

Anonymous woman, Toe Thet Ywa Thit village, Ye Township:

*[A man from my village] was beaten on his back and legs with a bamboo pole. His face is covered with black welts from the torture he received. They [LIB No. 586] accused him of being a reporter for a Mon rebel group. They interrogated him and when they were dissatisfied with his answers, they beat him. We can hear him crying in pain, even from far away.*

Civilians are also executed summarily, sometimes for being suspected rebel supporters or sometimes simply for working or traveling in a “black” area, dubbed to be under rebel control and, consequently, a free fire zone. Details on 29 killings are listed in Appendix 4. A few months after the forced relocation of Amae village, for instance, 3 people, including the former headmen, were executed by soldiers when they returned to their former village to retrieve abandoned property.<sup>67</sup>

Anonymous, Baraung village, Ye Township:

*We found his body [the body of Nai Maw, 35] at Dikekrok... Since he was arrested, we heard that he was seriously beaten by the soldiers [from LIB No. 583 and LIB No. 591] as a consequence of selling some pork to the Nai Bin rebel group. Finally he was accused of being a supporter of the rebel group and beaten to death.*

Colonel Nai Pan Nyunt, leader of the HRP/MRP:

*Killing and arresting villagers with inhumane torture is a common habit of the Burmese army. It is cruel and inhumane to our people. They [the SPDC army] brought the headmen from Magyi and Mihtawhla villages [in Ye Township] and killed them. And they lied to the villagers that headmen were killed in the fighting with our HRP.*

Village leaders are often particularly subject to abuse as they must deal with the SPDC army on behalf of their villages, a thankless task in which they are often punished for events over which they have no control. Compounding fears related to dealing with the SPDC army is the likelihood that villagers whose first language is Mon will be punished for misunderstandings or simply not speaking fluent Burmese.<sup>68</sup> As a result, in Yebyu and southern Ye Townships villagers are reluctant to serve in village leadership roles. This is a marked change from traditional village life, in which it is a great honor to occupy a village leadership position. “The village headman becomes the ‘porter’ for the army,” Nai Pae, from Magyi village, Ye Township, told HURFOM, drawing an analogy between the treatment of the headmen and the way the army frequently forces civilians to carry supplies. In April 2009, for instance, LIB No. 107 executed 2 village leaders in Paukpinkwin, Yebyu Township, for supporting Mon insurgents. Illustrating the way that villagers often find themselves caught



*A group of villagers who fled to the Thai-Burma border to escape abuses in Yebyu Township*

<sup>67</sup> See, “Three villagers killed after they defy a forced relocation order in Tenasserim Division,” HURFOM January 16, 2009.

<sup>68</sup> For more on abuses suffered by Mon speakers who cannot understand Burmese, see Inset 5.

### **Inset 5: Punished for their mother tongue**

Many villagers along the pipeline are ethnic Mon and speak Mon as their primary language. For these villagers, communicating with soldiers that speak only Burmese is a frightening endeavor. Miscommunications leading to faulty implementation of an army order or incorrectly answering a question carry the very real prospect of punishment by beating. In some cases, language-based miscommunications – or even mistakes as simple as a slow or stuttered answer – have been enough for soldiers to summarily execute villagers along the pipeline’s southern third.

Nai Chain, from Yebyu Township:

*I was along [as a porter] with [LIB No.] 273, led by Colonel Myint Oo... The troops met a suspected man, Nai Ha-Pwe-Dut, 50, a native of Amae village, and asked for information about rebel activities. He was so frightened he refused to answer the questions with his limited Burmese. Then, a soldier beat him with the butt of his gun and shot him dead in front of us. He died on the spot.*

Mon speaking villagers have also reported being punished simply for speaking less-than-fluent Burmese. In southern Ye Township, for instance, residents of at least 5 villages<sup>viii</sup> report being forced to carry identification cards listing their Burmese language proficiency. In other places, villagers who do not speak Burmese have been forced to sit for prolonged periods in the sun without water or suffer other public punishments and humiliations.

Nai Kyaw Min, 34, Paukpinkwin village, Yebyu Township:

*Most of villagers in the village couldn't speak the Burmese language. So, the soldiers tortured the villagers and made the ones who could speak Burmese ride on a cart. The villagers who couldn't speak Burmese had to drag the cart to the farm.*

between the twin fires of the SPDC army and insurgents, the executions came less than 12 hours after Mon insurgents had executed two other village leaders for cooperating with the SPDC army.<sup>69</sup>

Nai Dit, Paukpinkwin village, Yebyu Township:  
*I saw the army tie [two headmen from Paukpinkwin] to a coconut tree near a small hut on the farm. They questioned them for a while but I was too far away to hear what they said. Then they shot them dead. Afterwards Major Khin Mg Chin proclaimed loudly that they would weed out anyone from this area who supported any of the rebel groups... After the soldiers left the villagers gathered by the bodies, which were still tied to the tree. Everyone was distressed because four members of the VPDC had been killed in only twelve hours.*

For villagers in Yebyu and southern Ye Townships, abuses like those described above are an inevitable, deliberate part of the SPDC army’s strategy for countering Mon and Karen insurgents; some abuses would in all likelihood occur without the pipeline. But the pipeline fundamentally raises the stakes, increasing the strategic importance of securing the area.

Unrelated to the *Tatmadaw’s* continuation of the Four Cuts strategy in Yebyu and Southern Ye Townships, however, is the reality that the basic presence of the SPDC army carries with it violence and abuse. In areas all along the pipeline route, villagers have reported beatings, arbitrary killing and sexual violence by the SPDC army. No amount of even the most perverse rationalization can connect these abuses to counter-insurgency strategy. Instead, they are simply the product of the army’s virtual impunity and the lack of accountability with which soldiers

<sup>viii</sup> Villages where residents were required to carry identification cards registering their proficiency in Burmese: Yin Ye, Yin Dein, Magyi, Danikyar, Ko Mile, Ye Township.

<sup>69</sup> For more on the April 2009 events in Paukpinkwin, village,

see “Mon rebels and SPDC army execute four village leaders in span of 12 hours,” HURFOM, April 9, 2009. For more on the way villagers must carefully negotiate the competing demands of the SPDC army and insurgents, see “Living Between Two Fires,” HURFOM 2009.

interact with local residents. In this sense, it is a simple matter of degrees: the more soldiers posted in an area, the more villagers are likely to suffer from arbitrary, violent abuse.

As a result, villagers have reported beatings and even killings for seemingly minor offences or because soldiers have been drinking alcohol. In a typical example from April 2009, for instance,

an officer from LIB No. 299 in Koe Mile village, Ye Township, severely beat the driver of a motorbike for driving through a puddle and splashing his wife. A second man on the motorbike fled the scene, after which the officer went to his home carrying a bottle of gasoline and threatened to burn the house to the ground unless the man came out of hiding and apologized. When the man came to make an apology, the officer beat him as well.<sup>70</sup>



A rape victim and two relatives interviewed after they fled to the Thai-Burma border

Nai Win, 37, Paukpinkwin village, Yebyu Township:

*In 2002, three villagers were killed by soldiers from LIB No. 273 without reason... Nai Ha*

*Rai was killed when he came home from the plantation, but a little bit late [after a curfew]. The soldier... shot him because the soldier was drunk. As for Nai Jews, he was in the VCD [Video Compact Disc] store. When he opened the door of the VCD store, the door hit the soldier. He prayed to the soldier to forgive him because he did not see him. But the soldier did not listen to him and shot him in front of the VCD store.*

Women in areas around army battalions face increased risk of sexual harassment and rape. In 2005, HURFOM's Woman and Child Rights Project (WCRP) released a report documenting 37 cases of rape by SPDC army battalions in Mon State, including 20 incidents by pipeline battalions.<sup>71</sup> Since 2004, HURFOM and WCRP have documented another 21 cases of rape by pipeline battalions not included in the 2005 report. These are detailed in Appendix 5. More than half of the incidents involved girls of ages 17 and younger, including one victim who was just 10 years old. Villagers reported women being taken as servants and made to cook, clean and massage officers before being raped. In other cases, women were raped while they worked on rubber plantations or their homes. In at least one case, an officer ordered the victim's husband arrested on specious charges so that his wife would be home alone. In the majority of the cases, perpetrators were not punished, though some families were threatened after complaining. In cases where villagers made a complaint, higher authorities occasionally promised trials, although in only one case has HURFOM confirmed substantial punishment for a perpetrator.

Mi Aye Yi, Amae village, Yebyu Township, quoting the mother of a girl raped by soldiers from IB No. 107:

*My daughter is only seventeen-years-old. She was raped by seven soldiers... Those soldiers are not human. They are like animals. They are the same evil, both the captain and his soldiers. My daughter nearly died, and now she has tried to kill herself many times.*

<sup>70</sup> See, "Officer beats villagers for accidental splashing," *IMNA* April 21, 2009.

<sup>71</sup> See, *Catwalk to the Barracks: Conscription of women for sexual slavery and other practices of sexual violence by troops of the Burmese military regime in Mon areas*, WCRP and HURFOM, July 2005.

## V. Dirty work: building the pipeline

After the pipeline route was decided upon in 1998 and 1999, it had to be cleared of homes, trees, farmland and other obstacles. First, this entailed the surveying and then seizing land through which the pipeline would pass. These land seizures, amounting to more than 2,400 acres, are documented in Section A and Appendix 6. Construction then began during 1999, when private companies including SMART and PEC<sup>72</sup> cleared the route and dug trenches, using machine as well as human labor. With the pipeline route prepared, sections of pipeline were brought from Rangoon and welded together, then left for local residents to cover with soil. In the southern third of the pipeline, this included forced labor for construction as well as portering as villagers were made to carry supplies for soldiers tasked with providing security for the project. This is documented in Section B.

SPDC army battalions were involved in every stage of the construction process, conscripting laborers, patrolling the area and providing security for MOGE, SMART and PEC employees. Villagers report being forced to provide materials for soldiers, as well as work as forced laborers building army barracks and carrying materials as porters during army patrols. Further details on abuses of this nature, already discussed in Section IV A, are in the following Section B.

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<sup>72</sup> Further details on the SMART and PEC companies could not be obtained by HURFOM, but they are mentioned in the confidential SPDC order document translated in Appendix 1.



## A. Preparing the pipeline route

### 1. Land confiscation, on the record

Before the pipe could be laid, SPDC army battalions, worried about security, required 50 feet on either side of the route to be cleared of everything that could aid or provide cover to potential saboteurs. Plantation owners were ordered to cut down their trees; farmers were made to abandon their paddies and gardens; villagers were made to abandon, move or, in a few cases, modify their homes. In 2002, a HURFOM researcher in Nainghlone village, Mudon Township, described seeing a house that resembled two long, narrow huts stacked on top of each other. The home belonged to family that lived halfway inside the 50-foot buffer zone, and they had simply cut what had once been a relatively large home in half.

Nainghlone village is the only village through the center of which the pipeline crosses, and its residents were made to clear just 10 feet on either side of the route. Along the rest of the route the larger 50-foot buffer remains in place. Affected villagers were given varying degrees of warning, with some receiving as much as 6 weeks to move and others receiving just 3 days. In either case, not only were villagers required to abandon homes and farms, but they were required to remove all traces of their one-time existence; villagers had to leave, and then they had to ensure that what they left behind was bereft of all trees, brush and homes.

According to confidential data obtained from the Myanmar Land Records Department [MLRD] in Mon State, over 2,440 acres of land were seized to make way for the pipeline in Ye, Thanbyzayat, Mudon and Moulmein Townships. According to the MLRD, land seized for the pipeline can be roughly organized into four categories:

- A. Households and developed properties
- B. Farm land, made up most of rice paddy fields
- C. Plantations, made up mostly of rubber trees and orchards of betel nut, durian and other orchard products.
- D. Wild lands.

Organized into these categories, the pipeline caused villagers in Mon State to lose a minimum of 130 household units, 1,190 acres of farmland, 1,065 acres of plantations and 185 acres of wild lands. For more details, see Appendix 6. Importantly, these are losses along only 2/3 of the pipeline; HURFOM could not obtain MLRD data for 60 miles of the pipeline route, including the section connecting Kanbauk to the edge of Ye Township in Mon State and from the edge of Moulmein Township to the end of the line at the factories in Myaing Kalay.



*Surveyors' markings on seized paddy fields prior to pipeline construction in Mudon Township*

Nai Pai, 60, Kwanhla village, Mudon Township:

*Three acres of paddy land out of 10 acres that I owned were destroyed for the pipeline project. In reality, only 50 feet on both sides should be destroyed. I could use the rest apart from the 50 feet. But my land was split into two parts, so it became useless. And at that time, in Thanbyuzayat the commander of IB No. 32<sup>73</sup>... told me to not use this three acres of land because it is a gas pipeline restricted area... At that time, the market price of the land was 200,000 kyat per acre. The total sum of my loss was about 600,000 kyat. I felt it was unfair, but I have to be quiet and I did not dare to say anything.*



*Trench dug for the pipeline during construction on the route through northern Ye Township*

Nai Win, 37, Paukpinkwin village, Yebyu Township:  
*During the pipeline building time, villagers had to work every day... and on farms and plantations near by the pipeline, soldiers did not allow people to work. In Paukpinkwin village there were six hundred households at that time. Around one hundred families lost their farmland and plantations.*

## 2. The impacts of land confiscation and limited compensation

At the beginning of 2002, the MLRD records were used to provide limited compensation to some villagers in Thanbyuzayat, Kyaikmayaw, Mudon and Moulmein Townships<sup>74</sup> who lost their land, though HURFOM could not confirm how many households received payment. It would hardly matter if every single person that lost property to the pipeline received compensation, however, for in every instance of compensation documented by HURFOM the amount provided was insufficient. Villagers reported being given pittances, amounts that reflected neither the market price of their land nor the fact that they lost not just land, but homes and agricultural investments sometimes generations in the making. In other cases, villagers reported being ordered to sign forms saying they received compensation, and then left empty handed.

Villagers who received compensation described massive shortfalls between the compensation offered by the SPDC and their actual losses. On January 9<sup>th</sup>, 2002, for instance, Thanbyuzayat TPDC and VPDC authorities as well as officials from the Ministry of Energy held a ceremony to compensate 7 households who lost land to the pipeline route. The villagers were provided with 18,000 kyat per acre, though local sources said market prices valued the land at closer to 100,000 kyat, plus additional losses for houses and investment in crops and plantations. In a similar ceremony in Mudon Town during the same period, villagers were compensated

<sup>73</sup> Though IB No. 32 is normally based in Kyainnseiky, Karen State, it came to Mon State temporarily to help with security for preparation and construction of the pipeline.

<sup>74</sup> Some residents in Ye Township were also provided compensation, but HURFOM could not confirm which villages or how much they received.



even less. Farmers were provided with 2,000 *kyat* per acre of land. According to local sources, in 2002 paddy land in the area was worth between 150,000 and 200,000 *kyat* per acre, in some cases representing a 99% percent gap between the compensation and actual land value. In spite of this, farmers were still required to attend the ceremony. One reported that his “compensation” did not even cover the cost of travel between his home village and Mudon Town.<sup>75</sup>



An army officer in civilian clothes inspecting a rubber plantation seized by LIB No. 587 in Ye Township

Anonymous, Thanbyuzayat Township:  
*Nai Aung Shein's family lost one acre of land and the whole of their house when the pipeline passed through into their garden. He had to destroy his house and moved into his relatives' house in the same village, Waewinkara, and had to build a new house... He lost about 400,000*

*kyat for both land and house. He also lost another 100,000 kyat to build a new house by buying building materials.... But in the ceremony, he received only 18,000 kyat from the authorities for his one acre of lost lands... After receiving the money, the headmen of Waewinkara... took 5,000 kyat from Nai Aung Shein, at the end he received only 13,000 kyat. The village headmen also took a cut from the other families of 1,000 kyat to 3,000 kyat per family depending on the amount of money they received.*

The result of the land confiscation for some was the loss of years of investment, as described in Section IV, A1; rubber trees take years of care before they are mature enough to sap, while orchard products like durian and cashews take even longer. For others, the losses represented homes and lands kept in the family for generations. In both cases, the shamefully small payments were insufficient to match the loss at market prices, let alone enable villagers to adequately replace their loss with new property and extended agricultural investment. In all the cases, even compensation at market prices would not change the fact that the land seizures and displacement were forced and against the will of local residents.

## **B. Laying pipe: forced labor during pipeline construction**

### **1. Clearing the route and digging trenches**

Villagers along the entire length of the pipeline were required to work clearing brush and hauling soil excavated by the private companies building the pipeline. The worst instances of forced labor occurred in the pipeline's southern third section and southern Thanbyuzayat Township. Villagers were required to work as laborers, clearing brush and large trees, digging the pipeline trench and hauling soil. Orders issued by SPDC army battalions were relayed through village headmen, who organized rotating work parties. Each household in villages near the pipeline was required to provide one person to join village labor parties, which traveled to the

<sup>75</sup> For more on compensation paid to villagers who lost land to the pipeline, see “Kanbauk-Myaing Kalay Gas Pipeline and Negative Impacts to the Civilians,” *The Mon Forum*, HURFOM July 2002.

pipeline site to work for spans of 3 days to as much as a month. In all cases, villagers received no compensation.

Nai Sain, 35, Sattaw village, Ye Township.

*The villagers had to clean the place to put the gas pipeline and dig the ditch for burying the gas pipeline. The head of the village had to make groups of 7 or 8 villagers... [each group] was forced to work on the gas pipeline in turn. One group had to work one week. When the villagers went to work on the gas pipeline, they had to bring [tools] and food themselves... When the villagers worked on the gas pipeline, the soldiers from [LIB No.] 282 and [LIB No.] 273 guarded with guns.*

Many villages in Mon State appear to be populated by children and their grandparents because large numbers of working age people are abroad earning in countries like Thailand. Households in such situations were not exempted from demands for forced labor, however, and had the option of either paying fees to hire a replacement or sending children or an elder.

Ma Shew Lion, 35, Mintha village, Yebyu Township:

*When the pipeline project started we had to work as unpaid workers one week per month... for nearly 3 months. We had to bring food by ourselves. If someone could not go to work, they have to find a replacement. We have to hire someone. The price was so expensive – it cost 3,000 kyat [for one day]. That is why many women and children were involved as workers on the pipeline.*

For many families, “replacement” fees of 3,000 to 8,000 kyat were simply too high a percentage of household income to be afforded.<sup>76</sup> With SPDC army battalions making virtually no delineations based upon age or gender, large numbers of men and women as young as 12 and as old as 70 were made to work.

Mi Nue Yin, 62, Paukpinkwin village, Yebyu Township:

*Each household had to provide one person to work on the gas pipeline. The head of the village made a group for the forced labor.*

*The groups worked 5 days per turn. Men and women, anyone who was over 12 years old, all worked clearing the place for the pipeline and digging the ditch.*



HURFOM

*Men, women and children working as forced laborers on a pipeline ditch in northern Yebyu Township*

Though the companies contracted to build the pipeline used earth moving equipment to dig the pipeline trench in Mon State’s northern townships, villagers in the southern third of the pipeline were required to do much of the labor by hand, clearing brush, timber and root systems, digging trenches and hauling excavated soil. Backbreaking

<sup>76</sup> For more on incomes in Mon State, see Inset 4.



work at the best of times, villagers were made to undertake the tasks with only what tools they could provide, sometimes miles from their home villages and without provisions for shelter, food or health care.

Ah Hein, 27, Sinswe village, Yebyu Township:

*While working on the pipeline... the whole village, people of ages between 17 and 70, both male and female, had to go there and had to bring food and materials from their homes. Villagers had to clear forest and dig the ditch for the pipeline. When villagers worked for the pipeline, the soldiers guarded them and did not allow them to take a rest. When villagers rested, soldiers shot over their head and sometimes kicked them too.*

Villagers working on sections of the pipeline far from their villages faced added difficulties as they struggled both to complete the labor projects and provide themselves with food and shelter. Given little time to prepare living quarters, workers report having to sleep exposed and vulnerable to mosquitoes carrying malaria and dengue fever. Given that Burma is home to high levels of the world's most virulent type of malaria, some of the exposed laborers consequently became infected.<sup>77</sup> Sick workers were given no medical treatment or respite, accused of malingering and threatened or beaten.



Forced labor victims interviewed by HURFOM

Ah Hein, 27, Sinswe village, Yebyu Township:

*Villagers had to live in the forest and cook there and sleep there without mosquito nets. Some villagers got malaria. When the villagers got sick soldiers did not allow them to take a rest.*

Nai Kyi Aye, 59, Kabyar village, Ye Township.

*During working time... there was no medical care and if villagers got sick, the soldiers also beat them. They accused them of being lazy and beat them. If there was no one to replace [the sick] person, soldiers did not allow [the sick person] to stop working. The villager had to work until a replacement person came.*

Nai Thoung, 36, Paukpinkwin village, Yebyu Township:

*When the pipeline project started, villagers had to work to clear the forest and dig the ditch... They had no health care treatment and when they got*

<sup>77</sup> Burma is home to the highest number of malaria deaths in the Southeast Asia region. The area along Burma's nearby eastern border, just 86 miles from the pipeline at its farthest point, is also home to some of Southeast Asia's highest rates of *plasmodium falciparum* malaria infection. *P. falciparum* is the most serious of the four types of malaria and one of the world's leading causes of death from a single infectious agent. For discussion of *P. falciparum* in general and in Burma specifically, see *World Malaria Report 2008*, Maru Aregawi et al, World Health Organization, 2009. For discussion of *P. falciparum* in eastern Burma, see "Prevalence of *plasmodium falciparum* in active conflict areas of eastern Burma: a summary of cross-sectional data," Adam K. Richards et al., *Conflict and Health* 2007, 1:9.

*sick the soldiers did not allow them to rest and ordered them to continue work. At that time, one man died because he was seriously sick with malaria.*

## 2. Portering, commandeering and theft

Villagers did not only have to provide tools, materials, food and shelter for themselves as they worked as unpaid laborers: they had to provide for the soldiers securing the construction process as well. The soldiers, there to ensure the laborers worked as much as to secure the pipeline, demanded villagers provide supplies or simply took what they needed without permission or payment.

Nai Kyi Aye, 59, Kabyar village, Ye Township:

*When the pipeline started more soldiers came to the village... Villagers not only had to work on the pipeline but they also had to... give food such as rice, vegetables, oil, onion, fish paste, salt and other things. Sometimes soldiers took alcohol from shops without paying. The headman had to collect money from villagers and give back to the shopkeepers. Sometimes commanders demanded money [and the] headman had to collect from villagers. Three women were also raped by soldiers.*

Nai Sain, 35, Sattaw village, Ye Township:

*They came with about 20 soldiers and changed the troops every 20 days. When they arrived at the village, villagers had to give chickens and sometime had to cook the food for [the soldiers]. Chickens and other animals raised near houses were grabbed forcefully by the soldiers. Additionally, when the IB came to the village, the villagers had to give money... for the cost of food. The headman of the village collected the money from the villagers, one household had to pay... each month 4 or 5 times.*

Throughout the entire construction process – from surveying to completion – columns of SPDC army battalions conducted patrols in the area in attempts to locate and eliminate Mon and Karen insurgents in the southern third of the pipeline as well as around ethnic Karen villages in Thanbyuzayat.<sup>78</sup> Consistent with SPDC army practice, villagers were required to carry ammunition and supplies. In many cases, portering for army battalions formed a part of pipeline labor rotations organized by village headmen. As a result, many villagers returned from work on the pipeline only to be immediately taken as porters for the army.

Nai Tun Thein, 33, Lae Kyi village, Yebyu Township:

*When the pipeline started there were more soldier columns that came to village... The headman divided villagers into groups and he sent them to work in a rotation system... While waiting for their rotation, villagers had to work as porters because military columns had to guard the pipeline and they needed people to carry things. Villager had to work on both the pipeline and portering.*

<sup>78</sup> In Thanbyuzayat Township, the primarily ethnic Karen villages of Waekami and Sakhangi received extra scrutiny because the SPDC assumed them to be supporters of the KNLA.

Nai Thoung, 36, Paukpinkwin, Yebyu Township:

*During the time after the pipeline started some villagers had to work as porters. Villagers had to carry food and bullets [for the soldiers]... Soldiers also used villagers to go in front of the line when the place was dangerous or if they thought it was a landmine area. During the time the villagers worked on the pipeline project, one young woman was raped by soldiers. The victim is Mi Min, 14 years old.*

The presence of SPDC soldiers during the construction created special difficulties for women, who faced sexual harassment and increased risk of rape.

Ah Hein, 27, Sinswe village, Yebyu Township:

*Rape cases also happened while villagers were working on the pipeline. While villagers stayed in the temporary camp, the soldiers came to a woman while she was sleeping. She screamed and the men [workers] came and stopped the soldiers. Then some of these men were tortured by the soldiers. The soldiers tied them to a tree and beat them.*

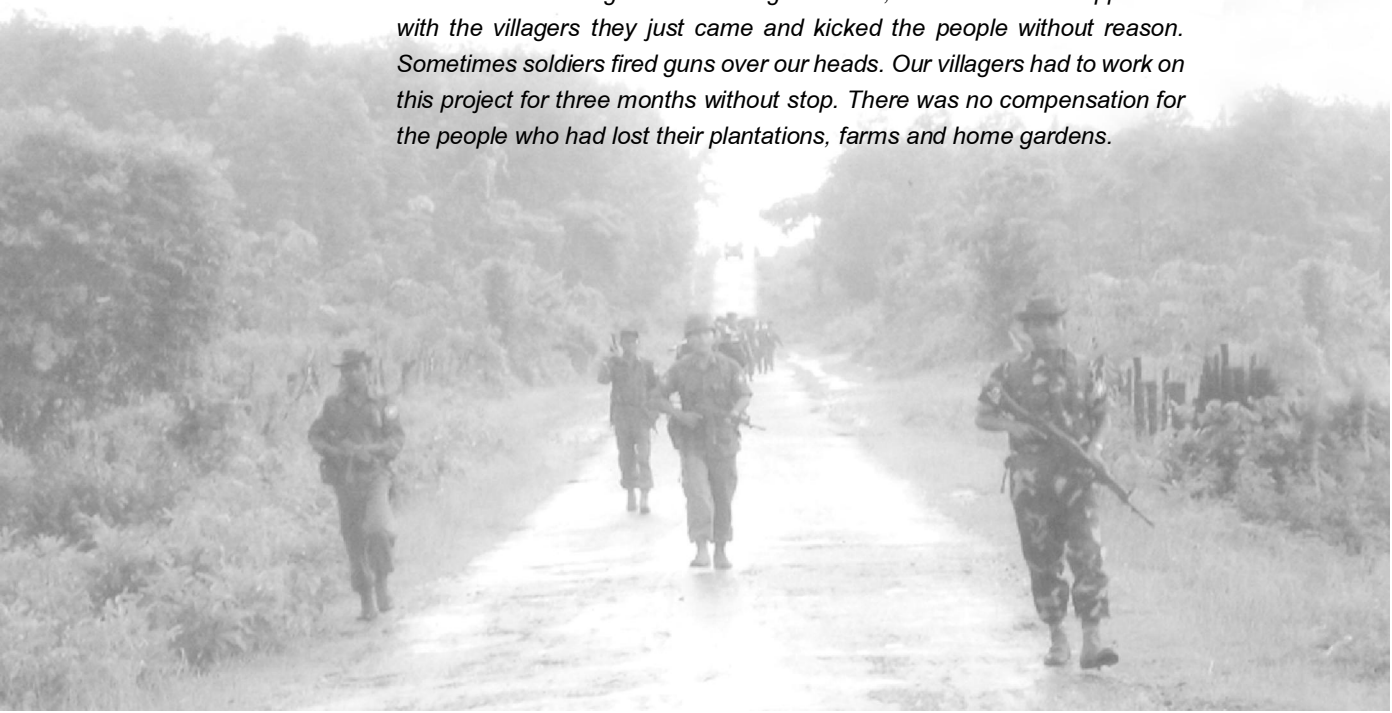
Nai Soe Naing, 35, Paukpinkwin village, Yebyu Township:

*The soldiers at that time were from [LIB No.] 273 and [LIB No.] 282 under different commanders. They were very rude... During working time the soldiers were bad. If the old men could not work, they kicked them and where the young women were, they came to talk and sexually harass them. Also, three women were raped.*

Male villagers also faced abuse by soldiers, who acted with virtual impunity. HURFOM interview subjects described being beaten or threatened for little or no reason.

Nai Thoung, 36, Paukpinkwin, Yebyu Township:

*Sometimes soldiers got drunk. During work time, if soldiers were disappointed with the villagers they just came and kicked the people without reason. Sometimes soldiers fired guns over our heads. Our villagers had to work on this project for three months without stop. There was no compensation for the people who had lost their plantations, farms and home gardens.*



## VI. Life on the line: maintaining and protecting the pipeline

### A. Frequent explosions and accidents

Residents who live along the Kanbauk to Myaing Kalay pipeline generally describe it as poorly constructed. Built by welding sections of approximately 30 foot pipeline, leaks, ruptures and explosions at the joints linking sections of the pipeline are common. “No one has the confidence to believe in the strength of the gas pipeline,” a villager told IMNA after a February 2009 rupture near Kamawet village, Mudon Township. “The joints in the pipeline have cracks in some places. It is very dangerous – it could explode near the village. Most of the explosions are not because of the rebels. They are just from the weak joints.”<sup>79</sup>

Pipeline leaks are often ignored, and villagers report watching gas escape from the pipeline in submerged sections for months, without repair. “The gas that exploded this time was the gas that was leaking since the rainy season,” a Kawdut resident told IMNA after a large rupture north of Lamine in March 2009. “Nobody repaired the pipe even though the rainy season finished. That’s why the pipe could not stay [intact] any longer. That’s why it exploded.”<sup>80</sup>

These slow leaks have resulted in at least 11 large ruptures, depicted on Map 4 and Inset 6.<sup>81</sup> Typically, these ruptures lead to thunderous rushes of escaping gas that villagers can hear for sometimes miles around. “We heard the sound of an

<sup>79</sup> “Pipeline leak prompts massive gas release in Mon State,” *IMNA* February 6th, 2009.

<sup>80</sup> “Gas pipeline bursts after leak neglected for months,” *IMNA* March 2nd, 2009.

<sup>81</sup> Based upon independent documentation by HURFOM. Additional leaks and explosions have also received coverage by *IMNA* and *Kaowao News*. In the most extreme example of the frequency with which the pipeline fails, large failures occurred 3 times in a span of less than three and a half months along the same section of pipeline near Lamine Sub-Township, Ye Township. For *IMNA* coverage neatly tracing the ruptures, see “Gas pipeline fails near Lamine,” *IMNA* December 3, 2008; “Gas pipeline bursts after leak neglected for months,” *IMNA* March 2, 2009; “Gas pipeline bursts, less than month from earlier blast,” *IMNA*, March 17, 2009.



Explosions and major ruptures along the Kanbauk to Myaing Kalay gas pipeline



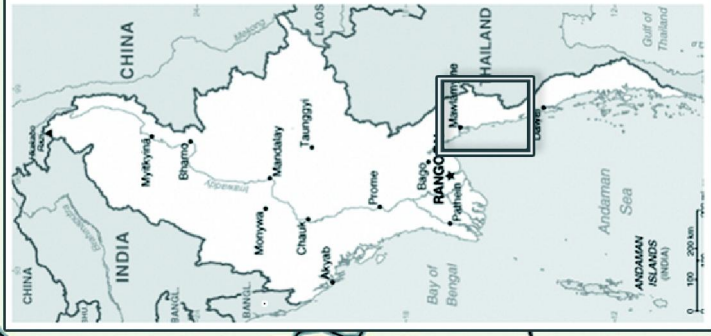


THAILAND

Three Pagodas Pass

**LEGEND**

- Gas pipeline explosion
- Gas pipeline rupture
- 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



ANDAMAN SEA

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





explosion at 9 in the night,” said a woman from Lamine Town after a rupture in February 2009. “I thought it was a bomb explosion. After that, we heard a sound like thunder for about 1 hour.”<sup>82</sup> Villagers reported being afraid of the sound and unsure of its origin. After a 2002 explosion between Kwanhla and Yaung Daung villages in Mudon Township, residents fled to high ground thinking that a canal from the nearby Winphanon dam had burst. “The sound made fear for the villagers. It exploded... [and] made a big hole 3 feet in diameter and 5 feet deep in the ground below the pipeline,” described Nai Nyan Ong, 60, a villager from the area. “It made a big sound at that time. As it was the very first of the explosions, most of the villagers had never experienced anything like that. Most of the villagers who lived in that area ran away.”

In a development that perhaps best demonstrates the frequency with which the pipeline fails, seven years later villagers along some sections of the pipeline report that they are no longer surprised by the sound of pipeline explosions. “I heard a sound like thunder for about two hours... The explosion came again after it had already happened not even a full month ago,” said another woman from Lamine after the rupture in March 2009. “But we are not so afraid of it [anymore] because we hear leaks like that regularly.”<sup>83</sup>

That some villagers have grown accustomed to the sound of pipeline ruptures does not, however, mean that others do not live in fear of such failures. Villagers have good reason to fear the ruptures. Pipeline explosions in which the escaping gas ignited, sometimes burning surrounding homes and plantations, have occurred at least 14 times, depicted on Map 4 and Inset 6. Villagers along the pipeline have been incredibly lucky that only a few explosions have spread into wider fires, the worst of which burned no more than an acre of rubber plantation.<sup>84</sup> The experience of villagers in Thaton Township, where the pipeline runs west from Myaing Kalay towards Rangoon, illustrates how the explosions can be much more damaging: on September 17, 2004, an explosion in Thamasaing village led to fire that consumed 5 homes and a vehicle. “Houses belong[ing] to five families in the village were seriously burnt,” said an area villager. “The explosion threw [up a] huge fire which is higher than a tree and burnt five houses and a truck nearby.” No one was killed. Villagers received no compensation for their lost property.<sup>85</sup>



HURFOM  
*Ruptured pipeline surrounded by a crater left by escaping gas near Lamine Town, northern Ye Township*

<sup>82</sup> “Gas pipeline bursts after leak neglected for months,” *IMNA* March 2, 2009.

<sup>83</sup> “Gas pipeline bursts, less than month from earlier blast,” *IMNA*, March 17, 2009.

<sup>84</sup> In March 2007, a blast 7 miles north of Ye Town set a fire that burned approximately 150 trees on an acre of nearby rubber plantation. See, “Gas pipeline blast burns rubber plantation,” HURFOM, March 27, 2007.

<sup>85</sup> “No compensation for the houses burnt by gas explosion,” *The Mon Forum*, HURFOM September 2004.

## B. Abuse following explosions and accidents

Even more dangerous than the actual escaping and igniting gas are the reactions of SPDC army battalions, who sometimes blame large explosions on sabotage by insurgent “terrorists.”<sup>86</sup> In these situations, local residents suspected as insurgent sympathizers have been arrested, detained for long periods and tortured. Entire villages are also put under travel restrictions, and made to pay extra taxes and fees. “The villagers worry too much about the gas exploding again because they have had very bad experiences,” said Nai Nyan Ong, 60, from Kwanhla village in Mudon Township. “They worry very much about the next explosion. Including me, I also am very worried about that. Because wherever there is an explosion, the abuses occur.”

### 1. Arrests, detention, torture

Following one of the explosions, which SPDC officials blamed on an attack by armed insurgents, villagers suspected of aiding the attacks were detained, interrogated and, in some cases, tortured. In February 2006, an unknown group attacked the pipeline near Kwanhla village, Mudon Township.<sup>87</sup> The attack caused a large explosion and fire, which villagers reported to be taller than a large palm tree and visible from over 10 miles away. Immediately following the explosion, at least 100 people were arrested, questioned and released, including farmers with land adjacent to the area and bystanders who had simply come to watch the gas burn.

Over the next few weeks, a total of 10 people including officials in the Kwanhla VPDC were arrested and taken away for extended interrogation.<sup>88</sup> Though none were ever charged, all were held until May.<sup>89</sup> HURFOM could not independently confirm details of their interrogation, but overwhelming evidence indicates detainees in such situations are generally tortured [See, Section IV, B or Appendix 4]. Kaowao news, however, reported in February that a source within the family of one of the arrested VPDC officials said that the official was tortured until he suffered brain damage. “The secretary of Kwanhla village, arrested for suspicion, was tortured by electric shocks,” said Kaowao’s family source. “Now he has lost his memory.”<sup>90</sup>

<sup>86</sup> See, for instance, “Three KNU terrorists blow up gas pipeline,” *New Light of Myanmar*, May 2nd, 2002.

<sup>87</sup> The SPDC has alternately accused the KNLA, the All Burma Students’ Democratic Front (ABSDF), the National Council of the Union of Burma and an individual NMSP member of launching the attack. Interestingly, prior to the explosion, the SPDC stepped up security and announced that a group of four Burmese men, two Karens and two Indian-Burmese men from Thailand were planning on attacking the pipeline in the area.

<sup>88</sup> Villagers arrested following the Kwanhla explosion included:

Kwanhla VPDC chairman Nai Kon Seik and his wife Mi Pan; former VPDC chairman Nai Than Town; former NMSP medic Nai Tala Aie and his wife Mi Sajin; accountants in the Kwanhla VPDC office Nai Pai and Ma Win; villagers Nai Shwe, Nai Dort and Nai Win.

<sup>89</sup> All of the arrested villagers from Kwanhla were released after paying 1 million *kyat* and signing statements placing the blame for the explosion on NMSP member Nai Ong Janie, who had already fled the area after being accused of taking part in the attack.

<sup>90</sup> See, “Human rights abuses as result of gas pipeline explosion in Mon State,” *Kaowao*, February 8th, 2006.

Even in the case of accidental ruptures rather than attacks, villagers have been threatened and abused. Following a leak in the same area near Kwanhla in September 2005, local VPDC leaders were threatened by the commander of AR No. 315, Major Thit Naing, who also had 6 soldiers publicly beaten for failing to maintain the pipeline. “The ugly military officer threatened to Yaung Daung village headman as, ‘your face is equal to my fist,’ that means he would like to [punch] the village headman because... the gas leaked out near his village,” another VPDC member present at a meeting called by Major Thit Naing told IMNA soon after.<sup>91</sup>

## 2. Travel restrictions and increased security

Residents are also placed under strict travel restrictions following ruptures and explosions. Villagers are sometimes prevented from traveling to areas near sites of explosions or leaks, ostensibly for safety because the gas is flammable. Belying the safety rationale, however, is the fact that villagers are also put on extra nighttime restrictions, and are unable to travel to farms or plantations at night.

After the blast in Kwanhla, Commander Soe Myint of LIB No. 209 informed VPDC headmen in 6 area villages along the pipeline that residents were not permitted to cross the pipeline and would be under a 6 pm to 6 am curfew.<sup>92</sup> “The Commander and village authorities declared that we must be punished [by a] beating... if they go close to the gas pipeline route [during the day time] and if anyone [goes close to the pipeline] at night time, they must be killed by shooting,” a HURFOM field reporter said in July 2006.



HURFOM  
Gas burning after an explosion on February 1, 2006 near Kwanhla village, Mudon Township

The restrictions caused intense difficulties for villagers, who needed to travel to farms and plantations. The nighttime restrictions caused problems for workers on rubber plantations and villagers with far-away farmland. The restriction on crossing the pipeline at any hour, meanwhile, created problems for all villagers who needed to travel to areas on the other side of the pipeline, including the substantial amount of farmland to the pipeline’s west.<sup>93</sup>

Nai Ong Ngwe, 47, Kwanhla, Mudon Township: *I have seven acres of paddy field near Kwankabwi village. To get my farm, I have to cross the pipeline. So, early morning I have*

*to ask permission to cross the pipeline via militiamen. It is not easy and sometimes I have to pay money to get the pass from them. As you know, the beginning of the rainy season is very important for our farmers to plant the paddy.*

<sup>91</sup> See, “Threats to Village Headmen for the Leak of Gas in Pipeline,” *IMNA* Sep 2, 2005.

<sup>92</sup> Villages confirmed to have been placed under travel restrictions following the 2006 Kwanhla explosion: Kwanhla Yaung Daung, Hneepadaw, Abit, Kalawthut and Phedaw villages, Mudon Township.

<sup>93</sup> For more on the consequences for farmers facing travel restrictions, see Section IV, A3.

Importantly, while the increased restrictions in Kwanhla relaxed after two months, they are the norm for villages in the southern third of the pipeline. In these places, even livestock are in danger when they approach the pipeline.

Kyin Kyi, 57, Natkyizin village, Yebyu Township.

*Sometimes the soldiers shot oxen, buffalos, goat and pigs that went around the pipeline. After the soldiers shot them, the animals were eaten by the soldiers.*

Villagers have also reported living in climates of fear and confusion following explosions. Such fear is understandable given the way, for instance, SPDC authorities cast about desperately for suspects following the 2006 Kwanhla blast; at least one villager who had simply traveled to the site to view the fire was arrested and interrogated. "The villagers are frightened. Nobody dares to trade and travel like they used to," said one villager a full month after the 2006 Kwanhla explosion. "Everywhere there is silence."<sup>94</sup>

Villages in the Kwanhla area were also made to provide increased numbers of residents to guard the pipeline, on top of the normal complement. Villagers had to build huts every 500 meters along the pipeline and provide an estimated 100 men from Kwanhla, Yaung Daung and Hneepadaw villages to stand 24-hour sentry duty. Three months after the fact, the increased requirements for sentry duty remained in place.

Nai Tone, affected village, Thanbyuzayat:

*On February 7, 2006, IB No. 32 commanders ordered the village headmen from Kwanhla, Yaung Daung and Hneepadaw in the southern part of Mudon Township, to build one hut every 500 meters... along the pipeline route and instructed that 3 villagers needed to stay in one hut for 24 hours.*

The SPDC has also mined sections of the southern third of the pipeline, where signs have been installed warning people "caution: landmines!" HURFOM could not independently verify whether mines are actually in place, and there is no evidence of any mine-related explosions to date. It would not be surprising, however, if mines have actually been laid. According to a 2008 report by the International Campaign to Ban Landmines (ICBL), anti-personnel mines continue to be used by the SPDC; according to a 2004 report by the same group, Burma has one of the highest landmine casualty rates in the world.<sup>95</sup> Mining of the pipeline is also characteristic of a focus on security that, as the English proverb goes, "loses the forest for the trees;" mining the



*Sign warning of landmines on a section of fenced pipeline in southern Ye Township*

<sup>94</sup> See, "Military targets villagers over gas pipeline explosion," *IMNA*, March 10, 2006.

<sup>95</sup> ICBL. "Burma/Myanmar," *Landmine Monitor Report*, 2008; ICBL. "Burma/Myanmar," *Landmine Monitor Report*, 2004. Importantly, the ICBL also recognizes that armed insurgents including the KNU/KNLA, the "Karrenni Army," the Democratic Karen Buddhist Army, the Shan State Army-South and the MRP continue to use anti-personal mines in addition to government forces.

pipeline may deter sabotage, but it also drastically increases the chance of an explosion born of accident rather than attack.

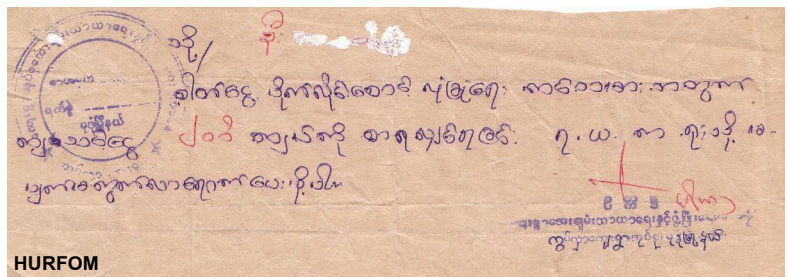
**3. Taxes and repairs**

Following leaks and explosions, villagers have also been required to pay for and participate in repairs. Within a few weeks of the February 2006 blast in Kwanhla, at least four villages were forced to pay taxes by AR No. 315 and IB No. 62, who said that they were collecting funds to pay for damage caused by the blast.<sup>96</sup> Each household, regardless of income, was ordered to pay 10,000 *kyat*.

Nai Ngwe, Young Daungvillage, Mudon Township:

*The soldiers said they were going to reinstall underground the parts of the gas pipeline which have been exposed by the explosion and they were collecting the money to meet the costs. They collected the same amount from each family... They collected 10,000 kyat from each household and as our village has nearly 500 houses, the Burmese troops received a lot of money from our villagers. I don't think they will spend all these funds to repair the pipeline.*

Then, in the third week of March, villagers in Kwanhla were again made to make payments related to the explosion. Officials from the Southeast Command in Moulmein traveled to the village and demanded money to reimburse MOGE for the value of gas lost in the fire. Households were made to pay between 50,000 and 100,000 *kyat*, depending on income. "The poorer villagers cannot afford to pay, they are borrowing the money to give to the authorities," IMNA quoted a man from Kwanhla in a story on the issue in March.<sup>97</sup> Villagers have also been made to participate as forced laborers on repairs to sections of the pipeline where accidents or attacks have occurred.



HURFOM

Order document issued by a village headman tasked with collecting money for pipeline security in Mudon Township

**C. Maintaining the pipeline**

Daily life along the pipeline is punctuated by SPDC security efforts ostensibly related to preventing future attacks. Travel restrictions are common, with villagers prevented from crossing the pipeline – and hence accessing their farms and plantations – during certain times. Residents of nearly every single village along the pipeline are required to aid the security effort. Villagers are required to guard

<sup>96</sup> Villages confirmed to have been required to pay pipeline repair taxes following the 2006 Kwanhla blast: Hneepadaw, Kwanhla, Wagaru and Young Daung villages, Mudon Township.

<sup>97</sup> "Military demands money from villagers for gas lost in pipeline explosion," *IMNA* March 19, 2006.

the pipeline or pay “pipeline security taxes” and fees for the maintenance of militia forces that guard the pipeline. Villagers are also required to work as regular forced laborers, clearing brush and building fences along the pipeline so that attacks are more difficult.

## 1. Pipeline security duty

In the years since construction of the pipeline was completed, HURFOM has documented villagers being required to guard sections of the pipeline in villages near the pipeline in 4 townships through which the pipeline passes.<sup>98</sup> Interestingly, villagers have not been required to guard the pipeline every day since 2000, but rather are ordered to guard the pipeline for various stretches of time as, for instance, 8 villages in Thanbyuzayat were required to do for 5 months beginning in December 2008, mirroring a similar 4 month stretch in 2007.<sup>99</sup> It is not clear why the pipeline security orders come and go, but local VPDC headmen are nonetheless consistently directed by SPDC battalions to provide daily complements of guards sufficient to monitor nearby sections of the pipeline. VPDC headmen subsequently organize guard duty rotations, and groups of villagers are sent to monitor the pipeline in 12 or 24-hour shifts. Every household in the affected village is required to provide someone to guard the pipeline, or pay a “tax” or “substitution fee” to avoid the guard duty.

Saw Nay, 45, Waekami village, Thanbyuzayat Township:

*The Commander, Lieutenant Colonel Than Swe, 50, of Burmese Army IB No. 62 from Thanbyuzayat, demanded we guard the pipeline. They set up a timeline [for patrolling periods] of at least the next five months, starting from this month. He [Lt. Col Than Swe] instructed our village headmen to send two villagers every day. Those who are absent have to pay 4,000 kyat.*

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<sup>98</sup> 44 villages were confirmed to have been required to provide pipeline sentries:

**Mudon Township:**

Kwanhla, Hneepadaw, Yaung Daung, Kalawthut, Kawnkabwi, Doma, Settwe, Taungpa, Seintaung, Htaungkay and Abit villages.

**Thanbyuzayat Township:**

Waekami, Anin, Kyaungywa, Waewinkara, Sakhangyi, Taungout, Peinnedaw, Kaleinpadaw, Waeyet, Hnapyaw Daw and Waekada villages.

**Ye Township:**

Sattaw, Donphi, Hnin Sone, Arutaung, Kyaungywa, Kyonepaw, Balaingkee, Sonnatha, Kundu, Hnin Sone, Chaung Taung, Koe Mile, Hangan and Kaninkamaw villages.

**Yebyu Township:**

Sinswe, Lae Kyi, Lort Taing, Kyaut Kadin, Natkyizin, Yapu and Kaleinaung villages.

<sup>99</sup> Villages confirmed to have been required to provide pipeline sentries in December 2008:

Waekami, Anin, Kyaungywa, Waewinkara, Sakhangyi, Taungout, Peinnedaw and Kaleinpadaw villages, Thanbyuzayat Township. Notably, 2008 marked the first time Anin villagers were required to provide pipeline sentries. Anin is farther from the pipeline than the other villages.



Depending on the demands of the particular SPDC battalion, villagers are sometimes required to walk along the pipeline, sometimes required to stay stationary at designated locations. In many cases, villagers are also required to build and maintain small huts along the pipeline. In the area around Kwanhla, for instance, these huts are visible every 500 meters.



A villager forced to build a security hut near the pipeline in Mudon Township

Nai Shein, 46, Sinswe, Yebyu Township:  
*After the gas pipeline finished, the villagers became guards for the gas pipeline. The villagers had to build two sentry huts themselves. Then, 4 villagers had to guard the gas pipeline security each day in turn... [If] the villager who had to guard the gas pipeline was found sleeping or not in the guard hut, they had to pay soldiers 2 to 3 viss of chickens.*<sup>100</sup>

Villagers have reported varying fees required for the right not to guard the pipeline. Differing by only a few thousand *kyat*, however, the fees are consistently too high for many villagers to afford. For these villagers, even a few hundred *kyat* is the difference between eating or not, let alone making provisions for medical care and education.

Nai Aky, 35, Waekali village, Thanbyuzayat Township:

*My duty will come soon. I don't want to pay 4,000 kyat. That amount of money is enough to feed my family for two days. So, I have to go and guard the pipeline... Normally every year we are forced to look after this gas pipeline for no pay. Last year in February, we [the entire village] were required by [AR] No. 318 to take responsibility for the security of the pipeline for four months.*

Nai Min, Kaleinpadaw, Thanbyuzayat Township:

*The households that could not go and guard [the pipeline]... need to hire a substitute to perform the duty. If you could not... the village headmen ordered you... [to] leave the village immediately... We are in a difficult situation... day-to-day seeking money and food even when there is no instruction for guarding to the pipeline. We, the poor families, faced a difficult situation, if we go and guard we could face food-shortage problems. We could not pay the fine, 2000 kyat per day because we could earn only 1000 kyat per day.*

Families subsequently find themselves in a desperate situation: they must either pay money they cannot afford, or send a family member to work. For many, the latter option is hardly better, for it means losing time that needs to be spent tending to farms and plantations. As a result, villagers report women, children and elders guarding the pipeline in the stead of working age male family members. For their part, the SPDC army battalions do not appear to make any differentiation based upon age or gender.

<sup>100</sup> A viss is a unit of measurement used in Burma, equivalent to 1.633 kilograms or 3.6 pounds.

Nai Zaw Tun, Hneepadaw village, Mudon Township:

*They [the SPDC soldiers] did not specify men, women or children. They said they want everybody to take responsibility in guarding the gas pipeline.*

Maung Min Aung, 13, Yaung Daung village, Mudon Township:

*I have to patrol the gas pipeline and the railway route the whole night [from 6 pm to 6 am), because my parents are too busy with their paddy farm.*

Nai San, 35, Sattaw village, Ye Township:

*In the village, for one day two villagers had been to guard the gas pipeline for security... Not only women, but also children who are over 7 or 8 years of age have to guard the gas pipeline.*

Villagers guarding the pipeline find their duty fraught with dangers. By design, they are often posted in remote locations far from their villages, and must stay there through the night armed with only what weapons they can provide themselves. Women pipeline sentries posted in such situations face special dangers, and HURFOM has confirmed that a female pipeline guard was raped in 2003.<sup>101</sup> For all sentries, regardless of gender, the specter of an attack by armed insurgents is fearsome; if they oppose armed insurgents, they are likely to be killed or injured. If they succumb to fear and leave insurgents unmolested, they will be punished with equal ferocity by SPDC army battalions. Villagers also face the constant prospect of punishments by SPDC soldiers dissatisfied with their performance, even if no insurgent activity occurred.

Kyin Kyi, 57, Natkyizin village, Yebyu Township:

*Villagers were sentries for the pipeline. In Natkyizin, there were some who had to guard the pipeline in the nighttime, some in the daytime... The villagers who had to guard the pipeline did not have guns; they just had a bow and arrows or slingshots to protect themselves... During the sentry time, they had to walk the whole night. If the sentry fell asleep, they had to be punished. For punishment villagers had to pay in chickens. Some had to give money and some were kicked and punched in their faces. In 2006, two sentry men were killed by a rebel army group. Those two sentry men had no [protection] from soldiers.*



Young boys on pipeline sentry duty in Mudon Township

Nai Thoung, 36, Paukpinkwin village, Yebyu Township:

*While villagers took sentry duty if someone fell asleep and soldiers saw them, their punishment would be a punch in the face and kicks with army boots... If*

<sup>101</sup> See, Appendix 5 and *Catwalk to the Barracks*, 2005. *Catwalk to the Barracks* documents the rape of a 17-year-old girl from Kyauktan Kyauk Tan village, Ye Township, who was raped by a sergeant from LIB No. 587 in February 2003 as she returned from nighttime sentry duty along the pipeline.