last two years we have had to pay the same amount of taxes from different authorities. Every month we have to spend 5,000... in some months like April the government forces us to build things for special events... I can earn 60,000 to 70,000 kyat per month. But I am still not happy to pay them like that. I think it is not fair. People who have no job also have to pay. My friend earns only 30,000 kyat – he has to pay the same as me. His condition is worse than mine... I want to mention that the expenses and the income are not equal. The market prices are higher and people have to pay the same taxes – it is not balanced.

^{vii} For more on the impact declining remittances have on residents of Mon State, see "Families struggle as soaring kyat halves remittances from migrant workers," *IMNA* March 5, 2009. For economic analysis of the role remittances play in poverty alleviation inside Burma, see Sean Turnell, "Migrant Worker Remittances and Burma: An Economic Analysis of Survey Results," *Burma Economic Watch*, Macquarie University, Australia, 2008.

Battalions deployed prior to 1999



Human Rights Foundation of Monland-Burma
<http://www.rehmonnya.org>

Battalions deployed since 1999



Human Rights Foundation of Monland-Burma
<http://www.rehmonnya.org>

1. Land confiscation

The influx of SPDC army battalions into the pipeline area resulted in the confiscation of hundreds of acres of land as the army built bases and housing for soldiers and their families, and then commandeered agricultural projects to support them. In 2003, HURFOM released *No Land to Farm*, which extensively documented land seizures in Mon State, including those by newly arrived battalions. Over the course of 5 years from 1998-2002, at least 6,000 acres of paddies, plantations and homesteads were confiscated to make way for the bases and agricultural projects of pipeline battalions.⁵⁰ In the years since 2003, pipeline battalions have seized another 6,000 acres. Information on both these sets of seizures are included in Appendix 2.



Planned land confiscations drawn on a whiteboard inside the headquarters of LIB No. 586 near Ye Town

Saw Eht Htoo, Sanpya village, Ye Township:

As I know, the MOMC No. 19 has already deployed 10 military battalions in Ye Township. They have already confiscated many acres of land. Now, they claim that they confiscated land for new artillery regiments again. Most land in this area is owned by our Karen villagers. My land and plantations costs about 4 million kyat. They took it without paying me one kyat. Many other plantations cost more than mine. Nobody received any compensation.

Though Burma's rules regarding land rights lack clarity because law in the country is generally by decree, land confiscation is perversely, arguably legal. Burma's 1974 Constitution, which was the default land law for both the SLORC and SPDC, classified the state as the "ultimate owner of all natural resources above and below the ground, above and beneath the waters and in the atmosphere, and also all lands."⁵¹ This was reiterated by SLORC directives in 1988 and 1990 clarifying its full control over paddy land as well as land for orchards, brick and salt production and other uses.⁵² Chapter I of Burma's new constitution, approved in a widely criticized referendum in May 2008,⁵³ adopts virtually word for word language from the 1974 Constitution and maintains ultimate government control of land.

⁵⁰ HURFOM. *No Land to Farm*, 2003.

⁵¹ Centre on Housing Rights and Evictions. *Displacement and Dispossession: Forced Migration and Land Rights in Burma*, COHRE Country Report November 2007.

⁵² Nancy Hudson-Rodd and Myo Nyunt. "Control of Land and Life in Burma," U Wisconsin-Madison Land Tenure Brief, April 2001.

⁵³ The government announced that the constitution was approved by an approval vote of 92.48% and 98.12% turnout of voters. This is a highly dubious claim, given that wide swathes of the Irrawaddy Delta region were at the time recovering from Cyclone Nargis, which had just killed over 130,000 people.

Nai Kao Talot, the Kundu and Arutaung village area, Ye Township:

From these confiscated plantations, the growers could produce many thousands pounds of latex and many hundreds of thousands of betel-nut and many thousands of durian fruits... Under the military dictatorship, there are no property rights. The civilians have no rights for the ownership of their lands. The government can confiscate land and properties whenever they want. Although [it is] heritage... land from their ancestors, they do not have the rights to own the land.

Land confiscation victims received no compensation or compensation at levels so low as to be akin to nothing at all. In a few other cases, villagers report being forced to sign “sale” agreements and accept “payment” so that the seizures had the veneer of legitimacy.

Replacement of seized land is difficult, and contingent on the unlikely chance that victims have sufficient capital – and can find land to purchase. For many, even purchasing land would do little to replace the loss. In most cases, this was because the army seized homes and properties passed down within families for generations. For many, the lost land also represented years of investment. A typical rubber plantation, for instance, requires 7 to 8 years of continuous investment in labor and inputs like fertilizer before the trees have matured enough to be harvested from and the project sees any return.

Nai Kyaw, 53, Phalein village, Ye Township:

My fruit plantations of about 3 acres of lands were seized by the local Burmese army based near my village. This is the reason I left my native village. I really feel painful, whenever I think about my land... I can still remember the day they... said that they are the soldiers from the battalion nearby and the reason they came to meet me is to let me know the land is no longer owned by me... Since then, I felt disappointed and hopeless at the same time. Finally, I discussed with my wife and decided to leave the village in order to find a new job for us to survive.



An villager in Ye Township points to rubber trees confiscated by LIB No. 587

Farmers with limited education and lifetimes of experience working in only a single sector found themselves struggling to find new work. Victims forced to become laborers had to enter a suddenly swollen labor market; a typical farm or plantation employs regular and seasonal laborers, who also found themselves without work following

confiscation. After LIB No. 586, LIB No. 587 and LIB No. 588 confiscated over a thousand acres of land from 77 families in eastern Ye Township, for instance, an additional 100 permanent laborers and 200 seasonal laborers were left unemployed.

Ultimately, many were forced to go hungry, relocate their families or seek employment in neighboring countries like Thailand.

Karen villager, 60, the Sanpya & Donphi village area, Ye Township:

I own two plots of land in the area. Now, the Burmese Army confiscated both plots. I have nothing to eat. My children cried when they heard that the army confiscate[ed] our land. We had no more food. Only my son, who is a monk, shared some food with our family.

Mehm Kon Chan, son of a land seizure victim, now working in Thailand:

When I was living in my village, I had no other job except working in my father's rubber plantation. After my father's rubber plantation was confiscated... the soldiers threatened us... [and] forced us to abandon our properties. Therefore, I communicated to my brother [the son of his uncle], who was working in Thailand, and as you see I had to flee the village to seek work in Thailand.

2. Forced labor

Villagers in rural eastern Burma are routinely required to work as unpaid forced laborers on development projects like roads and repairs to government buildings. This is true also in the context of the pipeline battalions, which have consistently demanded that villagers work on a variety of projects that range from building and maintaining barracks to working as porters carrying ammunition and supplies on army patrols.



Villagers working as forced laborers on land confiscated by LIB No. 587

During the initial period when new pipeline battalions began arriving, villagers were made to work as unpaid forced laborers providing materials and labor to aid the construction of new army barracks and headquarters. Villagers have described clearing land, cutting and hauling timber, digging bunkers, trenches and irrigation canals and constructing buildings and fences.

Villager, Kaloh village, Ye Township:
When we arrived to the new battalion site... we had to cut many young betel-

nut trees and gathered them to one place. The soldiers also sold the trees in the market to earn extra income for their battalions. Then we were instructed to clear the ground. We had to dig the roots of the betel-nut trees and fill the holes with dirt, and level the ground to construct the barracks. And one sergeant ordered us to dig trenches... I was forced to work there for five days without pay.

In the subsequent decade, villagers have been frequently ordered to help maintain the army living areas. As a result, villagers have had to provide quotas of materials like bamboo and gravel as well as work clearing brush and repairing bunkers and fencing. These types of projects are especially common following the rainy season, when villagers must repair damage done by the heavy monsoon rains.

Nai Soe, 40, Alaesakhan village, Yebyu Township:

I asked a Karen lady from the village why the Burmese Army gathered the men from this village... She said that the Burmese soldiers [from LIB No. 273] collected these villagers to build the battalion's barracks and dikes.



A military officer from LIB No. 587 in civilian dress inspecting an army agricultural project

One of the results of the SPDC's military self-reliance policy is the seizure of thousands of acres of plantations and farmland. In the case of the pipeline battalions, over 12,000 acres of plantations and paddy fields have been seized since pipeline battalions began arriving in 1998.⁵⁴ Adding insult to injury, in many cases victims have been required to work as unpaid laborers tending to the very land taken from them by the army.

Nai Naing Oo, Ye Town, whose land was seized by LIB No. 586 in 2005:

They [LIB No. 586] don't even think how people survive and instead, they seized the land that belonged to our villagers. Those confiscated lands are full of rubber plantations. After they seized it, they are ready to make money from the confiscated lands because [all the work] was done by our villagers' sweat.

Nai Ein, Arutaung village, Ye Township:

Just last year, the rubber plantation... belonged to my family. This year, the rubber trees belong to Burmese soldiers and the battalion base. They took my land to fund the battalion. Then a Sergeant came to me and told me to help them. They forced me to collect [rubber] in the morning and give them all of it.

In other cases, villagers were granted permission to work on their former land under the condition that they shared a percentage of the raw products or paid local battalions high fees. Every year since confiscating over 300 acres of rubber plantations in northern Ye Township in the early 2000s, for instance, LIB No. 586 has permitted former plantations owners to work their land if they made high payments or shared a portion of their products. In some cases, local battalions claimed that they were only carrying out orders issued by the Southeast Command

⁵⁴ See Section IV, A1 and Appendix 2.

in Moulmein. In these cases, however, villagers noted that the fees they were paying exceeded those ordered by the higher authorities.

Nai Shwe Hlay, 45, Ye Township:

We signed the contract... we were told we have to pay 950 kyat for [permission to harvest rubber]. When we read the contract, we [saw] what was said differed with the contract. In the contract it was 700 kyat. The army officers told us that the contract was prepared by Military Operation Management Command No. 19 in Ye.

Pipeline battalions IB No. 31, LIB No. 343 and LIB No. 586 also earn income by operating at least 4 brick factories in Ye Township. Built on confiscated land, villagers in areas around the factories are made to provide wood for firing the brick kilns. In February 2009, for instance, IB No. 31 ordered four villages in Khaw Zar Sub-township⁵⁵ to provide 130 kyin of firewood.⁵⁶ Every household in the villages had to provide one laborer, who had to work for a week cutting and hauling the timber to the factories, as well as pay for the rental of trucks to transport it.



A brick factory operated by IB No. 31 in Khaw Zar Sub-township

Nai Ong, 40, Yindein village, Khaw Zar Sub-township, Ye Township:

We have been experiencing these kinds of abuses since almost ten years ago. The abuses are not only one at a time. They come on top of one another, for instance like with this firewood quota. We have to collect firewood to fill the amount needed [by IB No. 31]. Then, we have to pay for transportation fees.

Underscoring the way that military self-reliance is really reliance on local villagers, residents are subsequently required to buy quotas of bricks from the army factory, bricks that are priced above the market though they are of below market quality.

Though not part of military self-reliance, civilians are frequently conscripted as porters in areas where SPDC army battalions conduct patrols or offensives against armed insurgents. In spite of the high level of expenditures spent on the SPDC army, it is relatively low-tech and, particularly in the relatively rugged areas like Yebyu and southern Ye Township, relies heavily on foot patrols. This is a labor-intensive practice, and the SPDC army makes it possible by using civilian porters to carry ammunition and supplies. Civilian porters are also often made to walk in front of army columns, where they are the first to encounter landmines or ambushes, a practice dubbed “atrocious demining” by the International Campaign to Ban Landmines (ICBL).⁵⁷

⁵⁵ Villages confirmed to have been ordered to provide firewood for IB No. 31: Singu, Yindein, Yinyae and Toe Tat Ywa Thit villages, Ye Township.

⁵⁶ A “kyin” is a Burmese measurement, referring to a 10-foot square of wood stacked 1 foot high.

⁵⁷ ICBL. “Burma/Myanmar,” *Landmine Monitor Report*, 2008.

Nai Chain, Yebyu Township:

LIB No. 282 always used the porters as human-shields. The soldiers made the porters walk in front of the military column to trigger the mines. When fighting happened between the rebels and the Army, porters were used as human shields for the Burmese troops... The soldiers threatened us that if we refused to [willingly help] we would be killed... Sometimes, when the porters were not able to walk or caused a delay, they were severely beaten.

Nai Lot, 65, Mihtawhlagyi village, Ye Township:

In one month, I was forced three to four times to be a porter... It was difficult, and we were beaten all the time. According to my age, I was getting old and I could only walk slowly. But the soldiers kicked me and I fell down on hard stones and was injured around my eyes [a scar on his face is still visible]. I also witnessed a villager from Kyauktalin, a 40-year-old man, who was unable to carry their big basket and who was shot dead in the middle of the road. Out of fear, I had to flee from them.

Pipeline battalions made frequent use of civilian porters on security patrols during the construction process, the practice of which is described below [Section V, B2]. Conscription of porters did not end with the conclusion of construction, and battalions along the southern third of the pipeline continue to conscript civilian porters as they attempt to eliminate Mon and Karen insurgents. This portering typically takes two forms, with villagers sometimes conscripted for short periods during patrols in specific areas and sometimes conscripted for a month or more during sustained offensives. In many village, battalions also demand monthly “porter fees” of 1,500 to 2000 *kyat*, which villagers ostensibly pay in lieu of being conscripted, though residents of villages that pay the fees have reported continued conscription as well.⁵⁸



Civilian porters carrying supplies for LIB No. 282 in Yebyu Township

Nai Manoit, Asin village, Ye Township:

Since January 2008, when armed clashes happened between some Mon guerrilla soldiers and the Burma Army battalions, [the Burmese Army] have started forcing all of us to pay them this kind of monthly [porter] fee... But I don't understand why they increased the amount of payment even though there are no more clashes between those groups in this area.

Nai Kyi Aye, 59, Kabyar village, Ye Township

Before the pipeline started there were no troops in the village. Sometime the troops came but the troops could not catch villagers because

⁵⁸ In February 2009, HURFOM confirmed monthly porter fees being levied by IB No. 61, IB No. 62 and LIB No. 299 in Tamoh Kraing, Hangan, Duya, Abaw, Asin, Kaloh, Chaung Taung, Koe Mile, Kyaun Ywa, Demin Seik and Zebyutaung villages in Ye Township. A reliable HURFOM source that travels throughout western Ye Township also reported that every village in the western half of Ye is required to make similar payments.

villagers ran away before the military column arrived. If the military column could catch male villagers, they would take them as porters. The portering was for a long time. Villagers did not allow the military column to catch them easily.



An army base built with forced labor conscripted by LIB No.401 in Yebyu Township

In all cases, villagers are not compensated for their labor, though they are sometimes given the option of paying money to avoid working as unpaid laborers. For villagers who primarily survive as farmers and agricultural laborers, unpaid work for battalions is an exhausting addition to an already hard scrabble life. Making things worse, the army does not appear to have any sympathy for the scheduling demands of farming; workers are demanded at times when farmers have tasks that must be completed quickly, like harvesting orchard products before they become over ripe.

Nai Soe, 40, Alaesakhan village, Yebyu Township:

At this time, most farmers in the village are busy with their own jobs. Farmers have been harvesting their paddy and some are preparing their lands to grow [beans] and other crops. Now, most of them have to stop their farm work and instead build dikes for the battalion.

Nai Nyein, 32, Khaw Zar Sub-township, Ye Township:

I have a lot of my own work to do during these days. I am a betel nut farmer, and this month is very important for me to produce betel nuts. Most nuts are ripe and it is the time to pick them, but I am forced to work here [repairing the road for IB No. 31] and I don't think my wife can finish all the work on the plantation alone

Villagers working for local battalions find themselves subject to beatings and abuse from soldiers, and describe being treated like chattel rather than human beings. In a not-so-unusual example that illustrates the degree to which villagers are exploited, villagers in Tow Tet Ywa Thit, Ye Township, were forced to pay for the cost of bullets used by a soldier from LIB No. 343 who fired over their heads following their late arrival to a forced labor project. Villagers injured in the beatings or accidents that occur while they are working are not compensated, and subsequently find themselves permanently struggling to survive. This is particularly true of porters, who face high degrees of danger as they brave landmines and ambushes.

Nai Seik, Khaw Zar Sub-township, Ye Township:

Everyday, the Burmese Army that is based in the village forced 10 villagers to work... The villagers were always beaten by soldiers. They beat at least one every day. There were about 3-5 soldiers guarding when the villagers were working. They beat the villagers if they did not like them. A week ago,

when our group was forced to work, three men... were inhumanely beaten until nearly dead because they took a while to rest. While you worked on the construction, even if you felt tired you should not look up to the soldiers. If they saw you, they would come and beat you with sticks or kicks with their jungle-boots.

Anonymous, Khaw Zar Sub-township, Ye Township

Because... [the military] often used forced labor, we can't do our own job. We don't want to live here. But we don't dare to oppose them. We were wounded sometimes in the forced labor field. But we don't get the payment.

3. Taxation, extortion and commandeering

Pipeline battalions augment income from projects like brick factories and seized rubber plantations by forcing villagers to make a variety of payments. The combination of general corruption, lack of oversight and the demands of military self-reliance means that villagers continue to be forced to make a variety of payments to support the army, as well as see their property and agricultural products routinely commandeered, seized or stolen. Because villagers rarely have the option of directly refusing demands made by soldiers, virtually every interaction with the army carries with it the specter of making a payment of some kind. Details of over 70 instances of taxation and commandeering by pipeline battalions are included in Appendix 3.



Firewood quotas supplied by villagers under orders from IB No. 31 in Khaw Zar Sub-township

In many cases, these payments are explicitly for the support of pipeline battalions. Villagers in a confirmed four townships along the pipeline are made to pay monthly security fees, which go to local battalions.⁵⁹

⁵⁹ 45 villages are confirmed to have been required to provide fees for the support of pipeline battalions:

Mudon Township:

Kalawthut, Kamawet, Seintaung, Doma, Kwankabwi, Settwe, Yaung Daung, Hneepadaw, Abit, and Kwanhla villages.

Thanbyuzayat Township:

Paungsein, Kyarkan, Wagaru, Waethunkyaung, Waeyet, Waekali, Waekami, Sakhangyi, Kaleinpadaw and Waewinkara villages.

Ye Township:

Baylamine, Lamine, Kaninkamaw, Mawkanin, Leinmawchan, Kundu, Sonnatha, Pophtaw, Chaung Taung, Tumaung, Balaingkee, Arutaung, Taungbon, Chaung Taung, Kaloh, Koe Mile and Hangan villages.

Yebyu Township:

Lort Taing, Lae Kyi, Kayuktalin, Natkyizin, Yapu and Kaleinaung villages.

For villagers not immediately proximate to battalions, payments and “donations” of food and agricultural products have to be made when patrols enter the area. This is particularly true of villagers in the southern third of the pipeline where the SPDC army continues to actively pursue Mon and Karen insurgents.

Nai Gyi, Khaw Zar Sub-township, Ye Township:

*We normally pay about 2,000 kyat every month...
But when the soldiers come, we have to give
more money to our headman to pay for feeding
them while they stay awhile in the village.*⁶⁰

Villagers all along the pipeline have also been required to provide quotas of agricultural products and building materials. Though the SPDC officially ended a policy of forced paddy procurement in 2003, villagers continue to report being required to sell paddy at below market prices, provide paddy “donations” or pay for the right not to. After the 2008 harvest season, for instance, 4 townships, including sections of Mudon and Ye Townships through which the pipeline passes, were required to provide some form of paddy support.⁶¹ “Every family who has a paddy field has to pay. The soldiers said if people do not want to provide paddy, they have to pay 3,000 kyat of money,” said a farmer from Taung Pyin village, Ye Township.



*A captain from LIB No. 587 with a motorbike
commandeered in Ye Township*

Soldiers also routinely commandeer or steal villagers’ property. In Ye Township, pipeline battalions require villagers to provide them with trucks and motorcycles to use for personal and army business. Villagers are not paid for the use of the vehicles, which often represents a loss of business for people whose investments in the machines are often predicated on income generated by their daily use. Villagers are also sometimes made to pay for petrol, and are often left with damaged machines and no compensation. Consequently, villagers are understandably reluctant to loan out their vehicles, and say that soldiers treat them carelessly and provide no compensation for damage. “I bought my bike not so long ago,” IMNA quoted a young man in Yebyu Township during January. “But now my bike is nearly broken, because of soldiers and the headman.” Another source quoted by IMNA described similar damage, for which he was never compensated – even after lodging a complaint. “If you are going to come and ask about your motorbike again,” the source quoted the officer’s response to one complaint, “I will introduce you to my gun.”⁶²

Agricultural products and livestock are also frequently taken, especially in rural areas along the southern third of the pipeline. “Because of [LIB No.] 583 and [LIB No.] 591, my ox was stolen,” said a woman in Kyaun Ywa, in southern Ye Township. “When I went and met with the commander, he denied it and said it was not his

⁶⁰ See, “New round of capricious taxation in southern Mon State,” *IMNA* October 29, 2008.

⁶¹ Paung and Chaung Zone Townships, both north of the pipeline, were also required to provide paddy.

⁶² “Authorities commandeering motorcycles in Yebyu Township,” *IMNA* January 22, 2009.

troops. ‘You misplaced your ox,’ he said to me.” Another man in the same village recounted a similar experience: “I know for certain that a soldier from [LIB No.] 583 came and stole my hens. I saw with my eyes, but they deny it. Within two weeks, all 30 hens were gone.”

Nai Chain, 37, Yebyu Township:

They [soldiers from LIB No. 273 and LIB No. 282] looted belongings owned by villagers. I saw the soldiers go into villages like Byaw, Chabon and Maesantaung... The soldiers looted food, livestock like chickens, ducks, goats and even valuable belongings owned by local villagers. They were like robbers.

Villagers are also often made to pay for projects spearheaded by local battalions, whether they want them or not. Villagers report having to work as forced laborers and make payments to construct and repair roads, though these projects are sometimes necessitated more by the military’s desire for quick access to strategic areas than anything else. Villagers also report being made to pay for projects that never materialize, or were supposed to have received government funding. Villagers have also been required to pay for festivals and celebrations spearheaded by the army. In the second week of December 2008, for instance, 19 villages in Khaw Zar were required to purchase lottery tickets and help pay for a week of celebrations commemorating the IB No. 31’s 52nd anniversary.⁶³

Nai Kyin Naing, 28, Doebaung village, Khaw Zar Sub-township, Ye Township:

They collected at least 500 to 1,000 kyat [for the IB No. 31 anniversary celebrations]. Everything is by force. The other thing was they sold lottery tickets [mandatorily]. But I did not hear of anyone winning a prize in the lottery. For my family, I had to buy two tickets – one is for my parents and the other for my sister’s family



Army checkpoint on the Thanbyuzayat to Ye road

Pipeline battalions extract income from local villagers in a variety of other ways that are less overtly explained as fundraising. Soldiers operate frequent road checkpoints, whose ostensible security functions are often belied by the fact that they sometimes appear to follow each other by just a few hundred yards. Entering Ye Town from the north along a road running parallel to the pipeline, for instance, requires passing through a total of 8 checkpoints, 2 of which are less than 600 yards apart. Exiting from the south of Ye Town requires passing through another 2 army checkpoints, separated by just 200 yards. Underscoring the economic rather than security motivation for the

⁶³ Villages confirmed to have been required to pay for the IB No. 31 52nd anniversary celebration:

Ko Mile, Man Aung, Kwan Hlaing, Singu, Toe Thet Ywa Thit, Theh Khon, Yin Ye, Yin Dein, Win Tamout, Ma Gyi, Than Ee Kyaw, Mi Tar Ka Gyi, Mi Tar Ka Ley, Kyone Kanya, Do Baung, Pok Htaw, Yin Dein Lamwat, Kabyar Gyi, Kabyar Ley villages in Khaw Zar Sub-township, Ye Township.

checkpoints, villagers returning from Thailand – villagers who are ostensibly flush with newly earned income – are targeted and made to pay extra at road checkpoints.

Maung Myint, Mudon Town, Mudon Township:

They [the military check point] know which vehicles are carrying travelers coming back from Thailand. And they always extort [extra money]... They don't allow passengers to leave the gate if they are dissatisfied.⁶⁴

A Kyaw, 30, Hneepadaw village, Mudon Township.

They told me to register my bike for 10,000 kyat. Then, they took down information about the brand of my bike and license number and gave me a card granting me permission to use the road. Each time I pass this gate, I have to show this card... 150 to 200 farmers from just Hneepadaw village use this road, and most of them ride motorcycles. The soldiers will make a lot of money.

Residents of villages that have been placed under travel restriction are often made to purchase permission to leave their villages and travel to work their farms, conduct business or visit family. These restrictions – and subsequent payments – are a frequent occurrence in the southern third of the pipeline as well as a not-unusual fact of life as far north as Mudon Township.⁶⁵ The restrictions create intense difficulties for farmers. Travel restrictions keep farmers from their farms,

while curfews shorten workdays for owners of faraway farms and plantations, forcing them to hire extra laborers and leading to debt cycles. Rubber plantation workers face special difficulties, as they must tap trees at night before the heat of the day thins sap and it dissipates throughout each tree. “It is very difficult for us to work in that amount of time,” a rubber plantation worker told HURFOM after a nighttime curfew was enforced in Mudon and Thanbyuzayat Townships. “We just cannot finish our job.”



Troops from LIB No. 586 on the parade ground in Ye Township

B. The “Four Cuts” strategy and arbitrary violence

The *Tatmadaw* has been carrying out a scorched earth campaign in the country's ethnic areas since shortly after independence. In the mid 1960s, this campaign took a more organized form and an official new name: *Pya Ley Pya*, or the “Four Cuts” strategy. The “four cuts” refer to food, funds, intelligence and

⁶⁴ See, “Troops extort money from passengers at check points,” *IMNA* Sep 4, 2008.

⁶⁵ In March 2009, residents of every village in Mudon and Thanbyuzayat Townships were banned from leaving their homes after 9 pm following rumors of armed insurgent activity in the area. See footnote 40.

recruits. In application, the strategy is an attempt to sever the connection between insurgents and their civilian supporters by systematically clearing rebel controlled, “black” areas by killing, threatening and forcibly relocating villagers. Such areas became free fire zones, with all remaining residents assumed to be rebels or rebel supporters. The strategy has proven effective, and over the last five decades has been a determining factor in weakening large and powerful armed-groups like the CPB and KNU/KNLA.⁶⁶

Though the Four Cuts strategy has since been officially discontinued, its shadow can clearly be seen lurking behind present-day SPDC conduct. This is particularly true in Yebyu and southern Ye Townships, where the SPDC army seeks to eradicate armed insurgents. There, villagers face routine surveillance and travel restrictions; villages are placed on nighttime or 24-hour curfews any time there are reports of insurgent activity. Households and entire villages also continue to be forcibly relocated. In November 2008, for instance, IB No. 107 forced over 60 households in Amae village, Yebyu Township to leave their homes after accusing the residents of supporting the Mon insurgent group lead by Nai Chan Dein.

Nai Chit Noy, Amae village, Yebyu Township.

One young man from the village asked the captain, ‘if you do this, where will we go to live?’... The captain replied, ‘you can go and live anywhere, but not in this area.’ After that, he grabbed the young man and hit him in the head with the butt of his rifle. Once the young man had fallen down, the captain hit the young man’s leg and it broke.

Villagers suspected of involvement with armed insurgents are also detained and interrogated. Soldiers use frequent violence as part of the interrogation process, and over the last 6 years, HURFOM has documented villagers being made to dig their own graves, bound and left in the sun, beaten, burned and subjected to “shin rolling” and electric shocks. Details on 39 instances of torture are recorded in Appendix 4. Soldiers also use violence to intimidate villagers into general compliance even if it provides no information, particularly following clashes with armed insurgents. Villagers have been arbitrarily beaten and had their homes and plantations burned down, while whole villages have been made to pay fines or be forcibly relocated. After a soldier was killed in a landmine blast in February 2008, for instance, troops from LIB No. 408 burned down all the betel and rubber plantations around Yindein village, Ye Township.



HURFOM

Four boys who fled to the Thai-Burma border after being beaten by seven soldiers from IB No. 31 when they could not answer questions about Mon insurgents

⁶⁶ For more on the way the Four Cuts strategy affected the course of civil war in Burma, see Martin Smith, *Burma: Insurgency and the Politics of Ethnicity* (Zed Books Ltd: London, 1993). For analysis of the Four Cuts strategy in Mon State prior to the 1995 NMSP ceasefire, see Ashley South. *The Golden Sheldrake: Mon Nationalism and Civil War in Burma* (New York: Routledge, 2003).