

# Growing up under militarisation

Abuse and agency of children in Karen State



**KHRG**

Karen Human Rights Group

Documenting the voices of villagers in rural Burma

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**April 2008**

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**Cover photo:** A young child cries in June 2006 while waiting in a woven bamboo basket as other displaced villagers rest, having recently fled an SPDC attack on their homes in Papun District. The rifle of a KNLA soldier providing security for the villagers leans against the basket. *[Photo: KHRG]*

**Back cover photo:** Displaced children in hiding, shown here in June 2006, gather in front of their forest school, set up by the villagers to retain continuity and community in their lives. *[Photo: KHRG]*

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## **Abstract**

As the State Peace and Development Council (SPDC), the military junta currently ruling Burma, works to extend and consolidate its control over all areas of Karen State, local children, their families and communities confront regular, often violent, abuses at the hands of the regime's officers, soldiers and civilian officials. While the increasing international media attention on the human rights situation in Burma has occasionally addressed the plight of children, such reporting has been almost entirely incident-based, and focused on specific, particularly emotive issues, such as child soldiers. Although incident-based reporting is relevant, it misses the far greater problems of structural violence, caused by the oppressive social, economic and political systems commensurate with militarisation, and the combined effects of a variety of abuses, which negatively affect a far larger number of children in Karen State. Furthermore, focusing on specific, emotive issues sensationalises the abuses committed against children and masks the complexities of the situation. In reports on children and armed conflict in Karen State and elsewhere, individual children's agency, efforts to resist abuse and capacity to deal with the situations they live in, as well as the efforts made by their families and communities to provide for and protect them, tend to be marginalised and ignored. Drawing on over 160 interviews with local children, their families and communities, this report seeks to provide a forum for these people to explain in their own words the wider context of abuse and their own responses to attempts at denying children their rights. With additional background provided by official SPDC press statements and order documents, international media sources, reports by international aid agencies, as well as academic studies, this report argues that only by listening to local voices regarding the situation of abuse in which they live and taking as a starting point for advocacy and action local conceptions of rights and violations can external actors avoid the further marginalisation of children living in these areas and begin to build on villagers' own strategies for resisting abuse and claiming their rights.

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## I. Introduction and executive summary

*"I wish to reaffirm Myanmar's commitment to making every effort for the promotion and protection of the rights of the children. I assure you that we will work together towards that goal with added momentum."*

- SPDC Statement to UN General Assembly (May 2002)<sup>1</sup>

*"The SPDC soldiers often came to our village and whenever they came they burnt down the houses and killed the animals that the villagers owned and when they left they placed landmines in the village. Whenever the SPDC came we always ran to escape into the jungle. At that time I looked after my siblings and collected firewood. We always worried that the SPDC would burn down our rice stores and our houses."*

- Naw D--- (female, 14), L--- village, Papun District (Feb 2007)

Increasing focus on the plight of children in situations of armed conflict has led to greater international attention being paid to the effects on children of the protracted conflict occurring in Burma. Such attention has been almost entirely incident-based, however, and focuses on specific, particularly emotive issues, such as child soldiers. While incident-based reporting is relevant, it misses the far greater problems of structural violence, caused by the oppressive social, economic and political systems commensurate with militarisation, and the combined effects of a variety of abuses, which negatively affect the vast majority of children in Karen State. Furthermore, focusing on specific, emotive issues sensationalises the abuses committed against children and masks the complexities of the situation. In almost all discussions on children and armed conflict, individual children's agency, efforts to resist abuse and capacity to deal with the situations they live in, as well as the efforts made by their families and communities to provide for and protect them, tend to be marginalised and ignored.

By drawing first and foremost on personal testimonies, this report allows the children who actually live in Karen State, as well as their families and communities, to explain in their own words the wider context of abuse and their own responses to attempts at denying children their rights. This perspective is crucial for the protection of children from abuse in Karen State. By listening to the voices of local people regarding the situation of abuse in which they live and taking as their starting point for advocacy and action local conceptions of rights and violations, external actors can avoid the further victimisation and marginalisation of children and instead build on the villagers' own strategies for resisting abuse and claiming their rights.

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<sup>1</sup> SPDC Statement to The Twenty-seventh Special Session of the United Nations General Assembly on Children, May 2002. Accessed at <http://www.un.org/ga/children/myanmarE.htm> on March 11<sup>th</sup> 2008.

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As an expression of local voices, children and other villagers living in Karen State have described in depth, during thousands of interviews with the Karen Human Rights Group (KHRG) over the past 16 years, their own experiences of persistent military abuse and the measures which they have taken to resist and respond. What becomes clear from these testimonies is that the character of abuse in Karen State is largely shaped by the extent of SPDC military control over a given community. For those living under consolidated SPDC rule the character of abuse is overwhelmingly that of exploitation and the imposition of mechanisms used to facilitate civilian control. While such exploitation may not always target children as such, demands are typically indiscriminate and children are often required to comply. In this context, children have taken part in forced labour on road construction and repair; portering of military supplies; fabrication and delivery of building materials; construction of fences, schools and army buildings; obligatory participation in rallies and other ceremonies; and agricultural schemes. Restrictions on movement which SPDC personnel have imposed on civilians confine children along with the rest of their community in military-controlled villages and relocation sites where forced labour and other demands are more easily enforced. Children and their families in areas controlled by the SPDC or its proxies face arbitrary detention, torture and killing and the ongoing, though often implicit, threat of violence as a means to enforce compliance with demands or as an arbitrary expression of army personnel flaunting the climate of impunity so intimately tied to the SPDC's system of militarisation.

In areas outside of SPDC control where the regime's capacity to enforce exploitative demands is weaker, children and their communities face an aggressive campaign to relocate them into military-controlled areas. In response, villagers typically adopt flight and displacement into hiding as a means to avoid forced relocation. SPDC forces, therefore, conduct armed attacks on internally displaced people (IDPs) in hiding in order to flush them out of the hills and forests and force them into military-controlled villages and relocation sites. By shelling civilian communities, burning homes, farm fields and food stores, deploying landmines and applying a shoot-on-sight policy, SPDC soldiers operating in Karen State have directly killed and injured children, their parents and other community members. Furthermore, restrictions on the movement of people and supplies to and from non-SPDC-controlled areas obstruct civilian access to food and medical provisions for children and their families which leads to further death and ill health under the regime's relentless campaign of attrition.

Notwithstanding the difference in types of abuse which civilians confront across Karen State, the impact of these acts on children greatly differs from that of adults due to their different roles in the household and community, their greater physical and emotional vulnerability and the smaller degree of control that they are able to exert over their own lives. Children's health is much more likely than that of adults to fail under harsh conditions; their education can easily be disrupted with lasting effects; and their dependency on other family members makes them more vulnerable to the impacts of abuses upon others. While individual incidents of violence and other abuse against children have had

severe impacts on the individual(s) targeted, the persistence of military abuse against both children and adults has had compounding consequences at the individual, household and community level over the medium and long terms which go beyond the immediate cost to the individual. Relentless forced labour, for example, means children are frequently required to compensate for their parents' loss of work on their own livelihoods or take their parents' place in forced labour duties to ensure that the more productive adults are able to work on their own farms. Regular forced labour, theft of livestock, arbitrary 'taxes' and other extortion combined with restrictions on movement and trade cut into family labour time, financial savings and other resources, thereby exacerbating poverty.

Severe and widespread poverty creates a situation where many parents cannot afford the required fees to send their children to school. Large numbers of children must take on labour themselves, either in their homes, on family farms, at urban centres or abroad in order to support themselves and their relatives. The restrictions on, and impoverishment of, those living under SPDC control and the resulting burdens which children bear to support themselves and their families not only cuts into education but also play time and other social activities and makes them more susceptible to other forms of abuse, including sexual violence and underage recruitment into military service. Acute poverty also means parents face severe difficulties in paying costly medical fees or otherwise travelling to access medical supplies and services often restricted to towns and other urban centres; so many children suffer and die from otherwise treatable illnesses. In non-SPDC-controlled areas, whether at IDP hiding sites or at villages yet to be displaced, the Army's campaign of crop destruction, attacks on civilian communities and stringent restrictions on travel and trade have similarly exacerbated poverty and undermined villagers' efforts to provide nutrition, education, medical care, parental supervision and other services for their children. Persistent military attacks on displaced villagers in hiding have also disrupted education, health care and other social programmes within communities that would otherwise have had the means to provide such services themselves; whether through independent village-level responses or with the support of local organisations.

Despite the persistence of military abuse, many children and their families are already finding the strength to resist such violations and shape their lives according to their own desires. Civilian resistance to military abuse in Karen State is contextually varied and includes a broad range of measures from the subtle to the overt. Children, furthermore, are not innocent bystanders as the quest for military domination envelops the country. Rather, they have become active participants in their family's survival, evasion of military forces and resistance to abuse. On flight from SPDC forces, for example, children have been involved in carrying family supplies, young siblings and even elderly relatives on their backs, helping to set up temporary shelters at displaced hiding sites and foraging for food or firewood for family and community subsistence. In support of their children, displaced parents and other community members quickly organise schooling at new hiding sites and seek out alternative medical provisions, such as locally available herbal remedies or the supplies and

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services of local organisations providing aid cross border. Furthermore, children in Karen State, whether in situations of military control or displacement in hiding, have found occasion and means to play and develop despite the context of abuse within which they live. Expressing their personal agency, children have also made political statements about the legitimacy of contending authorities and forms of local governance. In some cases children have even expressed desires to take up arms against the State; and while not encouraging violent responses, such statements nonetheless reflect underlying personal sentiment which must be taken into account.

While the effects of armed conflict and violent abuse against children are serious concerns in Karen areas, there are far more children suffering and dying from, as well as surviving, the structural violence committed against them by the State than there are being directly killed as a result of armed conflict or other violent abuse. Despite the best efforts of families and communities to shield their children from harm, the scale of abuse in their lives deeply and sometimes permanently affects them and the effects of the human rights crisis among children in Karen State will be felt for years to come. Nevertheless, external assistance for local people, whether through international advocacy, direct humanitarian aid or support for local organisations, can serve to bolster indigenous efforts to resist abuse and protect children's rights. However, in order to avoid further marginalising the voices of local children and their families, any external assistance must begin from local conceptions of rights, violations and appropriate responses; using international frameworks and laws as means to support local resistance strategies, rather than ends in themselves.

## Notes on the text

This report is based primarily on the testimony of children, their families and their communities living throughout Karen State drawn from over 160 interviews conducted by KHRG between January 2006 and March 2008. In certain instances, the report also draws on earlier interviews conducted by KHRG where the context was consistent with the current situation. The methodological approach is one of qualitative over quantitative research in order to allow local villagers to speak for themselves about abuses, their effects and the implications on their lives and to describe the manner in which they have responded to events. Further supportive information has been drawn, where appropriate, from academic and media articles as well as reports from government, intergovernmental and non-governmental agencies.

Many of the place names mentioned in the report are indicated on the accompanying maps. Most districts, townships, villages and rivers have both a Karen and Burmese name. We have tried to be consistent throughout this report and favour the names preferred by local people. While districts are identified with Burmese names, their boundaries follow Karen designations as used by local people and the Karen National Union (KNU) but not the SPDC. Under SPDC designations, sections of western Nyaunglebin and Toungoo Districts fall within eastern Pegu (Bago) Division, while western Thaton and Dooplaya Districts form part of Mon State. Karen and Burmese names transliterated into English follow KHRG standards and may deviate from those used by other organisations as no convention has been universally adopted. Please note that KHRG revised our transliteration rules in October 2006 to make them more consistent and accurate, causing the spelling of many place names to change in our reports.

## Terms and abbreviations

|                   |                                                                                                                                                                                           |
|-------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| BMA               | Burma Medical Association                                                                                                                                                                 |
| BPHWT             | Backpack Health Worker Team                                                                                                                                                               |
| BSPP              | Burma Socialist Programme Party                                                                                                                                                           |
| CRC               | United Nations Convention on the Rights of the Child (1989)                                                                                                                               |
| DfID              | United Kingdom Department for International Development                                                                                                                                   |
| DKBA              | Democratic Karen Buddhist Army; Karen armed group allied with the SPDC                                                                                                                    |
| ECHO              | European Commission Humanitarian Office                                                                                                                                                   |
| FBR               | Free Burma Rangers                                                                                                                                                                        |
| FTUK              | Federation of Trade Unions Kawthoolei                                                                                                                                                     |
| IB                | Infantry Battalion of the SPDC Army                                                                                                                                                       |
| ICRC              | International Committee of the Red Cross                                                                                                                                                  |
| IDP               | Internally Displaced Person                                                                                                                                                               |
| IHL               | International Humanitarian Law                                                                                                                                                            |
| ILO               | International Labour Organisation                                                                                                                                                         |
| KDHW              | Karen Department of Health and Welfare                                                                                                                                                    |
| KNLA              | Karen National Liberation Army                                                                                                                                                            |
| KNU               | Karen National Union                                                                                                                                                                      |
| KNU/KNLA-PC       | Karen National Union/Karen National Liberation Army – Peace Council; armed group allied with the SPDC which broke away from the KNLA's 7 <sup>th</sup> Brigade in February 2007           |
| KPF               | Karen Peace Force; Karen armed group allied with the SPDC                                                                                                                                 |
| KTWG              | Karen Teachers Working Group                                                                                                                                                              |
| KWO               | Karen Women's Organisation                                                                                                                                                                |
| KYO               | Karen Youth Organisation                                                                                                                                                                  |
| LIB               | Light Infantry Battalion of the SPDC Army                                                                                                                                                 |
| MOC               | Military Operations Command of the SPDC Army                                                                                                                                              |
| SLORC             | State Law and Order Restoration Council                                                                                                                                                   |
| SPDC              | State Peace and Development Council                                                                                                                                                       |
| TPDC              | Township Peace and Development Council                                                                                                                                                    |
| TBA               | Traditional Birth Attendant                                                                                                                                                               |
| UNDP              | United Nations Development Programme                                                                                                                                                      |
| UNICEF            | United Nations Children's Fund                                                                                                                                                            |
| USDA              | Union Solidarity and Development Association                                                                                                                                              |
| WHO               | World Health Organisation of the United Nations                                                                                                                                           |
| kyat              | Burmese currency; US \$1 equals 5.8 kyat at official rate, approx. 1110 kyat at current market rate                                                                                       |
| baht              | Thai currency; US \$1 equals 31.5 baht at current market rate                                                                                                                             |
| <i>loh ah pay</i> | A Burmese term now commonly used in reference to forced labour; although traditionally referring to voluntary service for temples or the local community, not military or state projects. |
| <i>set tha</i>    | A Burmese term for forced labour duty as a messenger at army camps but also involves other tasks when no messages are in need of delivery                                                 |
| <i>viss</i>       | Unit of weight measure; one viss equals 1.6 kg / 3.6 lb                                                                                                                                   |

# Karen Districts



©Karen Human Rights Group (KHRG), 2006

# Burma



© Karen Human Rights Group (KHRG), 2005

Scale: 1 to 800,000

## II. Background

With a current estimated population of some 6.5 to 8 million individuals<sup>2</sup>, the Karen people reside most extensively in the largely rural areas of southeastern Burma, covering Karen, Mon and Karenni States and large parts of Pegu and Tenasserim Division (defined as Mergui-Tavoy District of Karen State by the local Karen population). Other concentrations of Karen communities are present further west in the Irrawaddy Delta region of central Burma and east in the forested mountains of northwestern Thailand. For the most part, those rural communities living in the Karen heartland of southeastern Burma have historically lain outside the control of the assorted Burman, Mon and Thai kingdoms existent in pre-colonial Southeast Asia. While various monarchic claims of authority in the past have extended over Karen areas, sovereignty has traditionally resided at the village level with kings and urban bureaucracies distant and distinct centres of authority. Although the colonial period saw the British draw up ahistorical international borders which retained the majority of the Karen homeland within the Burmese state, the colonial authorities nevertheless administered the region separately as part of the country's 'Frontier Areas', as opposed to the central ethnic Burman-dominated plains.

On the eve of the country's independence from British rule, the more politically conscious of the Karen elite felt that ethnic-Karen aspirations would be threatened by the rule of a centralised and Burman-dominated government. Despite the structures of parliamentary democracy adopted by the post-independence regime, the newly-elected "Clean" faction of the Anti-Fascist People's Freedom League (AFPFL) led by U Nu lacked widespread popular legitimacy outside of the ethnic Burman majority and was furthermore beset by a large-scale communist insurgency and growing ethnic opposition across much of the country. In this context the Karen resistance initially took up arms in 1949 and gradually consolidated into the present-day Karen National Union (KNU) and Karen National Liberation Army (KNLA). Initially pursuing the political objectives of succession and national independence, the KNU revised its aims in the early 1990s to that of autonomy within a democratic federal state. Struggle for revolutionary political ends, however, is not the sole, or arguably even the main, role which the Karen armed resistance has long played. Due to the violence and abuse against the local population which the Burma Army (known as *Tatmadaw Gyi* in Burmese) has applied to enforce its authority over Karen areas, the role of the Karen armed forces in providing *security* for civilians has grown in significance. Furthermore, the KNU now functions to a large extent as a parallel government in areas not under SPDC control. This role includes administrative functions and the management of social services such as those provided by the Karen Education Department (KED) and the Karen Department of Health and Welfare (KDHW).

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<sup>2</sup> For varying estimates on the size of the Karen population see, for example, <http://www.karenpeople.org> and <http://www.kawthoolei.org>.

The Burma Army's rampant abuse of civilians across Karen State and other areas has developed in direct relation to the system of militarisation which the country's successive military regimes have sought to construct. Claiming the country would otherwise disintegrate under the strain of a growing post-independence Communist insurgency and ethnic opposition to the newly-independent State, the Burma Army under the leadership of General Ne Win took power initially in 1958 and then more permanently in a 1962 coup. Under the rule of Ne Win's subsequently-formed Burma Socialist Programme Party (BSPP), the Army sought to establish military control over all aspects of civilian life and expand further into the non-Burma dominated rural areas. The rhetoric which Ne Win and the BSPP adopted at this time in order to justify increased militarisation and State control was a piecemeal collage of socialist jargon given the title of 'The Burmese Way to Socialism'.

Economically and politically, the 'Burmese Way to Socialism' was a dismal failure. With a stated goal of self sufficiency through political and economic isolation, the military authorities went about creating an exploitative system whereby civilians were forced into the role of serving and maintaining the hierarchical structures of military authority. Unrelenting exploitation of the civilian population alongside draconian restrictions on trade, travel and communication led to the almost complete collapse of the national economy. The massive country-wide anti-regime protests of 1988 were to a large extent underpinned by this deteriorating economic situation and the widespread impoverishment of the civilian population. The alleged reforms and economic liberalisation of the repackaged post-1988 junta in no way sought to put an end to the systematic exploitation of the civilian population. Such exploitation has remained necessary to support the military leadership as an elite social class. Permitting foreign investment and (limited) private domestic enterprise has solely been an attempt to garner increased revenue for the regime itself and strengthen the position of the military authorities. A corollary of this has been the rise of a small class of business cronies who have been able to attach themselves to individual military figures and exploit the system for personal advantage. Seeing any expression of power which does not clearly benefit the military regime as a threat to its existence the BSPP, post-1988 State Law and Order Restoration Council (SLORC) and subsequent State Peace and Development Council (SPDC)<sup>3</sup> have all sought to counter aspirations for ethnic autonomy with military force. This has led to an intensification of violence in the central authority's campaign of domination and assimilation.

In Karen areas military aggression against civilians has been shaped by the Army's Four Cuts policy which, since its establishment in the early 1970s, has aimed to eliminate sources of food, finances, recruits and intelligence for the armed opposition. A corollary of this, and a more crucial factor in understanding military tactics in Karen State, is the SPDC Army's own use of civilians as a base of support. Given the junta's aggressive expansion of the

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<sup>3</sup> The post-1988 military junta changed its name from State Law and Order Restoration Council (SLORC) to State Peace and Development Council (SPDC) in 1997. This change was nominal only and did not reflect any substantive shift in policy or leadership.

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armed forces<sup>4</sup>, the country's ongoing economic stagnation and the military's tendency to concentrate wealth, power and resources at the highest levels of authority leaving field personnel under-resourced, local military units have been required to follow a policy known as 'living off the land' in order to sustain themselves.<sup>5</sup> Army units throughout SPDC-controlled areas of Karen State depend for their continued operations, and indeed very sustenance, on the exploitation of the local civilian population for labour, food, money and other supplies. In order to requisition these resources the Army has had to enforce heavy movement restrictions and forcibly relocate non-SPDC-controlled civilian communities into military-controlled containment sites. Large scale forced relocation of civilian communities to military-controlled population centres, whether they be newly-established relocation sites or pre-existing, but Army-controlled, villages, has thus served as a means of consolidating a ready pool of exploitable labour, money, food and supplies.

Aware of the exploitative conditions pervasive at such sites, civilians have by and large attempted to evade military efforts to forcibly relocate them to these locations; choosing instead to live displaced at hiding sites or flee further afield to refugee camps in Thailand. By choosing to live outside of military-controlled areas or at least to temporarily evade military demands, these civilians undermine the ability of local military units to support themselves. Such people are therefore deemed enemies of the state, targeted as such and shot on sight. Army patrols seek out covert hill fields, food stores, food storage facilities and other structures as part of search and destroy missions aimed at starving these communities out of hiding and into military controlled relocation sites. The Army's implementation of this strategy has been especially intense since the start of the SPDC's northern Karen State offensive around the end of 2005. In the face of such attacks, those living in hiding have thus worked to meet health, nutritional, educational and social needs with the constant threat of detection and execution at the hands of SPDC forces. Those villagers living on the peripheries of military control may not face a permanent military presence in their communities, but nevertheless confront regular or intermittent army patrols demanding labour, food, money and supplies backed up with the threat of forced relocation and wholesale village destruction in the case of non-compliance with military directives. Civilian communities across Karen State therefore confront severe challenges to their lives and livelihoods whether they live under direct SPDC military control or not. The extent of such control over their lives and communities shapes the context within which Karen children grow up; expanding or restricting the opportunities they have and the challenges they face.

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<sup>4</sup> While the SPDC has expressed a stated goal of expanding the military to include 500,000 soldiers, current estimates suggest that the total number of soldiers is not likely more than 410,000. See *Sold to Be Soldiers: The Recruitment and Use of Child Soldiers in Burma*, Human Rights Watch, October 31<sup>st</sup>, 2007, pp. 29-30. Accessed at [http://hrw.org/reports/2007/burma1007/6.htm#\\_Toc180812722](http://hrw.org/reports/2007/burma1007/6.htm#_Toc180812722) on December 5th 2007.

<sup>5</sup> Amnesty International, *Myanmar: Leaving Home*, May 2005. Accessed at <http://web.amnesty.org/library/index/engasa160232005> on December 6<sup>th</sup> 2007.



### III. Education

*"Education is the only treasure that cannot be stolen by a thief."*  
- 'Myanmar saying' printed in SPDC-approved media (Feb 2005)<sup>6</sup>

*"We had a school in our village but the students didn't have a chance to attend the school regularly. The SPDC Army soldiers always arrived in the village and our villagers had to flee from them into the jungle... The children really liked to study, but the problem was that the SPDC Army soldiers came to disturb them."*

- Saw M--- (male, 48), S--- village, Toungoo District (Oct 2007)

### Education in SPDC-controlled areas

Amongst other components of the purported nation-wide development programme to which the regime appeals for some basis of legitimacy, the SPDC claims that in Burma, children's access to education has been continually improving as a direct result of its administration and guidance:

*"In recent times, due to the government's relentless endeavours in building mutual respect, confidence, and understanding, it has been able to forge, in an unprecedented way, solidarity among the national brethren. With the restoration of peace and stability in the border and remote areas after the return of 17 armed groups, the Ministry of Education has been able to help children from those areas to gain access to formal education."*

- Ministry of Education report (Sept 2004)<sup>7</sup>

In Karen State, the regime has claimed responsibility for increasing both the number of schools and the number of those attending. Moreover, public education is allegedly free, at least at the primary level which goes from kindergarten until the end of fourth standard (roughly from ages five to ten). According to the Myanmar Child Law, which the then SLORC regime promulgated in 1993, every child shall *"have the right to acquire free basic education (primary level) at schools opened by the State."*<sup>8</sup> The official State education system covers kindergarten and ten subsequent levels which in

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<sup>6</sup> "Giving children the tools to succeed," The Myanmar Times, February 21<sup>st</sup> – 27<sup>th</sup>, 2005. Accessed at <http://www.myanmar.com/myanmartimes/MyanmarTimes13-255/feagen.htm> on December 12<sup>th</sup> 2007.

<sup>7</sup> "Development of Education in Myanmar," Myanmar Ministry of Education, September 2004, p.23. Accessed at [http://www.ibe.unesco.org/International/ICE47/English/Natreps/reports/myanmar\\_ocr.pdf](http://www.ibe.unesco.org/International/ICE47/English/Natreps/reports/myanmar_ocr.pdf) on December 11<sup>th</sup> 2007.

<sup>8</sup> *The Myanmar Child Law (The State Law and Order Restoration Council Law No.9/93)*, July 14<sup>th</sup> 1993. Accessed on the Burma Lawyers' Council website at [http://www.blc-burma.org/html/myanmar%20law/lr\\_e\\_ml93\\_09.html](http://www.blc-burma.org/html/myanmar%20law/lr_e_ml93_09.html) on March 12<sup>th</sup> 2008.

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reference to Burma are typically termed 'standards'. Interestingly, the Myanmar Ministry of Education translates on the cover of State-issued school texts *thungedan*, the Burmese word for 'kindergarten' (in North America) or 'reception' (in the UK) into English as "Grade 1" and *batamadan*, the Burmese term for first standard, as Grade 2 and so on up to the tenth standard, which then becomes Grade 11. This linguistic slight of hand thus creates for the English-speaking audience a national education system with a total of 11 'grades' without actually expanding the State curriculum beyond the official ten standards. Nevertheless, for Burmese speakers there remain only the original ten standards. Preceding the first to tenth standard are kindergarten and, in rare cases, nursery school. As a whole the official State educational system is organised as follows:

| School    | Standards              | Ages (roughly) |
|-----------|------------------------|----------------|
| Nursery   | Pre-kindergarten       | Under 5        |
| Primary   | Kindergarten and 1 - 4 | 5-7 to 10-12   |
| Middle    | 5 - 7                  | 10-12 to 13-15 |
| Secondary | 8 - 10                 | 13-15 to 16-18 |

While the SPDC makes claims of State funding for the construction and operation of schools and improved access to educational facilities by rural children, villagers living in areas of Karen State controlled by the regime have frequently refuted this. Rather, local villagers in Karen State have cited the junta's devastating under-funding of education, in combination with the military's impoverishment of the civilian population through regular demands for labour, money, food and supplies on top of pervasive restrictions on travel, trade and livelihood, as a cause for constricting access to education by undermining family income levels and driving children into the workforce. Moreover, many schools that have newly opened up have had non-State sources of funding; whether from the local community itself, educational organisations like the Karen Teachers' Working Group (KTWG), the Karen Education Department (KED) of the KNU, local Buddhist monasteries or various Karen Christian missionary groups from the Irrawaddy Delta.

Nevertheless, some sort of schooling does exist in most communities across SPDC-controlled areas of Karen State. In general, these can be divided between 'village schools' established and run by the local community itself and 'SPDC schools' for which the Myanmar Ministry of Education may have provided initial support in construction, and possibly ongoing support for a limited number of teaching staff. Both types of schools may also receive alternative outside financial or in kind assistance. However, the number of facilities that can be included under the latter category is far less than official SPDC figures suggest. One reason is that the military regime has often expropriated 'village schools', or at least taken credit for their construction, while in other cases military personnel have carried out SPDC initiatives for the construction of new schools using forced labour and the extortion of building supplies from the local community.

*"The villagers built the school but then the SPDC changed its name so that it would be their school."*

- Naw S--- (female, 45), H--- village, Thaton District (Nov 2005)

Whether expropriating schools built by the local community or utilising the uncompensated forced labour of the local community to construct SPDC schools the regime in both cases officially lists the new schools in the media and elsewhere as 'SPDC schools' as, for instance, in the following statement:

*"In education sector [sic], the government built 852 primary schools, 90 middle schools and 92 high schools. Moreover, it also built 491 schools and renovated 46 schools in Kachin, Kayin [Karen], Chin, Mon and Rakhine States."*

- SPDC spokesperson (Oct 2006)<sup>9</sup>



This primary school at Noh Naw Wah village, as seen in May 2007, was built to serve children from Ler K'Kya and Noh Naw Wah villages in Thaton District. Villagers reported that the financing for the construction of the school was provided in part by the United Nations Development Programme (UNDP) with local villagers doing the actual construction. The UNDP does operate a "Community Development in Remote Townships Project (CDRT)" which, according to UNDP Myanmar "seeks to improve learning conditions by helping poor

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<sup>9</sup> Quoted in "Development of a country depends on progress of rural areas, and development of urban areas are underpinned by economic infrastructures in rural areas Senior General Than Shwe attends Meeting No 1/2006 of Central Committee for Development of Border Areas and National Races," *The New Light of Myanmar*, October 4<sup>th</sup> 2006.

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communities to construct or renovate school buildings."<sup>10</sup> In response to KHRG inquiries, UNDP Myanmar acknowledged that it does implement the CDRT in Karen State, but it denied that any related projects had been carried out in Noh Naw Wah village.<sup>11</sup> Nevertheless, villagers were initially informed otherwise. Furthermore, when they finished building the school with their own labour the SPDC made an announcement stating that the military had in fact funded and built the school. While the local villagers requested that the curriculum include the teaching of Karen language, history and culture, the regional SPDC authorities have forbidden any such instruction. The sign on the right reads in Burmese *"With education develop a modern country."* [Photo: KHRG]

The distinction between 'SPDC schools' and 'village schools' is, furthermore, partially blurred in situations where the SPDC may provide limited, but insufficient, funds for teachers' salaries and school maintenance. In such circumstances the local community must cover all remaining operation costs themselves. These institutions are, therefore, partially 'SPDC schools' and partially 'village schools' insofar as they receive some support from both sources.

### **Village Schools**

*"We had a school in our village. It was built by the villagers. There were four teachers teaching in the school. The head master got 30,000 kyat [US \$27] and the other teachers got 22,000 kyat [US \$19.82 per month]. There were 81 students in the school. Individual students had to pay 1,000 kyat [US \$0.90] for their school fees."*

- Saw U P--- (male, 35), S--- village, Nyaunglebin District (Aug 2007)

Given the paucity of SPDC initiatives to fully fund the construction and operation of schools across much of rural Karen State, many communities have taken the initiative to build, staff and operate village schools on their own. Most villages have by now set up primary schools but only larger villages have been able to establish middle or high schools. In areas under control of the SPDC or Democratic Buddhist Army (DKBA) control, villagers must get permission from local SPDC or DKBA authorities in order to open any school. In some such cases high schools have been forbidden; thus limiting the level of education which children can receive. Many village schools are not able to continue beyond grade four which marks the end of primary school.

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<sup>10</sup> "Integrated Community Development Projects: ICDP and CDRT," United Nations Development Programme. Accessed at <http://www.mm.undp.org/HDI/ICDP/CDRT.html> on March 29<sup>th</sup> 2008.

<sup>11</sup> United Nations Office of the Humanitarian Coordinator, personal communication to KHRG, April 3<sup>rd</sup> 2008.

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This primary school in Wa Tho Law village of Dweh Loh township, Papun District, shown here in 2006, only teaches up to grade four. Local villagers wanted to upgrade it to teach up to grade seven so that their children could continue their studies while living in their home village. They were planning to do this at their own expense, including improving the building, hiring and paying teachers, but they were forbidden to do so by SPDC Infantry Battalion #30 officer Htun Aung based at Wa Mu army camp. As a result, children wishing to continue their studies must travel to other villages, which takes them away from their families and creates added expense for their parents. Many families could not afford this so their children's education has been cut short. [Photo: KHRG]

Where permitted to build their own schools, villagers must support the construction of schools themselves and finance teaching staff. In some cases, villagers have been able to access external support from organisations like the Karen Teacher's Working Group (KTWG) or the Karen Education Department (KED) of the KNU in the form of finances or materials for the establishment and/or operations of a given school. As an example, KTWG stated in its December 2007 review of education assistance to Karen State that the Karen State Education Assistance Group, a network of organisations and individuals supporting schools in Karen State, provided educational aid during 2007 to 316 out of 324 schools operating in Dooplaya District, an area which has been under heavy SPDC control since 1997.<sup>12</sup>

*"We have a school in our village with teaching up to the fourth grade and we have over 30 students. We have three teachers in the school. All three of the teachers are our own villagers. Our school was established by villagers in cooperation with the KNU [KED] leaders."*

- Saw T--- (male, 40), B--- village, Papun District (May 2007)

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<sup>12</sup> Karen State Educational Assistance Report, December 2007. Accessed at <http://www.ktwg.org/Library/KSEAG%20REPORT%20DEC%202007.pdf> on April 6<sup>th</sup> 2008.

Although individual communities may receive limited external support for their schools, this amount is usually insufficient to cover all associated costs. Irrespective of the limited external support they may receive, securing additional funds to cover remaining costs for schools and teachers is difficult for communities and families already burdened by the extortion of labour, money, food and supplies by local SPDC personnel and the impoverishment brought on by draconian restrictions on trade, travel and livelihood. Many communities across Karen State have nevertheless taken on the responsibility themselves for the provision of schools.

*"We have a school with teaching up to grade three. The villagers were eager to build a school in the village and a church group and the KNU [KED] gave help and advice. We have two teachers and these two teachers are from our village. I don't know how much [money] they receive as support but I don't think that they have enough for their families. The students' parents have to pay one big tin of rice and 500 kyat [US \$0.45] for school fees. Others also have to pay two small tins of chilli and salt and one viss [1.6 kg. / 3.6 lb.] of fish paste."*

- Saw S--- (male, 31), Ht--- village, Papun District (May 2007)

In schools set up by the local community in order to educate their children, adults with the most education in the village are typically requested to serve as teachers. In some cases, the SPDC's Ministry of Education may assign staff, typically ethnic-Burman teachers from the relatively more urban towns, to teach in the 'village' schools. Despite assigning the teachers, the local SPDC authorities may not provide any support for their salaries, thus leaving this cost for the villagers.

*"We have a school in our village that goes up to grade four. The school was built by the villagers. The teachers are from the township government [Township Peace and Development Council (TPDC)] which sent them to teach. The villagers must pay their salary. There are five teachers; four are female and one is male. The students must pay their own school fees. When the children graduate from grade four their parents send them to the town to continue studying. They don't get any free materials. Their parents must pay for them."*

- U T--- (male, 44), B--- Village, Thaton District (June 2007)

## **SPDC Schools**

*"Now, let me present how the Government has endeavoured for the development of education sector [sic]. In basic education, the number of high schools, middle schools and primary schools has also increased. Before 1988, there were only 20 high schools, 65 middle schools and 1,064 primary schools in Kayin [Karen] State. Now, 35 high schools, 77 middle schools and 1,154 primary schools have been in existence [sic]. The number of teachers has increased from over 4,000 to over 6,000. Moreover, the number of students has also increased from over 100,000 to 210,000. So, the increase in the number of students is 80,000 [sic]."*

- Official statement at an SPDC press conference (June 2006)<sup>13</sup>

Despite the figures cited by SPDC officials, the SPDC has systematically eroded the education sector in Karen State and other areas by limiting resources, reducing expenditure and strictly censoring the curriculum. The British Government's Department for International Development (DfID) has noted the *"extraordinarily low levels of government funding for education in Burma (0.3% of GDP); the low quality and high cost of participation [and] the inaccessibility of schools in many areas"*.<sup>14</sup> While the SPDC devotes half of its budget towards military spending<sup>15</sup> the paltry level of spending on education remains one of the lowest in the world and represents less than US \$1 per person per year. The result is that in the purportedly State-funded educational system where schooling, at least at the primary level, is officially legislated to be free, students and their parents must cover a broad assortment of costs. These include salaries for teachers, books and other school supplies, upkeep and cleaning of the school facilities and intermittent 'donations' for festivals and ceremonies organised by SPDC officials.

*"We had a school in the village. It was only for the small children. For the teenagers they had to attend SPDC government schools at other places. The villagers had to pay the teacher's salary. We paid her 60,000 kyat [US \$54] per year. The students who attended the government school had to buy the books, pens and other things by themselves. I sent my three children to attend the government school. I think that for my three children I have already spent 30,000 kyat [US \$27]. After they graduated grade seven they had to continue studying in Papun [town]."*

- Saw N--- (male, 45), N--- village, Papun District (Nov 2007)

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<sup>13</sup> "Kayin, Bamar, Rakhine, Mon, Shan, PaO, and other races striving for emergence of peaceful, developed and modern State under the guidance of the State Peace and Development Council in Kayin State," SPDC Press Conference, June 11<sup>th</sup> 2006. Accessed at [http://www.myanmar.com/press\\_conference/2006/11-6f.html](http://www.myanmar.com/press_conference/2006/11-6f.html) on December 12<sup>th</sup> 2007.

<sup>14</sup> "Country Profiles: Burma," UK Department for International Development, October 4<sup>th</sup> 2005. Accessed at <http://www.dfid.gov.uk/countries/asia/burma.asp> on September 5<sup>th</sup> 2007.

<sup>15</sup> "134 MPs Demand Total Oil Withdraw From Burma," The Burma Campaign UK, July 14<sup>th</sup> 2005. Accessed at [http://www.burmacampaign.org.uk/pm/more.php?id=175\\_0\\_1\\_0\\_M](http://www.burmacampaign.org.uk/pm/more.php?id=175_0_1_0_M) on December 12<sup>th</sup> 2007.

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*"The books are produced by the SPDC and the students have to buy them from them [the SPDC]. It costs about 1,500 kyat [US \$1.35] per set of grade four students' text books. Occasionally, the note books are distributed to the students freely by the SPDC and an NGO distributed [books] freely to us once. The admission fees for a grade four student are about 1,000 kyat [US \$0.90] and for a kindergarten student they are about 500-600 kyat [US \$0.45 - 0.54]. The admission fees are given to the principal and the principal uses them for the benefit of the school."*

- Saw O--- (male, 40), K--- village, Doooplaya District (Dec 2006)

Valuing perceptions of its legitimacy over any actual improvements in children's lives, the SPDC leadership has shown itself more intent on quoting figures which can confirm its claims of developing the country than on investing sufficient funds to improve the quality and quantity of education in rural areas. As a consequence, schools which may have received some measure of support at the outset for construction are frequently left without any subsequent support for the actual provision of education. When SPDC teachers do actually receive some compensation from the Ministry of Education, the official salary is often grossly inadequate. Furthermore, the number of SPDC teachers assigned to villages is often insufficient given the number of students. For both reasons, villagers are left to provide remuneration either to supplement teachers' salaries, in the first case, or to wholly cover the salaries of additional teachers in the second case, as they would also have to do in village schools. Remuneration typically consists of payments of rice.

*They [SPDC] have provided two teachers for us. That's not enough for us so we've found six more teachers and we have to support them. The school goes until grade eight. The students have to buy the materials by themselves. Mostly the children in the village attend school, but some children can't afford their school fees. We've tried to help the children who really want to attend school but whose parents can't support them."*

- Naw--- (female, 34), Ht--- Village, Doooplaya District (March 2007)

*"This school is a high school and it will continue until grade ten. Most of the teachers are SPDC-appointed, but two or three of the teachers were recruited by the villagers. Each of the [SPDC] teachers gets a salary from the SPDC, it's only 8,000-9,000 kyat [US \$7.20 - 8.10 per month]. The villagers know it isn't enough for them so the villagers give them food every month. We give two baskets [of rice] to each of them every month. There are almost 20 teachers from the SPDC. We collect rice for all of the teachers in a year from among the villagers. We give them 150 baskets of rice a year and it costs 200,000-300,000 kyat [US \$180.18 - 270.27] per year for a student to buy things for school and for school fees."*

- Saw M--- (male, 35), L--- village, Thaton District (April 2006)



*"In our school, there should be five government teachers, but now there is only one government teacher so the villagers have to hire the rest of the teachers they need."*

- Aunty B--- (female, 46), K--- village, Thaton District (Feb 2006)

In addition to teachers' salaries parents and children must contribute other regular and intermittent fees for various festivals, ceremonies and school services. In Papun town, for example, fees at an SPDC primary school are over 2,000 kyat per year. In addition to this, students have to pay donations of 100-500 kyat, as frequently as once a year to once a month, for each of the following occasions or purposes:

| Transliterated Burmese name                | English translation/explanation                                                                                                                    |
|--------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------|
| <i>Wahso thingan kat bweh</i>              | Festival of offerings to the monks in July or August                                                                                               |
| <i>Thee kywet mee hton bweh</i>            | Festival of offering to the monastery for Buddhist Lent during the seventh month of the year                                                       |
| <i>Tansaungtaing</i>                       | "Festival of Light"                                                                                                                                |
| <i>Aasariya bpoozaw bweh</i>               | "Teachers' Day"                                                                                                                                    |
| <i>Sa hso bpyein bweh</i>                  | "Recitation Competition"; a competition where Buddhist monks compete to see who can recite most extensively the Teachings of Buddha from memory    |
| <i>Aazanee neh haung Bpyaw bpyein bweh</i> | "Martyr's Day"                                                                                                                                     |
| <i>Athin win kyay</i>                      | 'House' fees (every student is allocated to a 'house' when they commence school in which they partake in school competitions and do school chores) |
| <i>Thanshinyaykyay</i>                     | School cleaner's fees (approximately twice a year)                                                                                                 |
| <i>La sin kyay</i>                         | Monthly collection of fees for the end of year class party and present to the teacher                                                              |
| <i>Na yay</i>                              | Ad hoc collections for needy students                                                                                                              |
| <i>Ah kasah kyay</i>                       | Sports tournament; held once a year during the rainy season                                                                                        |

Students in higher grades are, moreover, asked to pay higher fees. Families thus struggle to pay the ever increasing school fees in order to maintain their children in the education system. Parents whose children are enrolled in SPDC institutions either find the money or take their children out of school. The accumulating costs of school fees, books and materials and other intermittent expenses can lead to family spending cuts in other areas including food.

*"The students have to buy books, pens, uniforms, an umbrella, a bag and their textbooks by themselves. The SPDC gives no books freely. We have to go to the market to buy books. If the school distributes them, we have to pay money. To be able to save more money, some of the students keep the book very well and when they finish the class they hand over all their books to their younger brothers and sisters so that they do not need to buy the books. The students bring lunch themselves. The poor students cannot bring anything for lunch so they eat nothing; they just eat in the morning and evening."*

- Saw A--- (male, 28), P--- village, Papun District (Aug 2007)

Compounding the financial problems associated with sending children to SPDC schools are the teaching problems in schools. Teachers' salaries are very low and students frequently complain that their teachers are attempting to supplement their meagre income by teaching poorly in school and thus forcing the children to purchase extra tuition outside school hours in order to pass their exams.

*"The salaries of school teachers and office staff are not enough for them because the commodity prices are very high... The teachers open tuition classes to get more income. I've also had to attend their tuition classes."*

- Ko A--- (male, 24), Rangoon [interviewed in Papun District] (Feb 2007)

*"I studied in my village until grade four and went to continue my schooling at Toungoo [town]. When I studied in Toungoo, the students didn't have a chance to learn Karen, for they were not allowed to teach Karen... They also taught a little bit about politics once every two or three months. In town, most of the students had to take tuition as the teachers would not explain things perfectly to you. If you didn't have money, they wouldn't even look at you. In the class, the teachers didn't teach us anything, they just finished their periods without teaching the students anything, so most of the students had to take tuition because they were afraid they wouldn't pass the exam."*

- Naw P--- (female, 17), H--- village, Toungoo District (April 2006)

In military-controlled relocation sites the provision of education is even more dismal than that at SPDC schools in established villages. Relocation sites are either newly established population centres set up on barren fields in areas firmly under SPDC military control or extensions of pre-existing villages. In either case, little effort is made to support relocated villagers or the construction of new schools. Travel to neighbouring villages where schools may exist is furthermore restricted as local officials fear that villagers would evade military-imposed duties or even flee from the relocation site altogether. Relocated children may therefore go from a situation of being able to freely attend school prior to relocation into a situation under firm SPDC control where no such facilities exist.

*Before, in our village, we had a school up to grade four, but after we relocated we didn't have a school anymore."*

- Saw K--- (male, 30), Y--- village, Nyaunglebin District (Aug 2006)



The barren landscape of Bplaw Law Bler relocation site, Nyaunglebin District. The restricted housing plots, size of individual homes and general barren landscape contrasts with the larger homes and lush environs of the abandoned villages of the relocated communities. The SPDC has utilised this site to house forcibly relocated villagers since at least 2006. Following the March 2007 relocation of Pa Hta La villagers to this site, battalion commander Aung Zaw of SPDC Light Infantry Battalion<sup>16</sup> (LIB) #350 likewise ordered the residents of Thu K'Bee village tract to relocate here in May 2007. At this and other relocation sites, villagers confront reduced, if any at all, educational and other facilities. [Photo: KHRG]

### **Forced construction of schools and libraries**

*"The villagers had to carry 30-40 carts of stone to construct the school. The villagers carried stone from Maw Loh River. The villagers also had to carry sand. Villagers who had a car had to carry sand for them [for the other villagers]. They [villagers] gave the owner of the car 6,000 kyat [US \$5.40] to go to carry sand one time. The SPDC considered this school their government school, but the villagers had to work very hard for this school to be constructed and they didn't pay anything to the villagers so you could also say that it is the villagers' school. They started building the school in 2005."*

- Saw M--- (male, 35), L--- village, Thaton District (April 2006)

In contrast to the rhetoric, many of the schools which the SPDC asserts were constructed with State funds were in fact built with the forced labour of the local community. The SPDC military personnel implementing this form of forced labour label it *loh ah pay* which is a Burmese term traditionally used in

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<sup>16</sup> Light Infantry Battalions (LIBs) of the SPDC are supposed to be about 500 soldiers strong but at present most SPDC battalions number under 200.

reference to voluntary and meritorious service at local temples or other community projects but not military or State projects. The villagers themselves say that their service is certainly not voluntary and the unrelenting demands for forced labour leave them with little time left over to cultivate their own fields and conduct other essential work for their livelihoods.

*"The SPDC forced the villagers to carry stones to build the school. The school that they constructed isn't finished yet. Our villagers are poor, so we don't have a bullock and cart. Some of the villagers have carts, but they don't have any bullocks, some have a bullock, but don't have a cart, so when the SPDC forced us to carry stones for them, we had to co-operate to find both a cart and bullocks. Our village had to give ten bullock carts to carry sand. The villagers had to carry it from Maw Loh Kloh to Lay Ket army camp. The distance between Maw Loh Kloh and Lay Ket village is more than 30 minutes – two furlongs<sup>17</sup>. After they finished constructing this school, they arranged to construct a hospital. The villagers feel very weary and worried about that too."*

- Saw M--- (male, 42), L--- village, Thaton District (Feb 2006)

Having requisitioned forced labour for school construction, local SPDC officials can then pocket Ministry of Education finances - if any were in fact earmarked for the project in the first place - or use the construction of the school as a pretext for further extortion from the local community.

*"We have no hospital or clinic here. There is one clinic in Mah Taing and one school in Le Nya [town]. The SPDC built that school and when they built it they demanded a lot of money from the villagers. One house had to pay 50,000-60,000 kyat [US \$45 - 54]. It was finished two years ago."*

- Daw K--- (female, 46), L--- village, Tenasserim Division (June 2007)

*"The villagers in Pa'an Township of Thaton District, collected money and co-operated amongst themselves to construct the schools for the children to study. After the villagers finished constructing the schools, SPDC troops came and took pictures of the schools. Then they reported to the Education Department that they had done these projects in Karen State; that they had developed the villages to improve the villagers and they showed the pictures of the villagers' schools and said that they were the schools that they had built for the villagers. They reported to the headquarters of the education minister that they had spent so much money in order to build the schools. They got the amount of money that they had reported [reimbursed] from the education minister and used it for themselves. They [the Ministry of Education] sent one teacher for each school and the principals of every school are teachers from the SPDC. The SPDC gave only one teacher for one school so the villagers*

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<sup>17</sup> While the standard measure of one furlong is 201 meters, some villagers have their own notion of a furlong which relates to the length of time travelled and is unrelated to the meaning of the term as a physical distance.

*had to hire the other teachers themselves. None of the students could study Karen [language] for the teachers were not given time to teach Karen and the teachers from the SPDC didn't dedicate themselves to teaching the students. They didn't attend the class or come to school on time."*

- KHRG field researcher, Thaton District (April 2006)

Aside from schools, SPDC authorities have also forced villagers to build libraries in their village at their own expense. Such facilities are likewise advertised in the State media as evidence of the regime's development credentials. In Karen State, these libraries have remained mostly empty as few books have been provided; often the only reading material is old magazines.

*"The TPDC [Township Peace and Development Council] chairperson forced the villagers in T---, P--- and C--- villages to build the library by themselves. When we finished building the library on January 7<sup>th</sup> 2005 they gave 25 books to our village, 30 books to P--- village and 45 books to T--- village. They told us to put the books in the cupboard. Some of the books were magazines about health, business and society, but most of the books were about the movie actors and actresses to make the women and children interested in their books."*

- U L--- (male, 56), village head, C--- village, Dooplaya District (Jan 2006)

Regardless of whether a given school was built independently by the local community or carried out by the military using the forced labour of the local community, the SPDC exploits the construction of the new facility as a propaganda tool. Following the construction of new schools in areas under SPDC control local officials order villagers to organise opening ceremonies that are to be attended by military personnel and often filmed or photographed for State media, such as the New Light of Myanmar newspaper or either of the country's two official television stations. The school children are forced to line up and applaud the SPDC as they tour the school.

*"If one of the [SPDC] leaders visits the place and has a ceremony, like the opening ceremony of some building, the students must go to welcome the leaders. They have to line up and applaud. They [SPDC] see that the way to get a lot of people quickly is to use the students."*

- Saw A--- (male, 28), P--- village, Papun District (Aug 2007)

Local officials have also exploited these events as an opportunity for further extortion; requiring that local villagers contribute a 'donation' for the celebration.

*"Sometimes when SPDC officers came and looked at our school, the teachers asked the students for money to welcome the officers or leaders. They sometimes asked for 200-300 [US \$0.18 - 0.27] and sometimes for 400-500 kyat [US \$0.36 - 0.45] from each student."*

- Saw P--- (male, 40), T--- village, Toungoo District (April 2006)

## **School dropouts and decreased enrollment**

*"Some children aren't able to attend school because their parents can't support them. So they have to stay in their home and help their parents. After the children in the village graduate from grade five some of them continue studying in cities such as Kawkareik and other places, but some students who graduate from grade five whose parents couldn't support them to continue studying have had to leave school and stay at home."*

- Saw M--- (male, 35), K--- village, Doooplaya District (March 2007)

*"My older brother and sister were not interested in going to school because their school was often disturbed by the SPDC. My parents sent my younger brother and sister to the [refugee] camp to go to school because if they stay in the village they don't have enough time to go to school. Sometimes if I think about my past history I feel very sad because I had no chance to go to school."*

- Saw N--- (male, 21), L--- village, Nyaunglebin District (Feb 2007)

A combination of unmanageable costs for school attendance and increased poverty have led to high rates of dropouts and decreased enrollment in schools under SPDC control. While the former issue stems from the regime's diversion of funds away from the educational system and towards the military, the latter arises out of the stifled economics of rural militarisation in which regular demands for labour, money, food and other supplies in combination with restrictions on travel, trade and livelihood have undermined household incomes and savings. In this context the heavy burden of fees for teachers' salaries, notebooks, school maintenance and cleaning, festivals and ceremonies are too much for many parents who cannot therefore afford to send their children to school.

*The students have to buy things for school by themselves. Occasionally, the students have received some support from the KNU [KED], but it has not been enough for them. There are many students and each student would get only one book. Some of the children wanted to attend school, but their parents didn't send them. Some of the children were forced to look after their younger sisters or brothers, or look after buffaloes and cows instead of going to school because their parents didn't have enough money to send them to school."*

- Saw W--- (male, 46), T--- village, Thaton District (Feb 2006)

The Rangoon-based office of UNICEF has itself acknowledged these trends of high dropout rates due to increasing poverty across the country. As UNICEF's representative on Burma noted,

*"Many children drop out during the first two years of primary school... For many families living under arduous financial constraints, it can be*

*difficult to invest in their child's education when they have so many other pressing needs at home."<sup>18</sup>*

In this context of high enrollment costs and families' own needs to increase household income many parents decide to take their children out of school in order for them to take on paid labour, work on family-owned agricultural fields or do general tasks around the house such as cooking, cleaning and caring for younger siblings.

*"Some children don't have any chance to attend school because some of them have to look after their younger brothers and sisters while their parents are working in their farm and garden. They also have to cook and carry water to their house."*

- Naw G--- (female, 42), K--- village, Papun District (April 2007)

*"Some of the children who are of school age were forced by their parents to work in the farm field, look after their baby sister or brother or look after the cows or buffaloes."*

- U K--- (male, 44), village head, E--- village, Thaton District (Feb 2006)

To make matters worse, particularly for girls, limited facilities mean that schools, especially at the middle and high school level, may only be open in neighbouring towns or larger villages, not in their own village, making access to education difficult. Students may have to travel long distances across fields and through forests. Not only is this option for girl students hindered by traditional proscriptions against women and girls travelling far from their home villages, but parents also often worry that their daughters will be attacked and raped while travelling through these areas. As a consequence, parents may keep their daughters at home while sending only their sons to attend class.

*"Parents who will send their daughters to school in other places first look for a good school and good security for the daughter. The parents [also] don't want to send their daughters to go far away from their village to find money. Married women say that if they send their daughters, they will get very worried, so they don't dare to send their daughters to go far away because of the security for women."*

- Naw S--- (female, 22), N--- village, Thaton District (Sept 2006)

Moreover, girls have traditionally been expected to take on household occupations less dependent on high levels of formal education. Given the limited opportunities for financial or personal development beyond traditional agrarian livelihoods in the current system of militarisation, this scepticism about the usefulness of education for girls, as well as boys, persists.

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<sup>18</sup> "UNICEF encourages participation in School Enrollment Week," UNICEF Myanmar Media Centre, June 2004. Accessed at [http://www.unicef.org/myanmar/media\\_1567.html](http://www.unicef.org/myanmar/media_1567.html) on January 4<sup>th</sup> 2007.

*"Students who finished grade four and wanted to continue to grade five would go to Puh Pra, but only three or four children went there to continue to high school. Some parents said that it is a waste of time and money to study higher [grades] because for some of those who finished the higher grades, the only thing they could do when they came back to the village was help their parents in the flat or hill fields because they didn't have any job to do. But a few parents thought differently and urged their children to continue their schooling."*

- U P--- (male, 39), village head, O--- village, Dooplaya District (Dec 2005)

When deciding to remain enrolled in school – or keep one's children enrolled – the high costs of attendance, household impoverishment, long distance to schools along with other challenges must be weighed against the potential opportunities that successful completion of such education can provide. These factors, in turn, interact with traditional views on the value of education. While informal education has always been held in high regard amongst the Karen, formal education is increasingly valued for both men and women. However, the high costs of attendance and the high opportunity cost of keeping children enrolled as the family is becoming impoverished are simultaneously challenging this view. Given the restricted employment opportunities for rural villagers within the context of the SPDC's system of militarisation, some families have come to see little value and much burden in sending their children to school.

*"Some of the parents have said that, 'educated people [only] eat rice and uneducated people [also only] eat rice,' so we can't tell them anything [i.e. teach them anything of use]. Some of the parents have said that it is important for them [their children] to earn money, so they have forced the children to work."*

- U K--- (male, 44), village head, E--- village, Thaton District (Feb 2006)

Furthermore, widespread impoverishment under SPDC rule in Karen State has led to a change in household roles, with serious implications for children's education. In the past, rural men worked in their farm fields while rural women took care of their children, house and kitchen gardens. Now, however, with the frequent seizure of rice, livestock and money by military forces, as well as forced labour demands which take family members away from work in the fields, women are forced to invest more time and energy in subsistence work. Children are then depended upon to take on increasing household chores or work in the farm as well to support the family's livelihood.





A young boy in Dooplaya District works ploughing a field in July 2006 which, despite wanting to attend school instead, he must do daily in order to compensate for the loss in productivity resulting from SPDC demands on his family for money, labour and supplies. [Photo: KHRG]

*"In my village not all of the children are able to come and attend school. For some, their mothers don't allow them to come to school and they have to look after their younger siblings. Some wanted to come but they had family problems."*

- Naw H--- (female, 49), L--- village, Papun District (Jan 2007)

*"There are over 100 students in this school. About one third of children don't attend the school. Some of them don't attend school because they have to look after their younger sisters or brothers while their parents are at work. Some of them have to help their parents look after cattle or buffaloes so they don't have time to attend school."*

- Saw O--- (male, 40), K--- village, Dooplaya District (Dec 2006)

Decreased school attendance is thus directly tied to the economics of the regime's gross under-funding of education and exploitation of civilians, both of which will continue so long as the military is given unquestioned priority over the civilian population.

## **SPDC curriculum and military ethno-nationalism**

An additional facet of the junta's State-building programme with a heavy impact on children enrolled in schools under SPDC control has been the use of an ethno-nationalist curriculum celebrating the unifying campaigns of pseudo-historical ethnic-Burman soldier kings. Dismissing the rich histories of the many ethnic nationalities in Burma, the SPDC drills students in the ostensible glory of Anawyahta, Kyansittha, Bayinnaung, Alaungphya, Bandula, Bo-myat-tun and King Mindon, ethnic Burman leaders who themselves utilised military might to dominate the region's disparate ethnic groups.<sup>19</sup> Any potential legitimising results such a curriculum might have had in the country's central Burman-dominated plains are lost in the rural communities of Karen State where it can simply be alienating. Nevertheless, a homogenous curriculum is universally applied across SPDC-controlled Burma with no accommodation for ethnic difference or deviation from SPDC-approved history. The Myanmar Ministry of Education has developed this curriculum under educational policy set by the Myanmar Education Committee, which remains firmly controlled by the SPDC military leadership. Prior to the junta's 2004 internal purge, former SPDC Prime Minister Lieutenant-General Khin Nyunt served as the committee's chair.<sup>20</sup> The position has since been taken over by Lieutenant-General Thein Sein, the SPDC's current Prime Minister.<sup>21</sup> Military control over curriculum ensures that education remains subservient to the SPDC's political agenda; one which aims to construct a civilian population that obediently labours in support of the hierarchical structures of military authority. As one educational analyst noted of Burma's education system,

*"Since 1988 official schooling in Burma has remained the exclusive prerogative of the ruling body, configured as a means by which people may be converted to human resources of benefit to the state, not unlike the earlier socialist period. Attempting to ensure that the population does not deviate from its particularistic programme, the state leadership – dominated by members of the armed forces – constantly reiterates everybody's obligations and roles. The populace is answerable to the state, controlled by the armed forces, which is answerable to no one."*<sup>22</sup>

A related aspect of the ethno-nationalist State-building programme has been the banning of ethnic language teaching across the country. While this policy

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<sup>19</sup> Thein Lwin, "The Educational Cost of Army Rule in Burma," Norwegian Church Aid / Norwegian Burma Council, September 24<sup>th</sup>-27<sup>th</sup> 2000, Oslo. Accessed at <http://www.educationburma.net/Papers/Paper%20%20Educational%20Cost%20of%20Army%20Rule.htm> on January 4<sup>th</sup> 2008.

<sup>20</sup> Cheesman, Nick. 2003, "Sangha, State and Society," *Comparative Education* 39(1): 45–63. p.56.

<sup>21</sup> "Teachers asked to raise ethics," *The Myanmar Times*, February 13<sup>th</sup> -19<sup>th</sup> 2006. Accessed at <http://www.myanmar.com/myanmartimes/MyanmarTimes16-304/n015.htm> on December 14<sup>th</sup> 2007.

<sup>22</sup> Cheesman, Nick. 2003, "Sangha, State and Society," *Comparative Education* 39(1): 45–63. p.56.

has not been consistently applied, in general Karen language has not been officially allowed to be taught in school.

*"The school fees for grade five students are 3,500 kyat [US \$3.15]; 4,000 kyat [US \$3.60] for grade six students; 4,500 kyat [US \$4.05] for grade seven students and 5,000 kyat [US \$4.50] for grade eight students, but they are not allowed to learn Karen language. The principal was elected by the SPDC governor."*

- Saw W--- (male, 46), T--- village, Thaton District (Feb 2006)

*"We have a school in the village that goes up to grade four. The school was built by the villagers and there are four teachers. Three teachers were sent by the government and another one was chosen by the villagers. Three of the teachers are supported by the government and the other one is supported by the villagers. The students don't have an opportunity to study the Karen language, so even though they can speak [Karen] they can't read [it]."*

- Naw M--- (female, 53), G--- village, Thaton District (June 2007)

Moreover, SPDC-assigned teachers are typically ethnic Burmans from relatively more urban areas. For the most part they cannot even speak any of the Karen languages, let alone teach them to school children if such education was ever allowed.

*"We think that even though we have a school for the children, it won't improve their lives. The students have to buy their own books and they don't have all of the [required] text books and lesson books. They don't teach Karen [language] in school because the teachers themselves also don't know how to read and write Karen. So most of the kids can speak Karen, but can't read or write it."*

- U K--- (male, 44), village head, E--- village, Thaton District (Feb 2006)

Some communities have nevertheless managed to get away with some Karen language instruction. The teaching of Karen language, however, is more likely where the school has been built and staffed by the local community rather than by the SPDC. Alternatively, some communities provide Karen language instruction on the weekends at Buddhist monasteries or at Christian Churches during Sunday school.

*"We have a school in the village up to grade four. The teachers are from the village and are also supported by the villagers. There are 69 students attending the school. They are lucky because they have an opportunity to study the Karen language."*

- Daw T--- (female, 55), K--- village, Thaton District (June 2006)

*"We have a school in our village that was established by religious groups... We have five teachers in the school but I'm not sure about the number of students. The students have received some notebooks for free but I'm not sure whether the students have received pens or*

*pencils. The students are able study the subject of Karen [language] very well."*

- Saw M--- (male, 29), B--- village, Papun District (April 2007)

Occasionally, in areas controlled by more than one armed group, there exist schools following a dual curriculum, balancing teaching between both SPDC and KNU curricula and in both Burmese and Karen languages.

*"We have a school in our village. This school is both a KNU and SPDC school. If this year, the grade four students sit the KNU examination, next year the students will sit the SPDC examination. We have five teachers, one is [sent] from the SPDC and four were hired by the villagers. We don't need to give a salary to the teacher [sent] from the SPDC, but we have to give them food."*

- Naw B--- (female, 45), K--- village, Thaton District (Feb 2006)

On top of the pro-military and Burman-centric curriculum, teachers are forced to attend military and political indoctrination programmes typically through involvement in the SPDC-controlled Union Solidarity and Development Association (USDA).<sup>23</sup> Forced participation in the regime's militarisation programme has been institutionalised in State-run middle and high schools, through the Comprehensive Personal Record assessment, in which every student must score at least 40% (in addition to 40% in their academic assessments) to proceed to the next grade. Components of the Comprehensive Personal Record for middle and high school students include the following:

1. *Participating in the development tasks of the local community and the State*
2. *Offering voluntary service for community work*
3. *Participating in the activities of teams, clubs and associations of the school and social activities such as the Red Cross, etc.*<sup>24</sup>

Given the regime's manipulation of the language of development in legitimising the extension and entrenchment of military control structures, the above requirements have little, if any, educational or social value and are typically no more than glossed-over forced labour projects. The SPDC has long used the term 'voluntary service', or *loh ah pay* in Burmese, as a euphemism for forced labour and school children report being ordered to do forced labour on 'community projects' very frequently, taking time away from the classroom.

<sup>23</sup> *The White Shirts: How the USDA will become the new face of Burma's dictatorship*, Network for Democracy and Democracy, May 2006, p.19. Accessed at <http://www.ibiblio.org/obl/docs3/USDAFinal1.pdf> on February 12<sup>th</sup> 2007.

<sup>24</sup> 'Development of Education in Myanmar,' Myanmar Ministry of Education, September 2004, p.31. Accessed at [http://www.ibe.unesco.org/International/ICE47/English/Natreps/reports/myanmar\\_ocr.pdf](http://www.ibe.unesco.org/International/ICE47/English/Natreps/reports/myanmar_ocr.pdf) on December 11<sup>th</sup> 2007.

Schools serve as an efficient structure through which to organise the forced labour of children.

*"I studied in Toungoo Number Five school. This school was constructed by the SPDC and the teachers were hired by the SPDC too. Sometimes, the students there were forced to do 'loh ah pay' [forced labour] by the SPDC."*

- Saw N--- (male, 19), K--- village, Toungoo District (April 2006)

In some cases the military does not specifically target children for forced labour, but heavy demands in conjunction with economic constraints on families mean children inevitably end up having to take part in such work. Furthermore, no effort is made on the part of the military to prevent children from engaging in forced labour. Sometimes parents, therefore, may send their children to meet forced labour quotas in order to retain the more productive adult labourers for work on the family's livelihood. In other cases, children are actively required to participate in forced labour.<sup>25</sup>

*"Sometimes those who have to go for 'loh ah pay' but are sick and can't go, ask their children to cancel their school and go instead of them. They have to bring whatever the SPDC or DKBA asks [them] to bring."*

- Naw Kh--- (female, 13), Ht--- village, Papun District (March 2007)



Women and children doing forced labour cutting back forest growth alongside a vehicle road in the Gkoo Hsay area on November 12<sup>th</sup> 2007 as ordered by SPDC LIB #434 Battalion Commander Aung Htun Lin. Being a Monday, November 12<sup>th</sup> should have been a school day for the children shown here doing forced labour. *[Photo: KHRG]*

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<sup>25</sup> See next chapter on Work for further information regarding the SPDC's coercive use of children's labour.

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Furthermore, any potential benefits from youth participation in team activities and social organisations are also undermined where such involvement is forced. In Burma all legal associations, including youth groups, are strictly controlled by the SPDC and only those deemed supportive of, or at least not threatening to, continued military rule are allowed to operate. Free association and involvement in unapproved student organisations are punishable by heavy prison terms. On the other hand children across the country are actively recruited into joining junta-backed associations like the USDA. As a recent report on the USDA found,

*"Among the groups targeted, students are most heavily pressured to join and partake in the activities of the USDA. Joining the USDA is presented to the students as compulsory, and as a result the vast majority of students in Burma are members of the USDA."*<sup>26</sup>

The USDA has served as an extension of military control on numerous occasions; most recently during the SPDC crackdown on civilian demonstrators in Rangoon and other urban centres at the end of September 2007.<sup>27</sup> Ostensibly 'civilian' organisations like the Myanmar Red Cross and USDA are, moreover, directly managed by SPDC military officials. USDA Secretary-General U Htay Oo holds the rank of Major General in the SPDC and serves as the military regime's Minister for Agriculture and Irrigation. In Karen State these organisations have forced villagers to join at their own cost, participate in numerous ceremonies and show support for the regime. For example, an SPDC order document which regime officials issued to village heads in Doooplaya District on March 19<sup>th</sup> 2007 required that *"In 2007-2008, more than 90% of the public must be involved in an NGO."*<sup>28</sup> Given the regime's control of all forms of civilian association within Burma and especially within Karen State, this order almost certainly relates to junta-backed parastatal organisations like the USDA, Myanmar Maternal and Child Welfare Association and Myanmar Red Cross.

Villagers have reported to KHRG that SPDC officers told them that the aims of the Myanmar Red Cross trainings were: village security, support for the village, village development, and support for SPDC soldiers. The SPDC considers the Myanmar Red Cross, the Union Solidarity and Development Association, the Fire Service and other state-run organisations as auxiliary paramilitary forces.<sup>29</sup>

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<sup>26</sup> *The White Shirts: How the USDA will become the new face of Burma's dictatorship*, Network for Democracy and Democracy, May 2006, p.19. Accessed at <http://www.ibiblio.org/obl/docs3/USDAFinal1.pdf> on February 12<sup>th</sup> 2007.

<sup>27</sup> *Crackdown: Repression of the 2007 popular protests in Burma*, Human Rights Watch, December 2007. Accessed at <http://hrw.org/reports/2007/burma1207/burma1207web.pdf> on December 18<sup>th</sup> 2007. pp.6-7.

<sup>28</sup> To read the full text of this order document please see Order #39 in *Shouldering the Burden of Militarisation: SPDC, DKBA and KPF order documents since September 2006*, KHRG, August 2007.

<sup>29</sup> See Andrew Selth, *Burma's Armed Forces: Power Without Glory*, 2002, Norwalk: Eastbridge; p.81.

In SPDC press statements these organisations have been assigned the mandate to *"crush the destructive elements who have encroached upon perpetuation [sic] of the sovereignty."*<sup>30</sup> Despite the coercive nature of these organisations and the violent repression in which they have taken part, the SPDC has no qualms about admitting that children take part in these groups' activities. As the regime stated in its Second Period Report to the UN Committee on the Rights of the Child, *"At present, the Union Solidarity and Development Association, the Red Cross and the Voluntary Fire Services are the dominant social organizations and children actively take part in these organizations' activities."*<sup>31</sup>

In addition to the conscription of children into parastatal organisations, the SPDC has threatened students' access to education as a means of coercing their parents to take part in forced labour. A notable recent example of such State coercion involving school children occurred at the start of October 2007 following the military crackdown on the popular demonstrations in the month before. Villagers reported that SPDC personnel who were ordering them to attend a pro-regime rally organised in Pa'an town on October 7<sup>th</sup> threatened that if one villager from every household did not attend, children of these households would not be allowed to sit their final exams at school.<sup>32</sup>

### ***Direct military threats to education***

Along with the constricting opportunities for education within the context of SPDC militarisation and resulting impoverishment, there are also much more direct threats to children's education from military attacks and demands. While schools outside of SPDC control are more likely to face military attack and destruction, common direct military threats to education in areas under SPDC control include, amongst others, forced labour, landmines and the temporary requisition of educational facilities for military purposes. While the forced labour of parents often leads to children being pulled out of school in order to work to compensate for the loss of their parents' productive labour, the SPDC also frequently utilises children in forced labour projects, as discussed above and in the following chapter on children's work roles.

Military violence remains widespread in SPDC-controlled areas. Landmine injuries and death, in particular, remain high in many areas of Karen State.<sup>33</sup>

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<sup>30</sup> "Information Sheet," Myanmar Information Committee, August 9<sup>th</sup> 2005. Accessed online at <http://www.myanmar-information.net/infosheet/2005/050809.htm> on December 11<sup>th</sup> 2007.

<sup>31</sup> 'Second periodic reports of States parties due in 1998: Myanmar,' United Nations High Commissioner on Human Rights, June 2002, p.21. Accessed at [http://www.unhchr.ch/tbs/doc.nsf/385c2add1632f4a8c12565a9004dc311/357a104dd2a37d04c1256e0c0037e59a/\\$FILE/G0344866.pdf](http://www.unhchr.ch/tbs/doc.nsf/385c2add1632f4a8c12565a9004dc311/357a104dd2a37d04c1256e0c0037e59a/$FILE/G0344866.pdf) on December 11<sup>th</sup> 2007.

<sup>32</sup> See *Forced labour, extortion and the state of education in Dooplaya District*, KHRG, October 2007.

<sup>33</sup> On the increasing landmine casualties in Burma see, for example, the Burma section of *Landmine Monitor Report 2007: Toward a Mine-Free World*, 2007. Accessed at: <http://www.icbl.org/lm/2007/burma.html> on December 20<sup>th</sup> 2007.

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Amongst other hazards to life and livelihood, such violence can cause severe disruptions to children's education whether by blocking their access to schools or injuring family members on whom they depend for support in their education.

*"I used to go to school in Toungoo [town], but can't go to school anymore because my father left my family forever. So I have to look after my younger siblings. My father left us on March 22<sup>nd</sup> 2000, at 7:00am. He was killed by an SPDC landmine. That morning my father, some of my friends and I were going to Kler La to carry our food. The SPDC planted landmines on the car road along the Klay Loh Kloh river side in the Kaw Haut Der area. Some of my friends and I went in front and my father and his friend, Saw Wah, went behind us. My father and his friend came behind us and suddenly they stepped on the landmines and died immediately."*

- Saw N--- (male, 19), K--- village, Toungoo District (April 2006)

Militarisation of large areas of Karen State also affects children's lives, particularly their education, in numerous other ways. For example, when soldiers come to their village, they may requisition the village school as a temporary base, forcing all teaching to stop whilst they remain in the village. Villagers in Thaton District have, in the past, complained to DKBA leaders about DKBA Battalion #999 Commander Moe Kyo and his soldiers sexually harassing women when they stay in Karen villagers' houses whilst on patrol, so more recently Moe Kyo began camping in the village school:

*"When Moe Kyo entered the village the students couldn't go to school and the school was closed. He didn't allow the school to open when he came. K--- village also had to close the school because he said, 'Don't come to school when I come!' and he summoned people to inform the teachers. When they reached the village, they put all their things that they got from first brigade [Thaton District] in K--- School and it was full in the school. For the guns that they got from first brigade, I saw only one .22 [rifle], one AK [AK-47 automatic rifle], four mortar shells, 30 uniforms, some medicines and so many books and pens. The books and pens were prepared for the students and were to be distributed to the students."*

- P--- (male, 60), B--- village, Thaton District (July 2006)



## Education outside of SPDC-controlled areas

*"We don't have stability in second brigade [Toungoo District] now. There was a school at Ht--- that provided classes up to grade six and it was established by the villagers and village head. Immediately [afterwards] the SPDC military attacked the village and the villagers had to flee into the jungle. Now the school is closed because the children can't attend it. Everybody is in the hiding site. So the children have to stay with their parents and help them by, for example, feeding pigs and chickens. We don't have a school in the hiding site."*

- Saw M--- (male, 54), Hs--- village, Toungoo District (Oct 2007)

While the villager quoted above describes a situation of displacement without a functioning school, many displaced communities are able to set up some form of schooling, even if only temporary. In such displacement sites and other areas outside of SPDC control, education is organised by the village community and sometimes supported by the Karen Education Department of the KNU or independent Karen organisations like KTWG. However, when soldiers attack the village or hiding site villagers must flee into the jungle and schooling is disrupted. Most displaced communities try to continue their children's education in the jungle, but this must be balanced against the more immediate needs of finding food and shelter and caring for dependent members of the family. In the following quotes two villagers, both living in situations of displacement, describe the regular process of having to flee into hiding and reopen schools following the movement and attacks of SPDC troops.

*"We have children in our village who are school age so the villagers and the village head discussed, appointed two teachers and built the school, otherwise the children wouldn't have been able to study. The teacher teaches under the trees or under the bamboo bushes. Each teacher gets 10,000 kyat [US \$9] per month. This money is from the students' parents and from outside donations. There are 30 to 40 students. The students don't need to pay entrance fees but they have to pay the cost of the exercise books. Last year, the school moved to Sh--- and then to Ht--- [IDP hiding sites]. They had to move twice because of SPDC [troop] movements."*

- Saw J--- (male, 40), H--- village, Toungoo District (June 2007)

*"We don't have any school in our village now. Our school has been burnt down by the SPDC since 1997. If the kids want to study we make a short-term school for them, like for two or three months. We can't do that for the long term because we have to be afraid of the SPDC. The students study for one or two months and if the SPDC comes up, all of them flee away. We sometimes get some help from the KNU [KED]. They give us some books and some Karen textbooks. We also don't have a permanent village and we have to stay in the forest so we can't do full time schooling for the children."*

- Saw N--- (male, 36), P--- village, Toungoo District (April 2006)

The regular closing of schools, flight into situations of displacement, and reopening of temporary schools at such locations in Toungoo District is described by one KHRG field researcher in January 2007 as follows:

*"In the area that we reached, we could see that the children were not able to continue going to school because the SPDC had come up [from the Burman lowlands to the Karen highlands] and occupied the area. The children have to attend the school in the forest under the bush and have to construct the school in the forest. They have to flee from place to place and some of the children have had to flee away from their school and couldn't catch up with their friends. So they have had to quit studying mid-year. Some of the children were facing food problems so they couldn't continue their studies and had to work. So the future of these children is very difficult. For the students that would have been able to continue their schooling, because of the SPDC they have had to close their school for two or three months before they can continue it again. They don't have the education and knowledge that they should have at their ages. For the teachers, they also don't have time to teach the students. So the future lives of the children and youths have become more and more difficult."*



Students and teachers from a school in Bp--- village, Pa'an District in August 2007. The Karen Education Department (KED) of the KNU established this school which also receives material support from the Committee for Internally Displaced Karen People (CIDKP). The children study Karen, Burmese, Geography, English, Health and Mathematics until grade four and can play freely without worrying about military attacks. The students said they are afraid of the SPDC soldiers, but the SPDC and DKBA do not come to the area often. [Photo: KHRG]

Naw H---, one of the school teachers at the Bp--- village school pictured above is 17 years old and has been married for three years. She described the school situation as follows:

*"I'm already married and I would love to have two or three children; boys or girls, it doesn't matter. I teach all the students to try hard so that they may continue their studies further and when they graduate to come back and teach in the village... Whenever we see the SPDC we are afraid of them because they are not our nation or ethnic group and we worry that they will do something bad to us."*

- Naw H--- (female, 17), Bp--- village, Pa'an District (Aug 2007)

The regularity with which civilian communities flee from one hiding site to another, closing down and reopening their schools accordingly, varies across non-SPDC controlled areas of Karen State. In some cases, communities live in relative stability and may not need to shut down their schools for extended periods at a time. Such communities are often situated more closely to KNLA camps which provide some measure of security and protection from SPDC attacks.



Young students in Bplay Moh Kee village, Pa'an District look out from inside their school in August 2007. Bplay Moh Kee school lies in a non-SPDC controlled area and was established by the Karen Education Department of the KNU. Despite the ongoing risk of attack these children have not had to flee for "one or two years," and as the KNLA maintains a presence nearby these children also told KHRG that, "We don't have to be afraid when we play." [Photo: KHRG]

### ***Sometimes we have enough food...***

"Now L--- School is looked after by Th'ra [Teacher] R--- and supported by ZOA [a Dutch international NGO]. The school teaches up to grade seven and the subjects are Karen, English, Maths, Geography, Science and Politics. In L--- we have one boarding house and sometimes we have enough food but sometimes not. Some children have to live in an orphanage because their parents were killed by the SPDC. They have had to face many difficulties and they are withdrawn.

Some children came here because they want to learn Karen language and in their area the SPDC forbids them to study Karen language, but on the way they have to fear many things; they have to fear arrest and fear landmines. Some children came to live here because in their area the SPDC is forcibly recruiting child soldiers and they dare not stay there. The DKBA has also forcibly recruited child soldiers under age 18. Those children who are recruited as soldiers are afraid of war and can't even carry their guns. Some have stepped on landmines and died and some had their legs amputated. I don't want my children to be soldiers. Some of the children came up here to avoid this forced recruitment.

Among the families there are many problems; our children go and look for bamboo shoots and wild banana stems in the rain and are bitten by mosquitoes then when they come back they suffer from malaria, headaches and diarrhoea. Two of my children died, one from malaria and the other from diarrhoea. I have not enough food and other necessities. Here the children can play very well because we have a playground. My children sometimes play football or caneball but sometimes they don't have any equipment to play. There have been abuses against children in my village, for example, children have been beaten, shot dead and forcibly abducted. These children haven't come back to the village after they were abducted by the SPDC."

- Naw P--- (female, 19), teacher, L--- village, Pa'an District (Aug 2007)

### ***Education under attack***

*"I want to say that I really hate the Burmese [SPDC] soldiers because I have never had a chance to attend a full school year. They always disturb us so I don't have a chance to study all of the lessons in my textbook. I'm afraid that I won't be able to keep up with the other students when I move to a new school."*

- Naw Ht--- (female, 15), A--- village, Nyaunglebin District (Feb 2008)

*"Yes, in the past I often had to flee to the forest during school days. In 2004 SPDC [soldiers] entered our village and destroyed our school and then I couldn't continue my school in the village and I had to continue my school in the forest. I felt sad because I couldn't study very well and*

*moreover our parents had to look for rice. The SPDC [soldiers] came and destroyed our houses."*

- Naw Hs--- (female, 14), G--- village, Nyaunglebin District (Feb 2008)

*"...because of the Burmese soldiers' activity during 2007, I have had to flee from them many times... When the Burmese soldiers arrive in our place we have to flee so we rarely have a chance to study up until the end of the school year."*

- Naw Y--- (female, 11), Ht--- village, Nyaunglebin District (Feb 2008)

In carrying out the destruction of villages for the purpose of eradicating any civilian presence in areas which it does not fully control, SPDC personnel have shown that they have no reservations about razing educational facilities. Schools are burnt to the ground alongside houses, churches, food stores and agricultural crops. This serves to pressure villagers in non SPDC-controlled areas to relocate to the plain areas, which are already more firmly under SPDC control. Most villagers, however, do not want to either leave their land behind or relocate to live under the SPDC. They are aware of the exploitative conditions of life under SPDC rule and therefore evade army personnel and the SPDC's relocation efforts. When army patrols arrive, villagers in non-SPDC areas typically take whatever possessions they can carry and flee into the surrounding forests. This evasion strategy is aided by advanced warning systems where villagers can learn of approaching army units before their actual arrival. Monitoring SPDC troop movements also allows villagers to return to their abandoned homes and fields should the patrols depart. Nevertheless, communities in such situations relocate to new hiding sites, or back and forth between their villages and hiding sites frequently. Sometimes SPDC patrols attack villages once or twice a year in the dry season when they can move around the area more easily, but in some areas and particularly since the start of the northern Karen State offensive in late 2005, attacks on villages have occurred more frequently, including in the rainy season. These attacks severely disrupt schooling as families flee their villages to hide in the jungle.

*"If the Burmese [SPDC soldiers] come, we flee and we can't go to school. We have to study under the trees and bamboo. We continue our school like this. Another problem is that we have to look for rice and have to go to far away and collect the rice and bring it back. On such days we can't attend school."*

- Naw H--- (female, 13), Ht--- village, Nyaunglebin District (Feb 2008)

*"I studied in the village for two years and then I had to flee into the forest. I couldn't continue my studies in my village school. I had to join with another school in the forest. Then we fled further and further until we reached B---. I stayed one or two years in B--- and then the SPDC came again and we had to flee to Gk---. When I lived in B--- we had a school and I could go to school but we could only study for one month [at a time] and [then] we fled. We stayed about a month in Gk--- ... but we had no books and we had to write on wild banana leaves."*

- Saw Th--- (male, 13), G--- village, Nyaunglebin District (Feb 2008)

The continual attacks and displacement, furthermore, lead to increased household impoverishment as families cannot maintain their livelihoods. This multiplies the challenges of supporting regular schooling for children. Young people in non-SPDC controlled areas of Karen State, such as Naw P--- in the following interview, are acutely aware of the reasons for the Karen villagers' poverty and know that such poverty denies them the chance to be educated. Naw P---'s mother died from an unknown disease when she was two years old and SPDC soldiers shot her father dead when she was seven. At the time of this interview Naw P--- was enrolled in grade nine at S--- high school, presumably supported by other family, members of the community or an outside assistance group.

*"There are some children who desire to go to school but due to their family's problems and difficulties their parents asked them to do the jobs [farming and other household tasks] and their parents have no money to support their children to go to school. Those who couldn't do farming stay in the house and look after their young siblings. The roots of these problems are the continual SPDC attacks whereby the villagers lose everything. Then they become poor and unable to send their children to school. They have to struggle for their survival."*

- Naw P--- (female, 19), N--- village, Papun District (March 2007)

The communities of Lu Thaw township in northern Papun District have been particularly hard hit by SPDC attacks on civilians over the past two years. Nevertheless, local villagers in the area continue to demonstrate their determination to hold onto their land and their resilience in the face of military aggression. KHRG field researchers found in late 2006, for instance, that upon returning to the site of Htee Moo Kee village in Ler Mu Bplaw village tract, Lu Thaw township, which SPDC soldiers had razed in June 2006, the community had rebuilt the school at a hiding site in the area and were conducting classes for local children before the end of the year.<sup>34</sup> Nevertheless, not all of those who initially fled have returned, and the school which formerly supported around 100 students and 16 teachers has since been reduced to about 70 students and 13 teachers. Commenting on this incident, a KHRG field researcher operating in northern Papun District related the following in December 2006:

*"Because of the SPDC soldiers' human rights abuses, the children are unable to study freely and they must move from place to place. Also, they have to face a lot of problems so some parents cannot send their children to school and their children have to help them with their daily livelihoods. Also, since some children don't have a chance to study freely they have decided to stop their education."*

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<sup>34</sup> For more information on the initial destruction of Htee Moo Kee village in June 2006 and the reconstruction of the school at the displacement site see *Papun Update: SPDC attacks on villages continue*, KHRG, October 2006 and *Road construction, attacks on displaced communities and the impact on education in northern Papun District*, KHRG, March 2007.

For many Karen children, attending school is considered to be a valuable opportunity and any circumstances which inhibit their attendance are keenly felt. In the following interview a teenage boy explains the situation of his own school. He was interviewed whilst seeking medical treatment for his eyes in a refugee clinic in Thailand and was very fearful for his mother's security and health as the whole community was currently hiding in the jungle in Karen State with very little food to subsist on whilst they were waiting for the SPDC to leave their village. His father had already been murdered by the SPDC and he felt responsible for his mother since he is the eldest child. After one month in Thailand he went back to his village as the doctors were unable to treat his eyes. He was very disappointed because it means that he still cannot attend school.

***If the Burmese soldiers see the villagers, students or KNLA soldiers, they will kill them all...***

"I have a school in my village. The school goes up to grade four with two teachers and 26 students. This school was established by the villagers. The villagers support the teachers with 2,500 [Thai] baht [total per teacher] per year and with rice sometimes. The teachers face food problems because the parents of the students cannot support them with enough food. Some parents can't send their children to school because they do not have enough food to eat or have no money to use for their children. I started attending school when I was twelve years old. I have stopped attending school now since I can't read because of my eye problems. I want to continue my studies but can't study because I can't read. I attended school up to grade three. Before I attended school I helped my mother in the hill-field. My father had already died when I was very young and at that time I did not know anything. The Burmese soldiers shot and killed my father. Students face problems because they have to work for their food and are afraid of Burmese soldiers coming to our area and conducting offensives there. The Burmese soldiers came to my village two times in 2006 and they burned the houses and the school.

When we are running away in the forest the teachers try to conduct the classes in the forest under the trees and bamboo, but everyone must always prepare themselves to run away [again] because if they hear the Burmese soldiers approaching they must escape. Everybody has to listen to the news of the Burmese soldiers all the time. If the Burmese soldiers didn't come to our village the students would be very happy with their school but mostly we have to run away all the time and the students can't study very well in the forest. If the Burmese soldiers see the villagers, students or KNLA they will kill them all. At present the school is being conducted in the forest. Students, teachers and villagers are facing big problems because they've not enough food to eat and no security."

- Saw K--- (male, 17), L--- village, Nyaunglebin District (Jan 2007)

While schools and school children do not represent any military threat to the SPDC, the regime deems all non-military controlled communities and facilities to be enemies of the State. The Army thus continues to target and attack schools and school children in military attacks against non-SPDC controlled villages. Children are also killed or maimed by landmines placed along village paths, outside school, church and house entrances and in farm fields. It does not appear that SPDC soldiers single children out for specific attack, but they are nevertheless included within the wider military objective of eliminating all people and buildings in non-military controlled villages.

As one example, Ebenezer school in T--- village of Lu Thaw township, Papun District is a large Christian school in an area under KNU control. On February 5<sup>th</sup> 2007 Ebenezer church in the village was attacked by soldiers from SPDC Military Operations Command #8 as the villagers were leaving the church after worship. In the attack the church pastor and two children were injured by mortars. The children were Saw P--- (male, 15) and Saw K---- (male, 16), who were both hospitalised at Nay Yoh Htah clinic. Pastor N--- (male, 43) was seriously injured and brought to a hospital on the Thai side of the border, in the town of Mae Sariang.

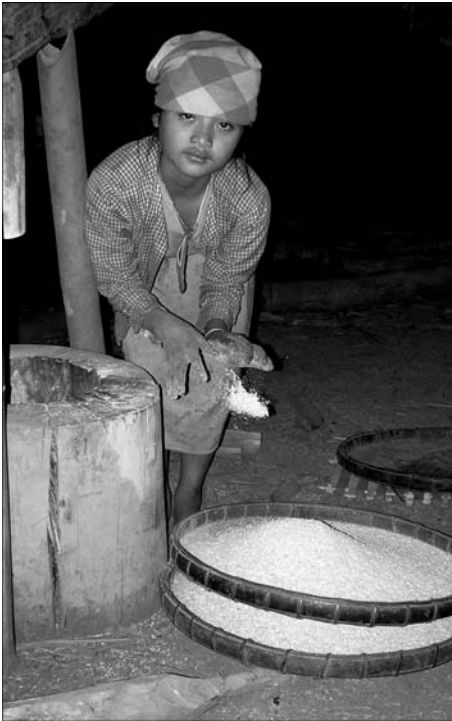


Students at Ebenezer school in T-- village, Lu Thaw township, Papun District, playing home-made flutes on December 13<sup>th</sup> 2006. Two months later, on February 5<sup>th</sup> 2007, SPDC troops from Military Operations Command #8 attacked Ebenezer church as the villagers were leaving following a worship service. [Photo: KHRG]

Ongoing SPDC attacks on the communities of Papun District have meant that many schools have had to close as villagers have fled to the forest to evade military forces. As part of their attacks on these villages, soldiers frequently



destroy local schools, either during the initial shelling of the community or subsequently upon entering the abandoned village. The consequences of this in Papun District are that communities from Taw Koh Mu Der, Gk'Baw Kee, Htee Hsee Kee, Htee Thoo Kee, Boh Nah Der, Dt'May Kee and Thay Thoo Kee amongst others have been unable to continue providing education at their home villages since the start of 2007. While displaced communities quickly restart schools at forest hiding sites, the teachers and student body are often broken up as villagers flee to different locations. Furthermore, continued pursuit by SPDC forces means that displaced communities must be wary of potential detection. Continued evasion of SPDC patrols requires some communities to regularly relocate, which is disruptive to the students' schooling. As displaced communities confront new challenges at forest hiding sites, parents often require their children's assistance in, for example, foraging for food, preparing meals and setting up new homes. These children then no longer have time to attend school.



Thirteen-year-old Naw G--- from B--- village, Lu Thaw township assists her family by milling rice in January 2007. Although she would like to study, the constant need to evade SPDC forces has increased pressure on her family's livelihood, thereby requiring that she spend more time on household activities. She said, *"My mother sent me to school but we had to flee again and again so my mother asked me to help out with housework and work in the fields, but there is a school in my village so sometimes if I have time, I go to play with my old classmates at the school."* [Photo: KHRG]

Some children's education is also affected by fighting between DKBA and KNLA forces for control of territory in Karen State. In Papun District, the DKBA has been fighting the KNLA for control of Bu Tho Township and children in the area have reported fleeing the area to escape the fighting and torture by DKBA forces:

*"Three years ago we could attend school freely but last year and this year we didn't have a chance to attend school regularly and this year in January we had to flee from the DKBA soldiers in the jungle for two weeks before we took the final exams. In July this year, they fired their*

*guns near our village at Ht--- [school] dormitory. It is three minutes [walk] from here to Ht---. I fled in the jungle for almost a month and we didn't attend school regularly like before because we really needed security. I really like to study. If the DKBA soldiers don't come here regularly, I can attend school freely. Before the DKBA soldiers and KNLA started fighting near this area the students were never absent from school. We have a football ground, caneball ground and volleyball ground in my school. I usually played caneball. Before the KNLA and DKBA were fighting beside the football ground we always played football, but after that we rarely went to play football because the fighting was so near to our football ground that if we walked to the battlefield it [only] took three minutes, but we still play caneball. If they [the DKBA] don't meet with the KNLA soldiers and fight each other then when they arrive here, they don't do anything to us. But if they fought then when they arrived here, they [DKBA soldiers] tortured the villagers. Therefore, we are afraid of them."*

- Saw W--- (male, 14), Gk--- village, Papun District (Aug 2007)

Military aggression also restricts children's access to education where soldiers target and kill children's parents or where parents are injured or killed by landmines. Orphans and children with severely injured parents must frequently take on extra work to support themselves and their families. The immediacy of this work takes priority over schooling, and children's long-term education is thereby hampered.

*"Some children must live as orphans because their parents were killed by the SPDC. They have to face many difficulties and they are depressed and miserable. They are withdrawn and down-hearted and dejected. These children aren't able to live like [other] children in the city and can't access good education... Some children and teenagers have little interest in education because they have to move all the time. The main occupation for them is cultivating hill field [paddy crops]."*

- Naw P--- (female, 19), teacher, L--- village, Pa'an District (Aug 2007)

### **Jungle education**

When soldiers attack villages and residents flee into the forest, the displaced community tries to continue their livelihoods and way of life as much as possible. Communities also work to mitigate the negative effects of displacement on the village children by building temporary schools and continuing their education in the jungle. This can be difficult to achieve as resources are very scarce, but a blackboard can be made out of bamboo or wooden planks or the face of a rock outcropping and the children can study under the shelter of the trees. Displaced villagers in such situations may be able to access assistance from KTWG, KED or other local Karen organisations.

*"I have six siblings. It's equal - three boys and three girls. One girl and one boy are studying at other places. The school here goes up to grade seven and there are 147 students attending school. The teachers'*

*salaries are provided by the KNU leaders. Now we don't need to pay school fees. We just have to help the teachers by cutting the hill field grass. There are 11 teachers in the school. If the Burmese soldiers are not attacking us, we don't need to worry in anyway about our studying."*

- Naw S--- (female, 14), K--- village, Nyaunglebin District (Feb 2008)



Displaced children living at a hiding site in Toungoo District study together in January 2007 despite the increasing SPDC military aggression in the area. The maintenance of education for local children serves to provide them with some continuity in their otherwise turbulent lives and also strengthens community bonds and upholds the dignity of local people in the face of the SPDC's efforts to eradicate such non-military-controlled communities. [Photo: KHRG]

In one instance in March 2006, when the SPDC established a camp on Ro Ka Soh Mountain, in Kwih Lah village tract of northern Shwegyin township, Nyaunglebin District, the villagers all had to flee into the jungle. Shortly after arriving at their hiding site, teachers and local village leaders called a meeting with students' parents to discuss the reopening of the school. As the villagers did not know when the SPDC troops would withdraw from their village, they organised a temporary school at their hiding site in the forest. By the following day the villagers had prepared a blackboard and school materials and some of them volunteered to serve as teachers so that the children would be able to study.<sup>35</sup>

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<sup>35</sup> For more information on this incident of displacement and the subsequent construction of a community school see *SPDC Attacks on Villages in Nyaunglebin and Papun Districts and the Civilian Response*, KHRG, September 2006.

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*"Because the parents fled to different places [in the forest] it has been difficult to organise [a way for] the students to study. But we don't know when the SPDC soldiers will withdraw so we have had to organise it [the school in the forest] and now all of the students have a chance to study."*

- Naw H--- (female, 36), school principal, K--- village, Nyaunglebin District (July 2006)



Displaced villagers study Karen and English at a temporary hiding site in the forest in Nyaunglebin District in February 2007. The teacher writes with chalk using the side of a large rock outcropping as a blackboard. [Photo: KHRG]

In one example of the challenges to covert schooling, the communities of Le Nya area of Tenasserim Division have been unable to develop secure education facilities for over ten years. In 1997 SPDC forces ordered the residents of six villages in the area (Ler Pah Doh, Waw Pah Doh, Na M'Ta, Na Gk'Praw, Hseh Der and Boh Koh) to move to Chaw Moh relocation site. These six villages included 430 households and about 1,000 people. At this time the SPDC established a new camp at Le Nya village. As many of the villagers did not want to relocate to an SPDC-controlled site, they fled into the surrounding forests and have been evading the SPDC ever since. Furthermore, more than half of the villagers who followed the initial relocation order found that they couldn't survive the conditions at the SPDC-controlled relocation site and subsequently fled into the jungle as well. If the SPDC sees any of these villagers hiding in the forest, they shoot them on sight. Nevertheless there are many IDP communities hiding in the area who have tried to maintain some system of education for their children. The photos below show one of the covert schools which these IDPs have built in hiding.



An IDP community in the Le Nya area of Tenasserim Division is building this school in their hiding site to give their children a basic education. They don't have any textbooks but they will try to start the school anyway. In this photo, taken in June 2007, the unfinished school is being used by a visiting Back Pack Health Worker Team medic as a temporary medical centre. *[Photo: KHRG]*



The children in this photo are helping to clear the land around their new school (shown above) at their hiding site in the Le Nya area of Tenasserim Division in June 2007. *[Photo: KHRG]*

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Aside from formal education at schools established in areas outside of SPDC control, some young people have had the opportunity to access non-formal education from organisations delivering trainings and workshops in Karen State. Aside from health related training provided by KDHW, KWO, the Backpack Health Worker Team and others<sup>36</sup>, local organisations such as KHRG, the Karen Youth Organisation (KYO), the Karen Women's Organisation (KWO), the Federation of Trade Unions Kawthoolei (FTUK) and Burma Issues, amongst others, travel around Karen State organising workshops in a variety of subjects such as human rights, politics, 'community organising' and labour rights to assist communities in developing their strategies for claiming their rights in the face of military oppression.<sup>37</sup> Often entire villages attend such workshops, old and young alike, and young people thus have the chance to gain forms of knowledge forbidden within the SPDC-controlled education system.

### ***Relocation to obtain education***

As education is often disrupted in areas outside of SPDC control, some parents send their children to study in more stable areas. While in some cases these are schools operating in SPDC-controlled areas it is more common for displaced communities in hiding to send their children to receive education in KNU-controlled areas of Karen State or one of the Thailand-based refugee camps. Whichever the case, these children stay either with relatives or in boarding houses and may be able to visit their families if their homes are not too far away. Sending children away for education, however, depends on the families own financial means. As 17-year-old Saw K--- from Nyaunglebin District commented in January 2007, *"Some parents have sent their children to the refugee camp to study but some parents cannot send their children because they have no money to send them."* Furthermore, Thailand's military or paramilitary border guards may also restrict access to the country, forcing villagers back into Karen State.

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<sup>36</sup> For more information about health training in Karen State see chapter 5 of this report on children's health.

<sup>37</sup> For more information on KHRG 'Village Agency' workshops see 'Supporting IDP resistance strategies,' *Forced Migration Review*, April 2008. Available at <http://www.fmreview.org/burma.htm>.



These children are from Toungoo District and tried to enter one of the refugee camps in Thailand, but the Thai military didn't give permission for them to enter so they had to go back and stay in Ee Thoo Hta IDP camp in June 2007. However, by this time Ee Thoo Hta had already filled up with about 3,000 residents and so they were sent to a newly established IDP camp nearby called Oo Kweh Hta, which is administered as section six of Ee Thoo Hta camp. When this photo was taken in July 2007 there were about 200 villagers staying in Oo Kweh Hta, but houses were still being built and no school had been constructed yet so the children could not immediately restart their schooling. [Photo: KHRG]

Some parents who are able to send their children for schooling in refugee camps or at larger IDP sites inside Karen State believe that children can live at these locations much more securely without fear of attack or starvation. Naw L--, a teenager who spent seven years studying in a refugee camp in Thailand before moving back to a large IDP site in Karen State, describes below the relationship between security, education and schooling in refugee camps.

*"Now I can't live in my village, K---. There has been no school in my village since I was a child. I [subsequently] began attending school in a refugee camp. When I left my village I was about nine years old. But before I fled to the camp I had been attending school. I can't remember its name. Now that school has already been destroyed. ... There were not many school teachers in our area. I was in a refugee camp for seven years. For me, I was able to go to the camp and could study very well but my friends who I left behind could [only] go to school some days and had to run away often. Sometimes they had to flee during the school days. The reason why the people have had to run away from the SPDC is because they are afraid of the SPDC's [soldiers'] torture and oppression. In my area if the SPDC gets to a village they always burn the village down."*

- Naw L--- (female, 17), K--- village, Papun District (March 2007)

Students studying in camps and at relatively secure IDP sites may also be able to receive a higher quality education in the Karen language. Furthermore, curricula on history and politics are much more Karen focused; differing from the more Burman-centred perspective of SPDC curricula.

*"The subjects that we study are Karen, English, Burmese, Geography, Science, Maths, and Politics – this is Karen politics. In the books we study about Saw Ba Oo Gyi, General Seing Kin, S'Gkaw Maw Lay, Saw*

*Aung Win and so forth. This [Karen history and politics] is real and right for me. When I read about this history and we think about it, we believe that it is true."*

- Saw Hs--- (male, 17), Th--- village, Nyaunglebin District (Feb 2008)

However, the Karen curricula provided in the refugee camps and at some IDP sites is not without its outside critics; as, for example, the following who suggests that

*"The explicitly nationalist-oriented school system promotes a view of Karen society as quite separate to that of the rest of Burma. This agenda is reflected in curricula which have grown increasingly divergent from the government's education system – especially in the refugee camps, where international NGOs have supported the development of a secessionist-oriented education-in-exile."*<sup>38</sup>

Despite such concerns, it is common for children to be sent to schools available in the camps instead of SPDC schools in the towns. In addition to the free provision of better quality education and instruction in (S'Gkaw) Karen language available in the camps it is considered risky for children, particularly girls, to travel on their own inside Burma where risk of attack by soldiers or dacoits is greater. Also, villagers living in areas outside of SPDC control do not usually have access to official SPDC-issued Burmese identity cards and therefore risk arrest in the towns should they be discovered by SPDC personnel. Finally, many Karen villagers do not identify themselves as belonging to the Burmese State and therefore do not seek an SPDC education for their children, especially since the Karen language is not taught in Burmese schools and the education is known to be of poor quality and prohibitively expensive. Notwithstanding this view however, others view Burmese language education as crucial to success within either the SPDC-controlled State or a future democratic federal union.

Children who have lost one or both parents may be sent to live in an orphanage in a nearby town or village or in one of the refugee camps. These boarding schools are usually supported either by the KNU, church groups, Buddhist monasteries or international non-governmental organisations.

*"The government [SPDC soldiers] moved around a lot so we didn't have a chance [to study]. We could study only one month or one week like this and then we had to move to another place. My parents wanted me to have a good opportunity to study so they sent me to stay with my uncle [where she attended a KNU school]."*

- Naw M--- (female, 23), K--- village, Papun District (Feb 2007)

The following children are residents of orphanages in Lu Thaw township, Papun District. Some of them attend Htee Swe Nee primary school and some attend

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<sup>38</sup> South, Ashley. 2007. 'Karen Nationalist Communities: The "Problem" of Diversity,' *Contemporary Southeast Asia* 29:1 (55-76). p.71.



Day Buh Noh public high school, both of which are in KNU controlled areas. Many have either one or both parents still alive but because of food and money shortages in their families as a result of the loss of a parent (and key worker) or instability due to SPDC attacks on their villages, their parents cannot support them. The children explain their situations in their own words. They talk about abuses against their communities, their health problems, their own fears and worries as well as their strategies to maintain their physical and mental well-being. Children in orphanages or boarding houses in Karen State typically take care of each other and act as each others' counsellors and parents, as well as being friends. Despite their young age, these young people are very well aware of the political situation in their area and how military encroachment and oppression are affecting their lives. Each child is an authority on how human rights abuses against families are affecting children's lives in Karen State, having grown up bearing witness to abuse themselves.

*"I can't attend the school in my village because the school fees are high. So I came to this orphanage and attend the school here. When I lived in my village we were afraid the SPDC would see and torture us because our villagers were tortured before. My elder sister and I came to stay here. Her name is Naw P--- and she is in grade five and I am in grade three. Last year I suffered liver enlargement. The doctor said it was because of food poisoning. I had to go to the hospital five times in one year but I caught up with the lessons. I am happy to study here. There is no fear here. Since the day I started school until now I haven't had to run away from the SPDC. I don't know yet what to do when I finish my studies, but I want to be a nurse so that if the villagers are sick I can look after them."*

- Naw D--- (female, 12), T--- village, Papun District (March 2007)

In the following interview, Naw M--- is very well aware of the political and military situation in her home area. Her father is a landmine amputee so she now stays at a dormitory in Day Buh Noh. She is clear about the reasons for her displacement and who the perpetrators of the attacks on her family are, but she still has enough confidence in her future to articulate her ambition.

*"Due to the SPDC oppression and torture I have to come and study here. If the SPDC came into the village all the villagers ran away because in the past when they came and saw someone in the village or on the way they shot them on the spot. They burnt down the houses and paddy stores. Very recently they shot dead one of my uncles named Saw Thay Kya Paw while he was on sentry duty guarding the villagers doing their work. He was a KNU [KNLA] soldier. The SPDC came from behind him and shot him dead on the spot. We had to flee two or three times a week so we couldn't go to school. I still have parents. Now I am in grade four. If I finish my school I will try to be a nurse. The people from our village often suffer head-aches, dysentery and fever."*

- Naw M--- (female, 14), S--- village, Nyaunglebin District (March 2007)

In the following interview, Saw H---, a grade nine student at Day Buh Noh public high school, explains how military attacks on his village have limited the students' education. He also explains how older brothers and sisters sacrifice their own education in pursuit of opportunities for their younger siblings. Finally he explains from his own perspective why some of the villagers resort to armed force against SPDC attacks. His insights demonstrate the problems inherent in conceiving of the conflict in Karen State as being that between two opposing armies with civilians unintentionally caught in the middle. As Saw H--- explains, the SPDC target civilians for attack and the civilians fight back whilst simultaneously trying to ensure their children are still able to obtain an education.

*"My father died from cholera. My parents are farmers. In my family we don't have enough food or rice so I came to stay in the orphanage. I see that our people have little education because when it is time to study we can't study. We have to flee away and some people must pick up a gun and fight back. Some are unable to withstand the attack of the SPDC, then with an indomitable spirit<sup>39</sup> they pick up a gun and fight back. Sometimes, when we have few soldiers in the village, the villagers and some students are forced to pick up guns and fight back. There are a lot of teenagers that can't go to school. Some have to work with their parents to be able to send their brothers and sisters to school. They sacrifice their lives for their brothers and sisters. When I finish my school I will try to continue to university and then if I graduate I would like to work in the education department [KED]."*

- Saw H--- (male, 16), P--- village, Papun District (March 2007)

Parents also send their children to schools in refugee camps across the Thai border, as described above, when they consider such schools safer than those in other areas inside Burma. In the following interview, 14-year-old Naw D--- describes being sent to school in a refugee camp in Thailand where she lives in an orphanage with fifty other students. The students take care of each other and an adult couple who manage the orphanage further assist them. Naw D--- explains her situation in her own words, describing the abuses perpetrated against her village, her worries, her own actions to limit the impact of the abuses on her family and her dreams for her future.

*"The SPDC soldiers often came to our village and whenever they came they burnt down the houses and killed the animals that the villagers owned and when they left they placed landmines in the village. Whenever the SPDC came we always ran to escape into the jungle. At that time I looked after my siblings and collected firewood. We always worried that the SPDC would burn down our rice stores and our houses. My father died long ago and my mother couldn't support her children to go to school, so I came to Mae La Oo refugee camp. I have six siblings. Among my siblings, I alone have a chance to study. I am happy to live here because we can get a better chance to continue our studies"*

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<sup>39</sup> Translated from the Burmese phrase 'M'Kan Chin Seit'

*compared to my village. If I pass grade ten I will continue my studies at Bible school in Mae La camp. I want to be a pastor and I'll [be willing to] work anywhere."*

- Naw D--- (female, 14), L--- village, Papun District (Feb 2007)

One child currently staying in a boarding house in Mae La Oo refugee camp and two adults who received their education recently in the refugee camps explain their situation in their own words in the following interview quotes:

*"I arrived here in Mae La Oo refugee camp on June 10<sup>th</sup> 2006. I left my village because my parents couldn't support all of their children for school fees, especially me when I finished my primary school in my village. In my village there is only one primary school. It is run by KNU [KED]. The school fees are 1,000 baht [US \$31.75] per year. I like to stay in Mae La Oo camp because I can go to school every day and have a chance to study very well. After I finish my tenth grade I'm going to continue my studies in Leadership and Management School because I would like to become a good leader and go back to work in my Karen State."*

- Saw D--- (male, 16), L--- village, Papun District (Feb 2007)

*"My youngest brother and I went with my mum to camp. Mum did a medical check then returned home with my brother, but I stayed to continue my studies. I stayed in a hostel and I was aged 12. When my mum returned home I wanted to go back home with her. I felt very unhappy and sad and cried one or two times. I felt very lonely and had no friends. Even though my cousins were there we didn't have a good relationship yet. There were 40-50 students in the hostel. It was very difficult for me to make friends, I was the youngest one. One old lady looked after us. When I was sick, during the day everyone left to go to school and I felt very lonely, but one of my friends from the same district looked after me in the evening. He asked me to sleep in his bed and if I went to vomit he helped me and found medicine for me. Sometimes he cooked chicken for me. In camp we are free to go to school, we don't have to run to the forest."*

- Saw T--- (male, 18), L--- village, Nyaunglebin District (Feb 2007)

***"In the jungle they only have an opportunity to feed the mosquitoes! Is that an opportunity?"***

"I started school at age seven. The distance between my house and the school was far; about one and a half hours to walk. So I couldn't walk there before age seven. I studied in the KNU school. At that time we needed to move every year because the village, houses and school were burnt every year [by SPDC soldiers]. We went to stay in the jungle but couldn't study smoothly. My father built a little house in the jungle for me and my older sister to stay in near our new school because it was one day's walk from our place, but my parents knew that if I stayed there my studies wouldn't continue smoothly and I needed to help my parents to carry things in the jungle. Mostly the kids in my village miss out on their student life. They don't have a chance to learn, they can't read and write. In the jungle they only have an opportunity to feed the mosquitoes! Is that an opportunity? I had a vision, if I stayed with my parents I wouldn't have a chance to study. I didn't want to leave my parents because I loved them very much. I asked my parents to continue my studies but they couldn't afford the school fees because they had to buy food for the family, so they decided to send me to the refugee camp.

I came to the camp with one of my friends who already studied there. The first year I stayed with my friend, after that I went back to visit my family because I was very young and felt homesick. I used to cry all day and night because I was so young. When I came back [to my village] I was aged 13 and I worked on the farm with my parents. The SPDC burnt our entire paddy store and we didn't have any rice left, so I needed to work on the farm and go to buy rice. If you help your parents they have more energy but if you go to school they lose one [worker] and they have to work more. I helped my family for over a year then asked to come again to [the refugee] camp. When I came back I stayed at a hostel in Mae Ramat Luang [refugee] camp for six years. Sometimes I felt very homesick and after I finished grade ten I went back to visit my family. In my family I'm the only one who has passed grade ten. My family didn't allow me to continue my further studies because they felt that as I had already passed grade ten, I should work. But I asked, asked and asked until it was too noisy for them and then they agreed to allow me to continue my studies in KYLMTC [a post-10 Leadership and Management programme in Mae La Oo refugee camp]. In my future I really want to go to university, then I will have more opportunity and more freedom. If possible, I will go to a third country [apply for refugee resettlement to a Western country] to continue my further studies there."

- Saw K--- (male, 23), T--- village, Nyaunglebin District (Feb 2007)

Some parents factor in their children's need for education when they make the decision to leave their home area and head to the refugee camps, as the father in the following interview demonstrates:

*"If we had stayed in the village, we knew that our children could never attend school and I wanted my children to go to school to be educated people. We also didn't have any house to stay in. We could only stay in the forest and we had to flee away when the SPDC came or patrolled around our area, so we decided it was better to go to the refugee camp."*

- Saw P--- (male, 47 years), P--- village, Papun District



Saw Hs--- (male, 15) is from Hs--- village in Tantabin Township, Toungoo District. When he was six years old, the SPDC entered his village and shot at the villagers while they were farming their hill fields. A bullet hit his arm but his father carried him on his back and ran away. As Saw Hs--- described, "My father himself looked for medicine to cure me and sent me to the KNU clinic. When I regained consciousness, it was like a dream and I didn't know why I couldn't lift up my arm. Later on my father told me that I had been hurt by a gun and that the SPDC had shot me. I had to stay like that for one year and I couldn't go to school. Year by year while we went to school, we also had to run away from the SPDC. In 2006 I finished grade five and this was when my father went and reaped the crops and the SPDC soldiers came and saw him and shot him dead. After my father died, I lived with my five siblings and with my mother. One of my siblings got married and my village school teaches up to grade four. Now I know that I can't work very well because the SPDC shot my arm, so I decided to look for more education and I came to Ee Thoo Hta refugee [IDP] camp. Now I can study grade six." (July 2007) [Photo: KHRG]

Saw H--- (male, 15) and his younger brother Saw N--- are from Hs--- village in Tantabin township, Toungoo District. On April 8<sup>th</sup> 2007, soldiers from SPDC LIB #371 shot dead one of their elder siblings whilst he was carrying paddy in his village. In May 2007 the SPDC came to the village again and arrested the boys' father. Until now they haven't heard anything about their father and do not know if he is dead or alive. After this their mother faced many difficulties and could not send the boys to school so they went to Ee Thoo Hta IDP camp to try and continue their education. (July 2007)  
*[Photo: KHRG]*



Children's reports about their schools in areas outside SPDC control are generally very favourable. They appreciate learning their own language, find the fees more manageable than in areas under SPDC control (although they would still prefer completely free schooling) and welcome support for their schools from religious groups, the KNU, community based organisations, NGOs and other organisations and individual benefactors. Their biggest complaint by far is the severe disruption caused to their education by attacks on their villages from the SPDC. While their teachers, parents and communities in general try to minimise the disruption to children's schooling, some children feel compelled to leave their families, friends and homeland behind in search of a more secure education in the refugee camps.

## IV. Work

*"Activities directed at the forced labour aspects of trafficking and underage recruitment are important for the total forced labour problem. Possible further extension of the scope of action to encompass the forced labour aspects of child labour could deserve future consideration."*

- International Labour Organisation (ILO) Statement on child labour in Burma (March 2008)<sup>40</sup>

### Children's work in areas under SPDC control

The vast majority of the civilian population of Karen State resides in rural areas and pursues agrarian livelihoods. Most families, therefore, depend on farming for their own subsistence and trade their crops to buy additional items which they do not grow themselves. While the family is the primary social group in Karen culture, the village community also plays an important part in organising village labour and allocating resources. Some land is maintained within the family and passed down through generations while other land, particularly that which is allocated for grazing, spiritual or forestry purposes is considered communal and thus not available for ownership by any one family or individual. For the most part families manage their own livelihoods, but the community as a whole assists families with their work in many ways. For example, villagers may harvest each family's crops together, taking each field in turn; village work teams may be organised to do village maintenance work or prepare for celebrations and the village community may assist poorer families or widows by donating food, helping to repair houses or digging wells. Traditionally villagers have also contributed their labour for local projects such as repairing the local Buddhist monastery or other community buildings.

Karen children, like most other children around the world, are traditionally given chores to do in their families from a young age, but these are not usually too onerous. They may be responsible for collecting water, foraging for vegetables in the jungle, fishing, hunting small animals or insects in the forest, sewing and weaving clothes and collecting materials for their parents to repair their houses. Teenagers take on greater responsibilities and heavier tasks when their bodies are physically more mature; tasks such as travelling to markets to trade their products; carrying loads such as rice, rocks and farm produce; cooking, cleaning and caring for siblings. Many children are adept at most of these activities by the time they reach adulthood. Children also often assist their families in their farm fields at weekends and during school holidays.

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<sup>40</sup> "Developments concerning the question of the observance by the Government of Myanmar of the Forced Labour Convention, 1930 (No. 29)," International Labour Organisation, [GB 301/6/2]. para.26, p.6, March 2008.

*"The students also helped their mothers take care of their younger siblings. And when their parents went to the hill fields and arrived at the house late they [the children] cooked dinner and when their parents arrived home they [the parents] didn't need to cook it again."*

- Naw Ht--- (female, 15), A--- village, Nyaunglebin District (Feb 2008)

In areas under SPDC control, however, children's work has become more abusive than developmental. The high concentration of military troops, necessary for retaining control of the civilian population and exploiting the villagers' resources, has resulted in a long list of demands for forced labour from villages across SPDC-controlled Karen State. Villages face regular demands for military porters, messengers, menial tasks at military camps, construction and delivery of building materials as well as labour on 'development' projects, such as road construction, the clearing of brush from the sides of roadways or the building of schools or clinics, in addition to the extortion of food, money and supplies. The loss of family members to such forms of labour results in time lost on essential livelihood activities. Children and teenagers may therefore have to be pulled out of school by their parents in order to fill the gap and work on the family's farm or otherwise compensate for regular extortion by military forces. Children must also comply with forced labour demands upon the village themselves, as soldiers indiscriminately requisition such labour and have shown no reservations about the enforced and uncompensated employment of children.

### ***Forced labour***

The increasing militarisation of Karen villages has had a direct and ruinous impact on children's work in their families and communities. Since all families under SPDC or DKBA control are ordered to do forced labour, time for families to carry out their own livelihood activities is limited and children may be asked (or may volunteer) to go for forced labour duties instead of their parents. In some cases, the SPDC or DKBA have ordered that every person in the household, children included, must do forced labour. Children in Karen State have been used as forced labour for portering army supplies, guiding army patrols, messenger duty for army columns, collecting building materials, constructing fences and buildings at military camps, building and repairing roads, forced agricultural programmes, and other tasks.

*"[W]e had to porter rice during the time when we were going to school... [and] the Burmese soldiers didn't allow us to study it [Karen language]. They said that they didn't want the Karen people to be able to read and write their language."*

- Naw Ht--- (female, 15), A--- village, Nyaunglebin District (Feb 2008)

*"When the SPDC soldiers ordered us to do forced labour, everybody that could do the work went. Women, old people and children also went. If only the men went, there were not enough to do the work and sometimes it was necessary for men to work in the fields. The oldest*



*men that went to work for the SPDC were about a little over 50 years old and the youngest children were 12 years old, but these civilians were uncompensated. Instead of compensating us for working for them, we have to give them the food and money that they demand from us."*

- Saw K--- (male, 34), W--- village, Nyaunglebin District (Aug 2006)



Children in Nyaunglebin District doing forced labour, building a road on March 10<sup>th</sup> 2007. SPDC Light Infantry Battalion #350 ordered local residents to construct a road from Taw Lu Koh village to Noh Poe village. The villagers can be seen here with mattocks used to break up clay from the nearby fields which they then collect in wicker baskets and pile atop the road's surface. [Photo: KHRG]

While a given order for forced labour may not specifically demand that children be sent, villagers may decide to use every able body in the village in order to get the forced labour work finished as quickly as possible so that everyone can get back to their farming. While children often take part in forced labour, KHRG has not received information to suggest that Army personnel – whether of the SPDC or any other armed group demanding forced labour – have turned anyone back for being too young or even complained about the use of children for such work. Moreover, army personnel have demanded that everyone in a given village, including youth, participate in the specified work.

*"Last rainy season the SPDC demanded forced labour. They asked us to clear the road and dig up stones to refill the holes on the road and after we finished clearing they let us go. They didn't give us any payment. They asked for something to eat from us. They demanded it*

*through the village head. We had to get up early in the morning and have breakfast and go straight to the workplace. At about eleven o'clock we came back [to the village] and started [working] again at 1:00 pm and at 4:00 pm we returned [to the village]. We had to work very hard because we worried that they would scold and beat us. They always followed us along during our work period. The oldest people who went there were between 50 to 60 years old. I am 55 years old and still I must go and work for them. All of us of different ages go. Young and old, men and women, boys and girls, we all go."*

- Saw S--- (male, 55), Gk--- village, Nyaunglebin District (Sept 2007)

*"They ordered us to clear our new place [at the relocation site] and their military camp. They didn't pay us any money. We had to serve as sentries for them. They ordered the village head to find people to do loh ah pay<sup>41</sup> [forced labour]. 13-year-old children and 60-year-old elders were among those who went to do loh ah pay. Sometimes they shouted at us when we did something which they disliked. We had to bring our tools such as hoes and machetes. We had to work for them the whole day. Sometimes they've ordered individual villages to send 10 or 15 people to do loh ah pay."*

- Saw P--- (male, 25), P--- village, Nyaunglebin District (Sept 2007)

*"Commander Yan Naung told us to enclose the village, but he didn't tell us the reason we must enclose our village. We couldn't find the bamboo to cut so we just cut the bamboo that we had in the village and enclosed the village with the bamboo we got [from that]. Not only was my village forced to do it, but also the other villages close to my village, so we couldn't fail to do it. They told us to finish doing it on the 30<sup>th</sup>, the end of the month. Now, the villagers have started fencing. There are women, old people and children going as well."*

- Saw H--- (male, 30), W--- village, Nyaunglebin District (Aug 2006)

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<sup>41</sup> *Loh ah pay*; A Burmese term now commonly used in reference to forced labour; although traditionally referring to voluntary service for temples or the local community, not military or state projects.



In August 2006 SPDC LIB #599 under the command of battalion deputy commander Yan Naung forced Dta Koh Bpwa villagers to build fences around their village, but because of flooding the villagers had to build the fences in the water. All of the villagers, men, women and children, worked on the fence to get it finished as quickly as possible. [Photo: KHRG]

Children may also assist in forced labour demands to lessen the burden on their parents and older siblings. Families may decide to send children to take part in forced labour in order to retain their most productive members for work on their own farms, as this increases their chances of growing enough food to provide for the whole family. Notwithstanding the direct risk of harm and long term detriment to children who serve in this capacity, if forced labour is otherwise unavoidable, the strategy of sending children to partake in forced labour while retaining adult labour for work on family farms generally leads to a better situation for the family as a larger unit. It should also be understood that forced labour duties are regularly demanded of families under SPDC control, undermining their means of livelihood over the long-term rather than just on one-off or rare occasions, causing significant survival problems for families already mired in poverty. Furthermore, it can be seen in the general pattern of children's work that their use on forced labour tasks is avoided as much as possible and parents generally try to keep their children at home or in school.

*"Some children must go and do loh ah pay instead of their parents even during school days because their parents are old and can't go and do that kind of work... In our area, we have some children who have had to go and carry heavy things for the SPDC. Even if they couldn't carry [the load] they had to do it and [they] carried it because they were afraid of the SPDC and they had to carry weights of about 20 [kg.]. Some have had to go and build houses for the SPDC. [Regarding] the children*

*[working] in the [Army] camp, their parents and village head didn't ask them to do the work because they are children and that work is not for them."*

- Naw P--- (female, 19), L--- village, Pa-an District (Aug 2007)



The children in the photo above, shown here in May 2007, are working as part of a forced labour group from D--- village in Thaton District. SPDC LIB #102 commander Min Zaw Oo ordered every village in the area to deliver 300 roofing shingles and 300 bamboo poles to the army base. [Photo: KHRG]

On top of regular forced labour for SPDC personnel, DKBA officers and soldiers have also forced children to labour on various infrastructure and cultural projects. At the end of 2006, for instance, when the first day of the traditional Karen New Year fell on December 19<sup>th</sup>, villagers were in a hurry to finish their harvests with the help of family and friends before the start of the festival. However, with the expansion of the Democratic Karen Buddhist Army (DKBA) in Pa'an District the annual New Year festival has become a strain on villagers. The DKBA, intent on holding as large a festival as possible at its various bases, ordered local villagers to supply labour, food and money for the occasion. In 2006 the DKBA began preparations a month ahead in November for the New Year celebration, by sending orders to villages in the Meh Bpleh area to each send 100 adolescents, either boys or girls, to work on preparations for the occasion. Some villages did not send the full number demanded and DKBA officers therefore reprimanded them. According to one villager living in the area who spoke with KHRG in November 2006,

*"In the village we don't have time to celebrate the arrival of the new year because right now we have to finish our harvest and we have to send our children as well to help them [the DKBA] so it has become a big problem for us."*

Another villager, also speaking about the same incident in November 2006, told KHRG,

*"New Year is for all Karen people, but these lengthy preparations are creating problems for us. If they just prepared for one week that would be easy for us. Most of the village youth don't want to go, because when we go to help them we don't have money to buy anything to eat there. Right now villagers need to work in the paddy [fields] in the day time and take a rest in the night time so that the harvest can be finished soon."*

Children obliged to engage in forced labour, furthermore, confront adverse health consequences as result of their involvement in this work and the conditions under which they must labour. Such negative health outcomes include an increased likelihood of malnutrition and its related side effects, especially night blindness (vitamin-A deficiency), given that food is rarely provided during forced labour and the time forced labour takes away from families' livelihood activities, as well as an increased propensity to illnesses such as diarrhoea, due at least in part to poor sanitation conditions and lack of clean water at forced labour sites<sup>42</sup> The likelihood of incurring landmine injuries is also greater, especially so for those children used as porters or guides, as those serving in this capacity are typically forced to march in front of army patrols and thus serve as human minesweepers. Furthermore, potential violence at the hands of soldiers and officers overseeing forced labour also remains a risk.

Aside from the harm to children when it is they who must serve in forced labour projects, they are also negatively affected when it is their parents or other guardians who must serve in this capacity. This is especially so when such work lasts over a longer period. Young children may be left home alone with no one, or perhaps only a slightly older sibling, to take care of them while their parents spend all day doing forced labour duties. The armed groups demanding forced labour give no allowances for parents with young children for whom they must care. In some cases even lactating mothers are forced to leave their babies at home to go and do the forced labour even though breastfeeding babies are dependent upon their mother's milk for their survival and must feed frequently and regularly.

*"The villagers who are building the road are girls, boys, men and women. One of the women came back yesterday because her baby wanted to suckle and she went back again the next morning. The oldest*

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<sup>42</sup> For more discussion on the relationship between forced labour and adverse health consequences, see *Chronic Emergency: Health and human rights in eastern Burma*, Backpack Health Worker Teams, 2006, p.56-58.

*villagers who are building the road are more than 50 years old and the youngest are 14 years old. My 14-year-old daughter has gone to build the road now as well. The villagers have to carry stones, lay mud to fill the holes and level the road with mattocks."*

- Naw Dt--- (female, 55), T--- village, Thaton District (Jan 2007)

*"When the Burmese [SPDC soldiers] arrested me, my youngest child was only two months old. They forced me to carry a load for them. It was on June 10<sup>th</sup> 2002. There were 40 people [who went to do forced labour] but at that time [on June 10<sup>th</sup>] there were only four men who had to go along. They came and took me when I was in my house and it was seven o'clock in the morning. They told me to go to a meeting there [at an SPDC office]. But when I arrived there, they didn't release me but forced me to carry the load. They didn't make any demands to the village head but they arrested all of us. At that time, they didn't see my husband as my husband had gone to his plantation. They didn't allow me to take my children and they told me that it was just for a while. So I didn't take my children and left two of my children at home [alone]."*

- Ma Y--- (female, 28), L--- village, Dooplaya District (Oct 2002)



This young boy was left alone at his home in Dweh Loh township, Papun District with his even younger sibling because both of his parents had to go for forced labour for LIB #349 in December 2005. [Photo: KHRG]

## **Migration**

The military regime's gross mismanagement of the country's economy in combination with daily predation by local military personnel has systematically

driven the civilian population into poverty, transforming Burma from one of the wealthiest Southeast Asian countries to become one of the world's Least Developed Countries since 1987.<sup>43</sup> This increased poverty in combination with the high cost of education in Burma has led many children to leave school early in order to take on work, often migrating to larger urban centres to do so, in order to support themselves and their families. UNICEF's Burma office has noted that, "*less than half of all children in Myanmar currently complete primary school. Many school expenses must be borne by students' families, presenting an insurmountable financial obstacle for many impoverished households,*" leading to a situation where "*[m]any children are employed in factories, teashops and other business enterprises where they work long hours under arduous conditions, for very little pay.*"<sup>44</sup>

While many rural young people have migrated to urban centres within Burma in search of work, massive unemployment and wages below subsistence levels throughout the country has led millions more to travel further afield in order to seek employment abroad. Karen State's eastern border flanks Thailand, which is currently far more prosperous than Burma. Thailand has furthermore vigorously encouraged foreign investment in specially designated Export Processing Zone (EPZs) which rely on cheaper migrant labour coming primarily from Burma.<sup>45</sup> The prospect of greater remuneration in Thailand continues to attract large numbers of Karen youths seeking work in factories, domestic service, retail or other fields. Many young people either travel by themselves to Thai border areas, or pay an agent to 'traffic' them deeper into Thailand and into a job, where they may then be forced to serve as bonded labourers until the exorbitantly high costs, currently averaging 10,000 to 15,000 Thai baht (US \$317.46 - 476.19), for their transport and job placement are repaid to the traffickers. In some cases, brokers offer poor parents financial incentives to send younger children to work in Thailand.

***It's like she sold her own children...***

"I have seen some of my neighbour's children. They only have a mother and the mother doesn't look after her children very well. She has six children and she sent two of her children to Bangkok. It's like she sold her own children. The four children can't get rice everyday. The kids can't stay as their friends live. She receives monthly wages from [the employer of] her two kids, but if the kids didn't want to stay in Bangkok, they [the children's employers] would send them back. But I heard that some children [working in Bangkok] were tortured and oppressed. Some of the children who experienced this came back and spoke about it. Mostly [the children who go to work in Bangkok are] six or

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<sup>43</sup> Booth, Anne. 2003. "The Burma Development Disaster in Comparative Historical Perspective," *SOAS Bulletin of Burma Research* 1(1):1-23. p.13

<sup>44</sup> "Children in Myanmar," UNICEF Myanmar, 2004. Accessed at [http://www.unicef.org/myanmar/children\\_1350.html](http://www.unicef.org/myanmar/children_1350.html) on January 4<sup>th</sup> 2008.

<sup>45</sup> Arnold, Dennis. 2007, *Capital Expansion and Migrant Workers: Flexible Labor in the Thai-Burma Border Economy*, Mahidol University, Bangkok. p.24

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seven and they accept up until ten years old. If they are girls, they only accept the pretty girls. If they are boys, they only call on those boys who have good looks and can speak well. They don't call ugly kids to come. When they [the children] arrive in Bangkok, they have to sell flowers in the market. Some kids said that they were threatened by their boss. Some kids ran away back [to their home in Burma]. It [the neighbour's children going to work in Bangkok] happened because their mother couldn't support them. They also have many siblings and the mother can't make sure all of the kids have food everyday. And the father died. This is what I've witnessed. Her husband died when she was pregnant with their last daughter. Her family has to live poorly."

- Naw Y--- (female, 18), K--- village, Pa'an District (March 2008)

The SPDC strictly limits all emigration from the country and particularly prevents girls from leaving following international pressure to stem the flow of those trafficked into prostitution. However, in many cases this policy has a detrimental effect, where, as the US State Department noted in its 2007 *Trafficking in Persons Report*, "*The official ban on overland emigration of most young women drives some seeking to leave the country into the hands of 'travel facilitators,' who may have ties with traffickers.*"<sup>46</sup> Many young girls and boys are then placed at risk of exploitation, abuse and slavery in their quest to illegally leave the country in search of a living wage.

*"Some of the villagers that didn't have enough food... sent their son or daughter to Thailand to work. Some of them are in debt because they had to borrow money from other people to send their children to work in Thailand... Most of the youths went to Thailand to work. There are only old people above 40 years and children below 14-15 years that stay in the village. In T--- village, at least one person from each family went to Thailand and some have two family members in Thailand. Some of the married women who have babies or children left their children with their parents and went to Thailand. Only about 30 households didn't send anyone to Thailand, because they didn't have any money to go."*

- M--- (male, 55), T--- village, Dooplaya District (June 2006)

The SPDC has further sought to strictly control the outflow of economic emigrants through mandatory registration of all those leaving the country. The translated text below of an SPDC order document sent to village heads in Dooplaya District in September 2006 illustrates this policy.

<sup>46</sup> *Trafficking in Persons Report*, Office to Monitor and Combat Trafficking in Persons, US State Department, June 12<sup>th</sup> 2007. Accessed at <http://www.state.gov/g/tip/rls/tiprpt/2007/82805.htm> on January 4<sup>th</sup> 2008.



**Stamp:**

Township Peace and Development Council

Kya In Seik Gyi Town

Letter #\_\_\_

Date\_\_\_

Township Peace and Development Council  
Kya In Seik Gyi Township - Kya In Seik Town

Letter No: ### / ### / ###

Date: 2006 September 15<sup>th</sup>

To

A---\_\_ Village Peace and Development Council  
Kya In Seik Gyi Township

Subject: To compile and send a list of people who left to work illegally in foreign countries

Reference: Letter ### / ### / ### dated (8-9-2006) by the Township Peace and Development Council, Kya In Seik Gyi Town

Wards and villages from Kya In Seik Gyi Township are informed again to prepare a list with the attached chart of the people who left to work illegally in foreign countries. This is to inform [you] to send the list to the office on (1-9-2006).

Sd.

Chairperson (for)  
(B---, secretary)

Copies to

Office copy / interdepartmental circular letter

| No. | Name | Age | Father's name | ID No. | Address | Country of arrival | Year of departure | Daily Wages |      | Salary |      |
|-----|------|-----|---------------|--------|---------|--------------------|-------------------|-------------|------|--------|------|
|     |      |     |               |        |         |                    |                   | baht        | kyat | baht   | kyat |
|     |      |     |               |        |         |                    |                   |             |      |        |      |
|     |      |     |               |        |         |                    |                   |             |      |        |      |
|     |      |     |               |        |         |                    |                   |             |      |        |      |
|     |      |     |               |        |         |                    |                   |             |      |        |      |
|     |      |     |               |        |         |                    |                   |             |      |        |      |
|     |      |     |               |        |         |                    |                   |             |      |        |      |
|     |      |     |               |        |         |                    |                   |             |      |        |      |
|     |      |     |               |        |         |                    |                   |             |      |        |      |

An incident from September 28<sup>th</sup> 2006 illustrates the SPDC's implementation of this emigration policy. On this date soldiers from Light Infantry Battalion (LIB) #548 called together village heads from all of the village tracts in Dt'Nay Hsah township. Villagers reported that the soldiers then said to them, "*The villagers whose children have gone to Bangkok [to work] must return to their village and register their names. Everybody must come back without fail. Tell your children who work in Bangkok to come back and get travel documents.*" The initial registration was to cost 500 kyat (US \$0.45) and the required travel document cost 100,000 kyat (US \$90.09). This pressure on Karen emigrants to return to Burma for registration came following delays in the implementation of a Memorandum of Understanding (MoU) signed in August 2006 between SPDC Senior General Than Shwe and then Thai Prime Minister Thaksin Shinawatra. The September 19<sup>th</sup> 2006 coup in Thailand that ousted Thaksin put a hold on

the agreement to forcibly repatriate migrant workers from Burma discovered in Thailand without legal work or travel permits for "*verification of their nationality*".<sup>47</sup>

It appears, however, that most emigrants from Karen State have snubbed the SPDC's requirement to return to register themselves and pay the required fees. Nevertheless, an agreement with Thailand could mean the mass deportation of workers or their families back to Burma with subsequent 'taxation' of a percentage of all foreign earnings. It would also open new avenues for extortion by officials on both sides of the border and allow the SPDC to restrict travel in search of work to those seen as compliant with the regime. Although it is so far unclear how the new Thai government under the recently-elected People's Power Party – much of which is comprised of former Thai Rak Thai party members loyal to Thaksin – will develop this policy, there would likely be resistance from the Thailand-based business community against any sudden large scale loss of migrant workers. Irrespective of Thai policy on the registration issue, economic emigrants who return to SPDC-controlled areas at present risk arbitrary fines and potential arrest should they be discovered.

## Children's work in areas outside of SPDC control

The wealth of natural resources in Burma is such that the standard of living for the country's population should be far higher than it is. Burma is not a poor country, it is a rich country systematically made poor through economic mismanagement and military predation on the civilian population. As military control has gradually eroded livelihoods and induced poverty through extortion, forced and uncompensated labour, inappropriate and forced agriculture, heavy taxation and restrictions on travel and trade many civilians have fled simply to avoid further impoverishment. As one woman from Toungoo described her situation,

*"We fled because we were oppressed by the SPDC. We didn't get any permission to travel. They wouldn't give us any travel documents. They were making us do construction work. So, we couldn't do our own work. If we had stayed, we would have only fallen into debt and so we came here."*

- Naw W--- (female, 48), S--- village, Toungoo District (March 2007)

However, even in areas outside of SPDC control the military has actively sought to undermine livelihoods, exacerbate poverty and worsen the humanitarian situation, in an effort to drive civilians out of their hiding sites and into military-controlled villages and relocation sites. As the regime perceives any civilian population not under SPDC rule as a threat to ongoing military control, army personnel in Karen State have attacked civilian hiding sites, burnt

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<sup>47</sup> "Thailand's cynical ploy on Burmese migrant workers," *The Nation*, December 12<sup>th</sup> 2006. Accessed at [http://www.nationmultimedia.com/2006/12/11/opinion/opinion\\_30021216.php](http://www.nationmultimedia.com/2006/12/11/opinion/opinion_30021216.php) on January 3<sup>rd</sup> 2007.

down covert farm fields and food stores, and restricted all trade including food and medicine between military-controlled and non military-controlled communities.

In Toungoo District of northern Karen State, for instance, SPDC Military Operation Command (MOC) #5 based in Kler La town and operating under the command of Kaung Mya has since August 2007 restricted all trade and transport of rice from Toungoo town to Kler La and Gkaw Thay Der. Previously, residents of Toungoo District have travelled by car and bought rice and other supplies at Toungoo town which lies just across the border in Pegu Division. Loaded up with supplies, these vehicles would then venture back to Kler La and Gkaw Thay Der where they would sell their goods. Supplies freely coming down from Toungoo town can be sold to rural communities and thereby undermine the SPDC's efforts to starve these people out of the hills. Kaung Mya's restrictions thus appear to be an effort to close this loop hole and prevent non-military controlled rural communities in Toungoo from accessing such supplies. Such tactics increase pressure on livelihoods for people living in areas outside of SPDC control leading to a situation where families must marshal all resources, including children, to ensure the continued survival of all members. Children may be needed to assist in farming paddy fields, tending gardens, foraging for food in the jungle, rearing livestock, collecting water or firewood, caring for younger siblings and partaking in other important tasks.



This young boy, shown here in August 2007, lives at a displaced hiding site in Pa'an District and helps his family by caring for his younger brother. [Photo: KHRG]

*"When we ran to escape into the jungle it sometimes took about one month. When we ran we carried as much rice as we could and when the rice was finished we went and got it from our secret stores in the jungle where we had hidden our things before the SPDC came. We had to go back during the night to retrieve the rice from our secret place. At that time I was only 10 years old so I couldn't go together with my parents. But at the time when my parents went to work or to retrieve the rice from our store I took care of my brothers and sisters... I had to carry water, collect firewood and sometimes cook the rice."*

- Saw D--- (male, 16), L--- village, Papun District (Feb 2007)

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**Everybody needs to work**

*"I just looked after my younger siblings and carried water, cooked rice [and] collected firewood. And now I am here in the forest. I just look after my younger siblings and try to help them [her parents] by carrying things sometimes."*

- Naw Ht--- (female, 11), L--- village, Nyaunglebin District (Feb 2008)

*"The children need to look after their family, to help their family by carrying food and working in the field. If they can hold a knife they have a responsibility to help their family. Everybody needs to work. If they don't work, there is no food for the family. I started to help my family when I was nine or ten."*

- Saw K--- (male, 23), T--- village, Nyaunglebin District (Feb 2007)

As in many parts of the world, Karen children are given chores to do around the house and gradually take on more responsibilities as they grow older. In stable communities, these chores are not usually too onerous and help the child to develop and learn about their environment. In unstable areas, however, such as the hiding sites of displaced communities outside of SPDC control, children's chores may prevent them from attending school, playing with friends or partaking in other important social activities. Furthermore, by about age 13 or 14, children in Karen society are considered to be young adults and do the same work as their parents. In the past, young adults who had reached age 13 or 14 usually worked full time in their communities and no longer went to school, having received a basic education.

*"When I was very young I either went to the farm with my parents or stayed at home and looked after my younger brother and sister. I was aged five or six. I just stayed in the house and closed the door because I worried my sister would go out and I could not carry her."*

Saw N--- (male, 21), L--- village, Nyaunglebin District (Feb 2007)

However, formal education has become increasingly valued amongst Karen communities and, despite the pressures of life in displacement, children may try to attend school while also taking on household work roles.



These two young girls care for their younger siblings at their home in Pa'an District in August 2007 while their parents are out working. [Photo: KHRG]

*"We have to look after our siblings when we have school holidays or when we have finished school in the evening. If they cry, we carry them in a sling on our backs. We do cooking, carry water and clean the house. We carry water in a pot and in a bamboo container. We don't need to worry about anything while we're helping our parents."*

- Children from T--- village, Pa-an District (Aug 2007)

*"In the morning I would pound the rice and prepare breakfast then get ready to go to school. In the day I attended school. In the evening I would play, sometimes collect firewood and carry rice from the paddy barn to home. On Saturdays I would help my parents on the farm or visit my grandmother. On Sundays I went to church or stayed at home, slept and played. In the hiding site I had to carry pots, blankets and rice."*

Saw T--- (male, 18), L--- village, Nyaunglebin District (Feb 2007)

Traditionally in stable Karen villages, the men would go to work in the fields whilst mothers would spend most of their time at home taking care of their children and conducting other work within the household; only partaking in field work during the most labour intensive periods of the crop cycle such as during sowing, weeding and the harvest. However, rising food and livelihood insecurities in recent years have forced many women to work increasingly longer periods in the fields alongside their husbands and take on other forms of

labour in order to secure enough food for their family.<sup>48</sup> Widowed parents face even heavier burdens with the loss of a key worker. In such situations children are either left alone in the house or accompany their parents to the fields. Often parents may ask their children to take responsibility for most of the house work and care for their younger siblings.



Under pressure of time and resources the parents of this baby were forced to leave their child alone in their house in Bpoh Nah Der village, Papun District while they went out to collect much needed water on December 13<sup>th</sup> 2006. [Photo: KHRG]

Karen teenagers living in rural areas normally work in the fields alongside their families. At certain times in the crop cycle, particularly harvest time, communities often work collectively on a single field, rotating through each household plot in turn. This labour also traditionally serves as an opportunity for teenagers and other single people to work together and make new relationships with each other. Once a year, after the harvest is complete, they may also travel together to sell off part of their crop and purchase goods such as salt, cosmetics or other commodities which they are unable to produce themselves. In those areas outside of SPDC control however, teenagers' lifestyles are increasingly becoming more precarious, as travel, trade and farming become more restricted and dangerous as the SPDC military presence encroaches further into Karen areas.

*"I have four siblings and my youngest sister was born after my father died because my mother was pregnant when my father was killed by the Burmese [SPDC] soldiers. Since my father died my mother has been*

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<sup>48</sup> For further information on the changing roles of women in Karen State in response to SPDC abuse see *Dignity in the Shadow of Oppression: The abuse and agency of Karen women under militarisation*, KHRG, November 2006.

*feeling so sad. My mother is trying to work and her relatives help her by caring for her children when she is working. After I grew up [about age ten] I have been farming the hill-field with my mother... I have no special work and only farm the hill-field in a poor situation... I cannot do my work independently because the enemy [SPDC] comes to disturb us all the time."*

- Saw K--- (male, 17), L--- village, Nyaunglebin District (Feb 2007)

## **Displacement**

*"[S]ometimes when the SPDC came to our village, we had to flee into the forest. When we fled we had to climb up the mountains. Some children cried and me, I couldn't run and my mother put me into a basket and carried me. We resided in the forest until the SPDC went back and then we came back to our village."*

- Naw Hs--- (female, 16), L--- village, Papun District (Feb 2008)

*"One time the [SPDC] soldiers came and burned our barn and we had no more rice, so my father and I went to another place to buy some more rice and we had to carry it for one day's walk. It was very dangerous because it was very close to the place where the soldiers live. Sometimes we needed to go at night time and could not use a torch light. I was very tired and wanted to rest on the way but my dad asked me to hurry. I had to get the firewood alone near the cemetery and I was very afraid of ghosts there."*

- Saw T--- (male, 18), L-- village, Nyaunglebin District (Feb 2007)

In seeking to evade the SPDC's forced relocation programmes and military attacks on their villagers, families flee where possible to temporary hiding sites in the surrounding forest. These families will remain there, return to their abandoned villages or relocate further afield depending on the ongoing movement of the local military forces. Children's work becomes more difficult and dangerous during such periods of displacement as they risk encountering landmines or SPDC soldiers patrolling the area. Initially, at the moment of flight when families collect personal belongings, food, babies and the elderly, children typically carry heavy loads on their backs as well and in this way support the family's evasion of army troops.

***She was my grandmother so I carried her...***

"The SPDC shot dead my daddy when he tried to run away. After one month, suddenly the enemy came to shoot the villagers and all of the villagers tried to escape. My mother ran away then remembered my little [three-year-old] sister was in the house and went back to collect her. I ran away very fast, we did not have time to collect anything but my grandma walked carrying all her things because she was very old and said if the soldiers killed her it was okay. It was very scary. That time, oh, I cried and cried a lot and then my mother told me "don't cry, you should look at your friends and you should make yourself happy, don't cry!" My mother told me "don't cry!" but she cried too, because we did not have anything; we did not have food, we did not have clothes, we did not have anything.

We stayed in the forest for one month because my grandmother felt really unwell and we did not have the medicine to give her. We were all girls [in the family] and could not build a house as my daddy had already died. My mum really worried about us, so some villagers helped us to build the house and shared their food with us. During the daytime my mother went to find food and I helped to take care of my little sister. When we stayed in the forest the enemy [SPDC soldiers] had a lot of movements and attacked our place so we had to move to another place. My grandmother told me not to carry her to another place, she would stay there and die there, but she was my grandmother so I carried her to another place. My mum carried my sister and some things and I carried my grandmother on my back.

When I started to carry her, she felt really unwell and her head fell back. It was very heavy for me, I was very young, and I asked her to put her head in my shoulder, where it was better for me. I asked her one time, two times, three times and she did like I asked her. Then one time I asked her, "Grandma, please try again to put your head like this in my shoulder". She did not answer me so I tried to look and I saw her eyes were very big and then I was afraid she had already died. My mum told me "don't be afraid, you should try to carry her to another place, this place is not okay." So I carried her until we found a better place for her. I was very afraid of my grandmother then and I cried and cried a lot because she was already dead on my back. The place we stopped at was not better, it was the place where the bullocks go to the toilet, but it was okay because it had the leaves as a roof. The next day we cremated our grandma. We stayed in the forest about one week and then we came to Thailand."

*- Naw M--- (female, 23), K--- village, Papun District (April 2007)*





Trekking over the hilltops of Than Daung township, northern Toungoo District, this young boy carries family belongings after having fled from his home along with other members of his community when troops from SPDC MOC #5 set up three new army camps at Pwee Kee, Shoh Koh and Kaw Haw. Due to the close proximity of these camps to their home village, the villagers fled on June 7<sup>th</sup> 2007. *[Photos: KHRG]*



Young children carrying family belongings travel through southern Toungoo District while evading SPDC patrols with their families. This community fled from Muh Kha Day village in Karenni State on June 30<sup>th</sup> 2007. *[Photos: KHRG]*

Following the initial flight from their homes, children take on different forms of work as their families build new settlements at hiding sights in the forest. In such situations children face continuous threats. This is especially so where they must venture out into the forest in search of food, firewood and water for their family's survival. Such work may entail going back to their village to collect and pound paddy, travelling to a secret jungle market to buy food or labouring in the relatively open area of newly established covert farm fields to harvest their crops. In all cases the likelihood of being spotted and shot on sight by SPDC forces increases.

*"After my family runs away into the forest I have to go back to get food from the village sometimes and take care of my mother. It is very difficult to go back and take food from the village because I'm afraid of the Burmese soldiers staying near to the village. The Burmese soldiers stay at least one week when they come to the village."*

- Saw K--- (male, 17), L--- village, Nyaunglebin District (Feb 2007)



In situations of displacement at hiding sites families are under severe pressure to address their many nutritional, health, security and social needs. The young girl shown here helps out by collecting water for her family which she carries on her back at a hiding site in Papun District in December 2006. [Photo: KHRG]

Children living at hiding sites thus take on a myriad of duties to contribute to their family's livelihoods. In the following interviews, Saw K--- and Naw E--- explain some of the responsibilities they had while children displaced in the jungle.

*"When the SPDC burnt our paddy I went to buy rice for my family. It was really dangerous because the person you buy rice from has an agreement with the SPDC and sometimes the SPDC [soldiers] follow*

*them and shoot the people buying rice. Sometimes the rice I carried was too heavy, 1 1/2 tins [24 kg. / 52.8 lb.] of rice, because we couldn't come often."*

- Saw K--- (male, 23), T--- village, Nyaunglebin District (Feb 2007)

*"In the jungle, the girls have to cut banana leaves for the roofs. I had to cook, but one time I had nearly finished cooking when the Burmese [SPDC soldiers] came and I had to throw it all away [to run away]. I helped my parents but we were not allowed to go a long way because we worried about landmines. Our village is very small so no one had a gun and there were no soldiers. We had a radio to call the KNLA soldiers to guide our villagers and we rotated security look-outs in the jungle."*

- Naw E--- (female, 20), W--- village, Papun District (Feb 2007)

In many cases, army patrols move after having attacked a given village. In such cases, civilian lookouts inform the displaced community of the departure and those in hiding may seek to return to their abandoned homes and fields in order to reclaim their land. Notwithstanding the continued threats of landmines which soldiers often plant in fields, around homes and along forest paths, families are typically eager to return to their homes. At this point children assist their families to rebuild their homes and lives upon their return to the village. Displacement and return becomes a regular cycle in many children's lives as families seek to hold onto their home land, while simultaneously resisting military control and abuse.



On April 15<sup>th</sup> 2006, having earlier fled from SPDC forces, the residents of K--- village returned to their homes in Nyaunglebin District once the patrolling soldiers had departed. The small child pictured above is helping his father to cut bamboo to rebuild their house. [Photo: KHRG]

In cases where it seems unlikely that villagers will be able to return to their home villages for long periods of time, families often choose to flee further afield to more established IDP and refugee camps, rather than trying to maintain their more precarious existence in forest hiding sites. The following interviews were conducted with recent arrivals in Ee Thoo Hta IDP camp and Mae La Oo refugee camp on the Thai-Burma border. The teenagers interviewed explain how displacement has affected their lives, mentioning health, work, education and feelings of insecurity. The interviews demonstrate how displacement affects every aspect of children's lives.

*"When I was in the jungle I was afraid the SPDC would see us and was also very cold during the night, but we were not allowed to make a fire to warm ourselves. I ran together with my family but I only have a mother. My father died ten years ago because of a landmine. When I ran into the jungle I had to carry cooking pots, clothes and food, but it wasn't too heavy. When we reached a place to rest we had to carry water and firewood to cook the rice. We also had to gather the leaves to make our beds. I have been here in Ee Thoo Hta [IDP camp on the Burma side of the border] for about one year. I feel safe and happy here because I have a chance to go to school, but sometimes I am homesick and miss my relatives and cousins who were left behind. Here we're never warned by the camp leader to pack our things [to flee] or forbidden not to make a lot of noise because the SPDC will come."*

- Naw N--- (female, 15), P--- village, Toungoo District (Feb 2007)

### ***I took care of my brothers and sisters...***

"When I was in my village, during the weekend I could help my parents by doing farming. The SPDC often came to our village and whenever they came they burnt down some houses or paddy stores and if they could catch people they killed them. Whenever the SPDC soldiers approached, we ran away from our village and we had to carry clothes, rice and some other things such as salt and chilli. When we ran to escape in the jungle, it sometimes took about one month. When we ran we carried the rice as much as we could and when the rice was finished, we went and took it from our secret stores in the jungle, in which we had hidden our things before the SPDC came. We had to go back during the night to steal the rice from our secret place.

At that time I was only ten years old so I couldn't go together with my parents, but while my parents went to work or to take the rice from our store I took care of my brothers and sisters. We had family members sick while we were in the jungle, but no medicine and we didn't have a medic to deliver medicine to us or to look after our health. I had to carry water, collect firewood and sometimes cook the rice. We always worried that the SPDC would see our secret store or the place where we live [hiding site]. The KNLA asked me to be a soldier but I told them that I want to continue my studies. They accepted my response and let me continue my education. In this case none of my siblings had to go to

replace me. The SPDC did not ask us for forced labour because whenever they came we ran away so they couldn't ask for forced labour."

- Saw D--- (male, 16), L--- village, Papun District (Feb 2007)

Saw D---'s interview gives an insight into how villagers resist military occupation and control over their lives. Many communities living outside SPDC control have developed their own techniques to maintain their survival in the event of an attack on their village, including maintaining secret food stores outside the village, preparing secret hiding sites in the jungle and running away from the village as soon as they hear news of a military advance into their area. While displacement is dangerous and difficult, villagers choose this rather than the alternative of torture, forced labour and systematic exploitation and other abuse under SPDC control. All members of the community, including children, participate in resisting military rule and military abuse. Saw D---'s account also demonstrates his ability to resist recruitment for soldiering in the KNLA, despite his young age, showing how children, who are still frequently assumed to be incapable of exercising their rights, often have a very good understanding of their rights and make efforts to claim them.

If return to the village becomes impossible, due to military camps being established in the area or frequent patrols by soldiers, families enter a more prolonged period of displacement. This has a huge impact on children's work and livelihood security.



This family fled from SPDC troops near their home in Toungoo District and now resides at Ee Thoo Hta IDP camp. The young girl walking between her parents is helping to carry leaves she has collected to repair the roof of their house at Ee Thoo Hta in April 2007. [Photo: KHRG]

## Daily labouring

*"We got rice from the village near the place where we lived; we worked for them and they gave us payment in paddy. We had to work every day to be able to survive."*

- Naw L--- (female, 14), K--- village, Toungoo District (Feb 2007)

Frequent or prolonged military attacks on villages and village farm land results in families being forced to abandon their homeland and farms, which have been built up over generations. Without land to farm, families must try to subsist as daily labourers for other people. Children whose families have no land anymore often have to do daily labouring for other people to get food for their survival. Such situations also occur in areas under SPDC control, especially where land is lost through forced relocation. Also, in non-SPDC-controlled areas, many people are no longer able to access their land due to ongoing military threats. In the following interviews, children explain their daily labouring jobs and how they feel about their work. Before the first child fled to Ee Thoo Hta IDP camp her family was displaced and engaged in daily labouring:

*"When we fled from our village we had to live in another village for about one year. We had to work in the betel nut garden and they gave me one viss [1.6 kg. / 3.6 lb.] of betel nut per day. At that time I was nine years old. I didn't want to collect betel nut. I was very lazy and so many insects bit me while I collected the betel nut. Since the day I left my village I had no chance to go to school and I was away from school for many years. I started my studies again when I came to live in Ee Thoo Hta. Now I am in grade three. I like staying here because I can go to school, but if the situation improves I will go back to my village. Presently I dare not go back because the SPDC has not left our village yet."*

- Naw R--- (female, 12), H--- village, Toungoo District (Feb 2007)

*"When I was in my village I went to school every day, but we had to move to another place because the SPDC was always patrolling around our village and we worried that if they saw us they would shoot us. When we moved to K--- we had to do labouring for other people and they gave us two kilos of rice per day. I also had to do labouring work. During the rainy season, at the weekend, I had to go and cut the grass in a farm and I got 30 baht [approx. US \$1] per day. It hurt me very much that I had to do labouring and run away when the SPDC came. When I grow up I will try to become a teacher. I am happy here [in Mae La Oo refugee camp] but I still worry that the SPDC will come. We don't know how far the SPDC camp is from here. I also have eye problems. If I read too much, my eyes start to hurt."*

- Naw M--- (female, 12), K--- village, Papun District (Feb 2007)

The children interviewed above explained how their need to engage in daily labouring for their survival affects their schooling and other aspects of their lives. They know what they want and what they need to achieve their goals in

life and are well aware of the limitations that SPDC policies are placing on their development. For those children living in areas of SPDC control, as well as those outside of SPDC control, the pressures resulting from militarisation mean that their opportunities for education, play and other social activities constrict while they take on new forms of work. This work, in turn, often presents direct threats to their lives in the form of landmines and other military attacks as well as long term threats in the form of absence from school. However, the courage with which these children engage with their situation shows that many have managed to draw strength and conviction from the challenges they face despite the ongoing risks.

## V. Health

*"Many children, particularly under the age of five, are dying every day from diseases that are preventable with simple interventions such as vaccines, good water and sanitation facilities, and mosquito nets. Children comprise more than 17% of the patient cases we see here at Mae Tao Clinic. When given the chance for stability in their environment, communities in Burma are capable of organizing themselves to reach the highest attainable standard of physical and mental health - that is, to realize their human right to health."*

- Dr. Cynthia Maung, Director, Mae Tao Clinic, Mae Sot, Thailand (April 2008)<sup>49</sup>

### The health situation in areas under SPDC control

National health care provisions in Burma are catastrophically low, severely jeopardising the health of Burma's children. While an estimated half of the country's annual spending goes to the military,<sup>50</sup> Burma's per capita expenditure on health, according to the European Commission Humanitarian Office (ECHO) *"is the lowest in the world."*<sup>51</sup> A joint University of California, Berkeley and Johns Hopkins University report on Burma's public health crisis released in July 2007 found that, despite its massive military expenditures, the regime devotes less than three percent of all State spending to health care; less than half that of neighbouring Thailand.<sup>52</sup> Criticising the disparity between military and health spending, the authors of the report go on to argue that *"Burma is not at war with its neighbors, and its security is more profoundly threatened by the rise of drug-resistant malaria and Tuberculosis, and emerging communicable diseases such as avian influenza and recrudescing polio myelitis, than from external military threats."*<sup>53</sup> The result for Burma's children is an unnecessarily high risk of disease and death from preventable and treatable illnesses.

Despite catastrophic under-funding for health care, the military regime continuously asserts that it has significantly improved the health care situation across the country. Such claims most frequently cite statistics on newly constructed or upgraded medical infrastructure, such as the example quoted below.

<sup>49</sup> Dr. Cynthia Maung, personal communication to KHRG, April 1<sup>st</sup> 2008.

<sup>50</sup> "134 MPs Demand Total Oil Withdraw From Burma," The Burma Campaign UK, July 14<sup>th</sup> 2005. Accessed at [http://www.burmacampaign.org.uk/pm/more.php?id=175\\_0\\_1\\_0\\_M](http://www.burmacampaign.org.uk/pm/more.php?id=175_0_1_0_M) on January 17<sup>th</sup>, 2008.

<sup>51</sup> "Burma/Myanmar: A silent crisis," ECHO, November 22nd 2005. Accessed at [http://ec.europa.eu/echo/field/myanmar/index\\_en.htm](http://ec.europa.eu/echo/field/myanmar/index_en.htm) on March 1<sup>st</sup> 2007.

<sup>52</sup> *The Gathering Storm: Infectious Diseases and Human Rights in Burma*. Human Rights Centre, University of California, Berkeley and Centre for Public Health and Human Rights, Johns Hopkins Bloomberg School of Public Health, July 2007. p.1.

<sup>53</sup> *Ibid.*, p.4.



*"For the development of the health sector the 150 bed hospital was promoted to the 200-bed hospital after 1988. Again, two hospitals with 50 beds and eight L6 beds each have been opened. Besides, 8 rural health care centres and 41 rural health care branches have been opened in Kayin [Karen] State... The number of health staff has also increased. Seventy one doctors, 176 nurses and 81 health staff have been employed and they are taking care of the local people's health."*

- SPDC press statement (June 2006)<sup>54</sup>

While there have in fact been new clinics built in Karen State it is rarely the junta itself which builds, funds, staffs or supplies these facilities. Where clinics are established by the State, villagers are frequently forced to labour without compensation on their construction as well as provide construction materials and tools. Furthermore, unless the local community is prepared to provide ongoing financing and staff for the facility the building may simply remain empty, devoid of staff, medicine and other supplies.

*"There is a clinic in our village, but there is no nurse or medicine in it. The SPDC forced the villagers to construct it for them very quickly and now there is nothing in it."*

- Saw W--- (male, 46), T--- village, Thaton District (Feb 2006)

Apparently never having looked inside one of these empty clinics, whether due to lack of access or initiative, the World Health Organisation (WHO) has defended the regime's poor health care performance by claiming that *"While the government has set up a fairly widespread system of health care providers, utilization tends to be relatively low."*<sup>55</sup>

Confronted with the regime's hollow health care measures, some local communities have chosen to build and stock their own village health clinics or initiate training for a locally-based traditional birth attendant (TBA). While TBAs, as the customary health care provider to women during pregnancy, have long been part of traditional health care practices in Karen State, more recent community-developed health care strategies, including the training of TBAs and stocking of clinics, often make use of external support. In this regard, groups like the Karen Department of Health and Welfare (KDHW) of the KNU, the Karen Women's Organisation (KWO), the Burma Medical Association (BMA), the Back Pack Health Worker Team (BPHWT) and the Free Burma Rangers

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<sup>54</sup> "Kayin, Bamar, Rakhine, Mon, Shan, PaO, and other races striving for emergence of peaceful, developed and modern State under the guidance of the State Peace and Development Council in Kayin State", SPDC Press Conference, June 11<sup>th</sup> 2006. Accessed at [http://www.myanmar.com/press\\_conference/2006/11-6f.html](http://www.myanmar.com/press_conference/2006/11-6f.html) on March 2<sup>nd</sup> 2007 on January 17<sup>th</sup>, 2008.

<sup>55</sup> WHO Country Cooperation Strategy [CCS], Myanmar (2002-2005), World Health Organisation, June 28<sup>th</sup> 2000. Accessed at [http://www.who.int/countryfocus/cooperation\\_strategy/countries/ccs\\_mmr\\_final\\_en.pdf](http://www.who.int/countryfocus/cooperation_strategy/countries/ccs_mmr_final_en.pdf) on August 21<sup>st</sup> 2007.

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(FBR) may provide training, medicine or other medical supplies. In areas under at least partial control of the SPDC, however, village clinics are only allowed to exist at the whim of the local commander and may be forcibly closed or else re-named as an SPDC clinic and added to the list of facilities generously 'provided' by the State.

*"We have no money to buy food and medicine and no way to get an income. Actually the diseases [we contract] are just minor things but because we have nothing to treat them with the diseases become worse and worse. We have some people who understand about medicine but when we go to them, we have to give them money. They don't provide it to us for free because they also have to buy the medicine themselves. Even though we suffer diseases if we have no money, we can't do anything. The SPDC doesn't provide anything to help us."*

Saw S--- (male, 55), Gk--- village, Nyaunglebin District (Sept 2007)

### **The state of health in SPDC-controlled areas**

Despite regular assertions about the merit of its public health programme, the regime has acknowledged, through its Ministry of Health, that *"The principal endemic diseases in Myanmar are cholera, plague, dengue haemorrhagic fever, watery diarrhoea, dysentery, viral hepatitis, typhoid and meningococcal meningitis. Cholera, plague, and dengue haemorrhagic fever reach epidemic proportions in certain years, often occurring in cycles."*<sup>56</sup> In reference to childhood deaths across SPDC-controlled Burma, UNICEF Myanmar's media relations officer has stated that *"Most children die from acute respiratory infection, pneumonia, diarrhoea and septicaemia."*<sup>57</sup>

Irrespective of the unfunded and often empty rural clinics, the paucity of health care provision in SPDC-controlled areas of Karen State means child and infant mortality are shockingly high. As Dr. Cynthia Maung explained in the opening quote to this chapter, many childhood deaths are easily preventable with simple, cost-effective interventions such as vaccinations, (insecticide-treated) mosquito nets or vitamin A supplements (which counteract some of the effects of malnutrition), as well as clean water and sanitation facilities. While the regime appears disinclined to significantly invest in such measures, UNICEF reports that it has itself been involved in some inoculation programmes covering *"Tuberculosis, diphtheria, whooping cough, tetanus, polio, measles and hepatitis B"*<sup>58</sup> and claims 95% coverage of vitamin A supplements to children

<sup>56</sup> *Chronic Emergency: Health and Human Rights in Eastern Burma*, Back Pack Health Worker Team 2006, p. 17

<sup>57</sup> "Burma high up on UNICEF's child mortality rate list," Relief Web, January 24<sup>th</sup> 2008. Accessed at <http://www.reliefweb.int/rw/RWB.NSF/db900SID/SHES-7B6UDT?OpenDocument> on January 25<sup>th</sup> 2008.

<sup>58</sup> "Helping children stay healthy and well-nourished," UNICEF: Myanmar, 2007. Accessed at [http://www.unicef.org/myanmar/health\\_nutrition\\_1356.html](http://www.unicef.org/myanmar/health_nutrition_1356.html) on January 17<sup>th</sup> 2007.

across the country.<sup>59</sup> This last figure is especially dubious given the regime's draconian restrictions on access of international agencies to all parts of the Burma. Moreover, in interviews with KHRG, villagers living in SPDC-controlled areas of Karen State have only ever mentioned polio vaccinations (never vitamin A supplements); and these only in limited areas.

The combined under-funding of health care and impoverishment of the civilian population through systematic forced labour, arbitrary taxation and other forms of exploitation has led to appallingly high child mortality rates. The most recent statistics on national child (under 5) and infant (under 1) mortality rates for Burma, given by UNICEF as 104 and 74 deaths per 1000 live births respectively, provide some indication of the dismal state of children's health.<sup>60</sup> The regime's restrictions on freely disclosing sensitive information, however, means that these figures, which rely at least in part on the Myanmar Ministry of Health, are likely to be depressed. Furthermore, as the SPDC continues to restrict the travel of international agencies and the ability of their staff to conduct surveys, these figures are necessarily limited to areas of central Burma where the SPDC has permitted UNICEF staff to operate.<sup>61</sup> The unreliability of such figures has been further exacerbated by a recent increase in restrictions which the Myanmar Ministry of Home Affairs set in January 2008 whereby all expatriate staff with international organisations are required to get permission from the Myanmar Ministry of Defence prior to any trip to the field. The SPDC chair officiating the meeting where the restrictions were outlined further stated that international NGOs must "*minimize the conduct of surveys or assessments*".<sup>62</sup> These organisations are anyways prohibited from accessing most of Karen State where the humanitarian crisis is much more severe and high levels of displacement would make it impossible for even the SPDC, if it so desired, to collect this information on its own.

In interviews with KHRG, villagers consistently identify malaria as the most common health problem Karen State. Medical surveys of the local population have found it to be responsible for almost half of all deaths among both children and adults.<sup>63</sup> In one notable example from Dt'Nay Hsah township of Pa'an District, over 40 people died from malaria in a single village over a period of

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<sup>59</sup> *The State of the World's Children 2008*, UNICEF, December 2007, p.118. Accessed at [http://www.unicef.org/publications/files/The\\_State\\_of\\_the\\_Worlds\\_Children\\_2008.pdf](http://www.unicef.org/publications/files/The_State_of_the_Worlds_Children_2008.pdf) on January 25<sup>th</sup> 2008.

<sup>60</sup> Ibid., p.115

<sup>61</sup> On the SPDC's increasing restrictions on international aid agencies and their ability to conduct surveys see, for example, "Burma's government tightens its grip on international aid agencies," *Mizzima News*, January 29<sup>th</sup> 2008. Accessed at <http://www.reliefweb.int/rw/RWB.NSF/db900SID/EMAE-7BBQKX?OpenDocument> on January 30<sup>th</sup> 2008.

<sup>62</sup> Ibid.

<sup>63</sup> *Chronic Emergency: Health and Human Rights in Eastern Burma*, Back Pack Health Worker Team 2006, p. 34

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only a few years, most of whom were under eight years old, and villagers said that the incidence of malaria had continued to grow much worse since.<sup>64</sup>

*"We don't have a clinic in our village. If we get sick we have to get ourselves checked out at the town hospital. The hospital was established by the government. We have to pay the medical bills by ourselves. If we don't have money to pay the medical bill we can't ask the nurse and medic to treat us. Mostly, we get sick from malaria and fevers."*

- Saw P--- (male, 25), P--- village, Nyaunglebin District (Sept 2007)

*"We don't have any dispensary in my village, but we are thinking of constructing one. The common disease in the village is malaria."*

- U Bp--- (male, 60), M--- Village, Doooplaya District (Nov 2006)



Semi-conscious and crying out, a teenage girl in rural Pa'an District suffers from *Plasmodium falciparum* (cerebral) malaria; the most fatal strain of the disease in October 2006. [Photo: KHRG]

Alongside malaria, local villagers have also cited tuberculosis, diarrhoea and fevers as common threats to health. In light of the heightened prevalence of infectious diseases in Burma, the European Union, Australia, Britain, the Netherlands, Norway and Sweden, established the Three Diseases (3D) Fund in 2006, worth US \$99.5 million over a five year period to fight malaria, tuberculosis and HIV/AIDS. This project follows in the wake of the Global Fund

<sup>64</sup> *Forced Labour, Extortion, and Festivities: The SPDC and DKBA burden on villagers in Pa'an District*, KHRG, December 2006.

to Fight AIDS, Tuberculosis and Malaria which withdrew its involvement in Burma in 2005 citing SPDC restrictions which *"would prevent the implementation of performance-based and time-bound programs in the country, breach the government's written commitment to provide unencumbered access, and frustrate the ability of the Principal Recipient to carry out its obligations."*<sup>65</sup>

It remains to be seen, however, whether the 3D fund will be able to ensure that medicine distributed through SPDC-controlled networks is delivered free of political manipulation or outright theft by corrupt officials and, especially given the regime's increasing restrictions, able to access all areas of Karen State.

The low number of basic reproductive health facilities in Karen State leads to increased health risks for both mothers and children, directly contributing towards high incidences of infant and maternal mortality. However, in many communities under SPDC control there are active traditional birth attendants (TBAs) trained in the *"provision of antenatal and postnatal care, safe delivery using aseptic techniques, family planning, and identification of obstetric complications requiring referral."*<sup>66</sup> Free training is provided by local groups such as KDHW, KWO and BMA which also provides the following supplies to each TBA it trains: Dettol soap, a suction ball, a nail cutter, a nail brush, a small hand towel, a flash light, batteries, gloves, a plastic sheet, thread, gauze, Terramycine eye ointment (TEO), Providine syrup (an antiseptic used in surgery) and a bag in which to carry the items.<sup>67</sup> Some villagers report having received midwifery training through SPDC Ministry of Health programmes, but many of these trainings are forced and villagers must furthermore cover all costs on top of the initial fees demanded. Alternatively, some areas have access to midwives at SPDC facilities, but again with a high fee attached to any services.

*"We don't have any clinic in our village, but we have one midwife. It's U M---'s father's daughter who went to study and has come back to work. Since we've got this nurse it's better for us. Regarding the cost of the medicine for the villagers, she understands us [understands their difficulty paying]. Also we can rely on her. But we don't have any dispensary in our village. If we are seriously ill we go to Y---."*

- Naw M--- (female, 37), N--- village, Thaton District (Sept 2006)

*"We have a clinic in K--- village. The SPDC government keeps a midwife there. We have to pay money when we ask her for medicine. If the patients get terribly sick we have to send them to Kler La hospital. The patients must buy food themselves and also pay the medical bill themselves."*

- Saw M--- (male, 59), K--- village, Toungoo District (Sept 2007)

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<sup>65</sup> "New Government Restrictions Make Grant Implementation Impossible," The Global Fund to Fight AIDS, Tuberculosis and Malaria, August 19<sup>th</sup> 2005. Accessed at [http://www.theglobalfund.org/en/media\\_center/press/pr\\_050819.asp](http://www.theglobalfund.org/en/media_center/press/pr_050819.asp) on January 25<sup>th</sup> 2008.

<sup>66</sup> Burma Medical Association (BMA) staff, personal communication, February 7<sup>th</sup> 2008.

<sup>67</sup> Ibid.

The high cost of delivering babies in SPDC facilities, as well as the low quality of treatment, has lead many women in the eastern border areas to chose to instead travel across into Thailand to access the service of midwives there, especially at the Mae Tao clinic in Mae Sot, where people from Burma can access free treatment without fear of arrest. Statistics from 2005, the most recent year available, show that 30% of deliveries at the Mae Tao clinic were by mothers under the age of 19.<sup>68</sup> Two girls below explain their own decision to come to this clinic.

*"I came [to Mae Tao clinic on the Thai side of the border] to check my pregnancy... Everybody says that this clinic is good. People here take care of the patients very well. I have more trust in this clinic. I don't want to have treatment in Myawaddy hospital because they don't care much about the patients and they also demand a lot of money. If we had more money, then they would look after us very well. My mother went to the hospital in Myawaddy once and it cost her as much as three motorbikes! ...I do washing for my family because my mother has health problems and my sister also can't do much. Sometimes my stomach is painful for one day or half a day. I took the tablets that my husband bought for me, [but] sometimes it is very painful. Sometimes I get dizzy and I don't want to get up."*

- E--- (female, 17), Myawaddy town, Pa'an District (March 2008)

*"I came to the [Mae Tao] clinic for a check-up because I am pregnant. I feel happy here. We could go to Myawaddy hospital, but I have more trust in this clinic. My elder sisters also came and delivered their babies here. They also told me that it was better here. My sisters never go to the hospital there [in Myawaddy]. It is more expensive there. For example, if we need to take an operation, it will cost one to two hundred thousand kyat [US \$90.09 to 180.18] but if we don't need to get an operation, it will cost seventy to eighty thousand kyat [US \$63.06 to 72.07] [to deliver a baby]."*

- Ma W--- (female, 17), S--- village, Pa'an District (March 2008)

Ma W---'s mother added:

*"When we go to the hospital in Burma, we have to buy everything. We have to buy medicine and even razor blades. When we come here, we only have to pay for the cost of the journey. We don't need to spend money on other things. So she [her daughter] had a strong desire to come here."*

Malnutrition is also a severe health problem across military-controlled Karen State and one which, furthermore, undermines villagers' resistance to infectious diseases. As villagers invest more and more time in forced labour, give over paddy quotas to army personnel, and pay arbitrary fees in military extortion

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<sup>68</sup> Ibid.

rackets, their own rice supplies and ability to purchase rice decrease. Consequently, malnutrition is rampant.

*"This year we have to worry about our food since no one has enough food because our villagers have been portering [carrying supplies for the SPDC] all the time in the rainy season. Villagers don't have enough time to weed their hill fields. So the villagers' paddy plants aren't plentiful enough and they don't get enough food."*

- Saw Dt--- (male, 55), T--- village, Thaton District (Jan 2007)

*"Most of the villagers tend farms and gardens. Even if they are tending farms they don't have enough food. The reason is that they don't have time to take care of their plants because they must always do loh ah pay [forced labour]."*

- U T--- (male, 44), B--- village, Thaton District (June 2007)



Forty-five year old Ma N--- lives in Dweh Loh township, Papun District, and says that she and her husband have to spend so much time doing forced labour for the local SPDC and DKBA soldiers that they don't have any money to buy food or medicines for their twin babies. At two months old, both children were clearly malnourished when this photo was taken in May 2006 and Ma N--- said her breasts were not producing enough milk for them because of her own malnutrition. [Photo: KHRG]

## **Militarisation and restricted access to health care**

As the SPDC works to systematise its rule in Karen State, local communities face regular, and in some cases daily, demands for labour, food, money and other supplies. Villagers describe how cumulative abuses and restrictions work together to undermine their own strategies to address health and nutritional needs, further impoverishing them and increasing their susceptibility to disease. Constant demands for forced labour by army personnel operating in SPDC-controlled areas force villagers to leave their crops untended, resulting in spoiled or reduced harvests. Military taxes and extortion then take away much of this harvest and erode savings kept in the form of livestock, jewellery and rice surpluses, leaving villagers to work hand to mouth and thus reducing parents' health care options for their children.

*"There isn't always enough daily labouring work so when there isn't any work the people have to borrow money or food from their neighbours and repay them later. These people are [financially] behind other people because previously they were interrupted in their work by the SPDC soldiers. When the soldiers met them in their field, they detained them to porter for them. Otherwise the soldiers wouldn't allow the villagers to go out and work in the fields. These villagers couldn't work properly in their jobs so now they are [financially] behind the other villagers... The SPDC comes and demands rice from the village. They sell their own rations and demand them back from the villagers. They demand not only rice, they also demand chilli, shrimp paste and everything and if you don't watch them they also steal your belongings."*

- Pu H--- (male, 48), Dt--- village, Doooplaya District (Nov 2006)

*"We must do 'loh ah pay' [forced labour] and pay money as they order us. Sometimes our children get sick and we have no money to buy the medicine, but if the SPDC or DKBA order us, we must find [the money] and give [it] to them."*

- Naw M--- (female, 35), K--- village, Papun District (2006)

Such impoverishment reduces the capacities of parents to purchase medicine, travel to medical facilities and pay for other forms of medical treatment; leaving fewer options with regard to treating ill and injured children.

*"When our children get sick, we can't get them to a medic immediately. We just try to buy medicine from our friends who know about medicine. The hospital is far away from our village. To send people to the hospital is very difficult and to ask other people is also very difficult because everyone has their own work to do for their family. We just stay like that and if it's not a person's time to die, then they recover."*

- Saw K--- (male, 42), Dt--- village, Papun District (June 2007)

In some cases the immediate necessity of financing medical treatment forces them into debt as they borrow money to pay medical bills.



*"If someone in the family gets severely ill and if you can't even cure them with herbal remedies, then that family is faced with a problem because that family will have to spend a lot of money to cure the terribly ill child. If the parents don't have enough money, then they have to borrow money from others. Later the parents will have to sell paddy or cows and buffalos to get the money to cover the family debt."*

- Saw T--- (female, 51), Y--- village, Dooplaya District (March 2007)

High rates of forced labour in areas under SPDC control also contribute towards poor health and make the entire family more vulnerable to disease in ways which are much more direct than gradual impoverishment. Forced labour, in which army personnel often employ youth, not only causes poverty and, thus indirectly restricts health care, but also directly causes injury and ill health. Maltreatment, overwork, physical abuse, under-nourishment - as those demanding forced labour provide no food to the workers - and dangerous conditions are leading factors in this regard, as can be seen in the quote below as well as from the testimonies in the Work chapter above.

*"We have fled many times when SPDC soldiers came to our village. Sometimes they took our chickens, pigs and money. They dragged our villagers back to their military camp to carry their ammunition. After that they used the villagers as porters and they tied the villagers' hands, pulled their hair, beat and shot them with guns. We are still in a horrible situation."*

- Saw B--- (male, 38), T--- village, Tenasserim Division (June 2007)

When illness or injury strikes, there is frequently no money to pay for the emergency as financial reserves have been eroded through persistent forced labour and extortion. Families have no money left to pay for medical care and treatment and they must additionally choose between taking time away from essential work to care for the sick or working to ensure the survival of the remaining family members.

This widespread civilian impoverishment has also affected medical providers. Doctors, nurses and other hospital staff are overworked, under-funded and, as a consequence, frequently corrupt. Those villagers travelling to town in search of medical treatment confront prohibitive fees, as nothing is provided for free.

*"We have to buy medicine when we are sick. We have a preacher in our village and when we are sick we go to him. He previously attended nursing training so he can treat patients. If the patients are in a severe condition, we must send them to Pa Ku Hsaik clinic. If the medic can't cure them we send them on to Papun Hospital. The hospital was established by the SPDC government. Recently I had to have one of my children treated in the hospital and it cost 30,000 kyat."*

- Saw Ht--- (male, 45), N--- village, Papun District (Nov 2007)

During an interview with 13-year-old G--- whose family had moved from Karen State to live in W--- village on the Thai side of the border and who was

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receiving treatment for multiple ailments at Mae Tao clinic, his mother described the high cost and corruption she has experienced at hospitals in Burma when attempting to find treatment for her children, leading to the deaths of G---'s siblings:

***I feel like my heart is breaking when I lose children...***

"Most of my children have suffered fever... When we were in my village [in Thaton District, Karen State], we were a poor family. When we live here we can spend everything we earn. No one will come and tax us. When I lived in my Burma, we often had to go and labour for the SPDC. One or two days later another demand would come and then, another one or two days later, another; to go and clear the [sides of the] road or cut bamboo or trees. I couldn't handle such demands so I came to stay at W---. When we come to the clinic here we don't need to spend money. In Burma, we are only looked after well if we can pay money.

When my children were seriously sick, I had to pay a lot of money under the table. I had to say 'this money is for you, please look after my children very well'. The [actual] cost of medicine is different [lower] than what we give to the doctors. I have experienced this many times and [still] all those children already died because they were not looked after very well... I feel like my heart is breaking when I lose children... But here, we are looked after very well. They don't ask for money, but have sympathy on the people and take care of them very well. If we need to spend the night here, they also distributed food... We don't need to worry about anything. Unless we have 10,000 or 20,000 kyat [US \$9 or 18] we couldn't go to hospital in Burma, but here we have to pay only our travelling cost of 100 baht [US \$3.17] and we can regain that money within one or two days [of working]. This is the difference."

*- 13-year-old Saw G---'s mother, Thaton District, interviewed at Mae Tao clinic, Mae Sot, Thailand (March 2008)*

In order to bring in more money for themselves, some doctors require that patients purchase medicine at hospital pharmacies and will not treat them with medicine purchased more cheaply from outside chemists. In other cases SPDC officials have restricted civilians and village clinics from possessing certain types of medicine or medical equipment and limited the provision of these supplies to the more expensive hospitals in the larger towns.

*"We have a clinic here, but when the patients are in a serious condition we have to send them to the town hospital. The government doesn't cover their medical bill. They have to pay it by themselves. Also they [SPDC] don't allow us to use syringes [at the village clinic] and the medicine is so expensive that we don't have enough money to buy it."*

*- Saw Gh--- (male, 52), Ht--- village, Papun District (March 2007)*

Hospitals are, furthermore, ill-equipped and families must bribe hospital staff to even see their sick children, as well as pay for the costs of sub-standard treatment and medicines.<sup>69</sup> In some instances, SPDC officials have told forcibly-relocated villagers that the regime would provide free medical care at clinics situated within military-controlled relocation sites. Those villagers who moved to such locations have subsequently found that this has not been the case.

*"They [SPDC officials] told us that they would support the people who stayed in the new place [relocation site] with medicine but they didn't do so... We only have a clinic for delivering babies here, but the clinic isn't in the village. It's located inside the military camp. It has medical provisions, but we must pay the medical bill ourselves. If we get terribly sick we must check ourselves in for treatment at Kyauk Kyi Hospital."*

- Saw L--- (male, 38), T--- village, Nyaunglebin District (March 2007)

*"At first I lived in H--- and when the SPDC relocated us this summer, we came to live in Gk--- village. It was [battalion] #57 that moved us to P'Deh Gkaw [village tract]. It happened on August 2<sup>nd</sup> 2007... They asked us to move all of our property within one day and the next day they didn't let us come back to our village. So on the second day we had no houses to stay in and we had to stay in the houses of other villagers, amongst the shit [sic] of the pigs and chickens. Then our children got diseases."*

- Saw S--- (male, 55), Gk--- relocation site, Nyaunglebin District (Sept 2007)

The combined effect of village-level impoverishment, poorly paid and corrupt hospital staff and ill-equipped hospitals in the towns prompts many villagers to simply avoid travelling the long distances to towns where they would have to pay a high price, which they can ill-afford, for low-quality treatment.

*"We couldn't get medicine from Hsaw Htee township or Ler Doh township because our village was located far away from them... Most children faced diarrhoea and fever."*

- Naw M--- (female, 31), T--- village, Nyaunglebin District (May 2007)

On top of the impoverishment-induced constriction of health care options for parents and their children, local army personnel have in some cases more directly obstructed access to clinics and medicine. Clinics initiated and built by villagers have been closed down on the pretext that the medicine, which is anyway not provided by the SPDC, could end up in the hands of 'rebels'. Even personal possession of medicine has been deemed an illegal act, as the authorities seek to prevent its possible trade to villagers in non-SPDC controlled areas. In one instance on April 15<sup>th</sup> 2006, SPDC LIB #223 operating in Shwegyin Township of Nyaunglebin District entered Klu Gaw Kee village and

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<sup>69</sup> For additional information see *Chronic Emergency: Health and Human Rights in Eastern Burma*, Back Pack Health Worker Team 2006, p. 17.

confiscated 100,000 kyat (US \$90.09) worth of medicine belonging to a villager named Pah Sein. This theft took place amidst a wider campaign of house and property destruction in the area.<sup>70</sup> Both SPDC and DKBA have confiscated villagers' medicine; sometimes on the grounds that it could reach the KNLA.

*"In August 2007 the Burmese [SPDC] soldiers arrived in my village, they took some of my materials such as a gun, a wallet, a pair of sandals and some medicine and they also took a big tin of rice."*

- Saw D--- (male, 65), Hs--- village, Toungoo District (Jan 2008)

*"They [DKBA soldiers] also looted the woman Naw H---'s medicine, amoxicillin, which she bought on her own. The soldier... said that she wasn't a medic and so she shouldn't keep a whole container of amoxicillin. She told him that she had bought it for her children and for the use of her own family, but he didn't give it back to her and he hit her. Naw H--- is about 31 years old. He hit her twice with a big rattan and she cried. Naw H--- was hit on June 7th, at two o'clock... Naw H---'s child was sick with a chronic fever. The child had a high temperature every night so his mother bought medicine for him. But his mother was beaten by the DKBA soldiers for having bought the medicine for her child and they took the medicine away. Later, this child died in vain. This child was three years old."*

- Naw K--- (female, 50), K--- village, Thaton District (July 2006)

The villager above further reported that the DKBA soldiers also confiscated all the medicine provided to them by cross-border medics and all that in the village shop.<sup>71</sup> In a further example, SPDC soldiers belonging to MOC #5 stationed at the P'Leh Wah checkpoint along the Toungoo – Kler La road in Toungoo District raised a road sign in March 2007 which read 'Block' in Burmese and stopped all traffic from freely passing. At this checkpoint, soldiers prohibited the transportation of, and confiscated, medicine, food and other supplies coming down the road from Toungoo town to Kler La town. The apparent reason behind these restrictions was to prevent the items from reaching displaced villagers in hiding whom the SPDC was trying to drive out of the hills. Any accessible medicine and food would strengthen villagers' efforts to evade military forces.<sup>72</sup> This disrespect for civilians' right to access health care has also been evident in cases where soldiers have commandeered village medical facilities.

*"We have a little dispensary, but no medic. Villagers built the dispensary but now the Burmese [SPDC] soldiers are using it like it's their barracks."*

<sup>70</sup> For more details on this incident see *Forced Relocation, Restrictions and Abuses in Nyaunglebin District*, KHRG, June 2006.

<sup>71</sup> For a fuller version of this quote and further analysis of restrictions on medicine and health care in Karen State, see *Development by Decree: The politics of poverty and control in Karen State*, KHRG, April 2007, pp. 94-98.

<sup>72</sup> For more details on this incident see *Provoking Displacement in Toungoo District: Forced labour, restrictions and attacks*, KHRG, May 2007.

*People do not like the Burmese soldiers to stay in their homes so the Burmese soldiers have to stay there."*

- Aunty B--- (female, 46), K--- village, Thaton District (Jan 2007)

While the above information illustrates an erosion of health care under military rule and a commensurate exacerbation of the humanitarian crisis in Karen State the military regime, while still under its previous SLORC appellation, declared in its 1993 Child Law that *"the Ministry of Health shall lay down and carry out measures for the survival of the child, immunization of the child, breastfeeding of the child, family planning, adequate nutrition for the child, elimination of iodine deficiency disease, school health and family health."*<sup>73</sup> In the face of the junta's claims on the subject of child health care, villagers' own testimonies show that in reality their children's health is consistently undermined by abusive and systematic military policies and the overall militarisation of Karen areas.

*"The common diseases in our village are malaria and fever. We have one dispensary, which was set up by the SPDC, in our village. We also have nurses in our village, but I never saw the nurses stay in the dispensary. Even though this dispensary is the SPDC's, the villagers had to construct it and had to pay all the expenses for it, but the SPDC gave us one television. The SPDC doesn't distribute any medicine to us. We have to buy it ourselves. Even if we go to the dispensary we have to pay the cost of the medicine that is given to us. The nurses only want money. Some of the patients who don't have money die from treatable diseases when they ought not to be fatal. Some of the patients don't dare to die yet so they borrow money from other people to pay the cost of the medicine and some take the medicine on debt. So their debts are flying all around everywhere [i.e. they have a lot of debts]. A 500 cc bottle of saline solution costs 12,000 kyat [US \$10.81]. There are a lot of villagers who haven't money for an intravenous drip of saline solution. Some of the patients bear their illness until death without an intravenous drip because they don't have money. In our village, some villagers still use traditional herbal medicine for treatment. This dispensary has no benefit for us."*

- Pu H--- (male, 48) Dt--- village, Dooplaya District (Nov 2006)

### **Civilian health care strategies in SPDC-controlled areas**

The SPDC's poor provision of health care in those areas under its authority leads civilians living across military-controlled Karen State to rely on non-State health care strategies. These include using traditional herbal remedies, building and operating community medical clinics and accessing cross border humanitarian assistance and training.

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<sup>73</sup> "Myanmar's Second Submission to the Committee on the Rights of the Child (June 2002)." United Nations High Commissioner for Human Rights. Accessed at [http://www.unhchr.ch/tbs/doc.nsf/385c2add1632f4a8c12565a9004dc311/357a104dd2a37d04c1256e0c0037e59a/\\$FILE/G0344866.pdf](http://www.unhchr.ch/tbs/doc.nsf/385c2add1632f4a8c12565a9004dc311/357a104dd2a37d04c1256e0c0037e59a/$FILE/G0344866.pdf) on August 29<sup>th</sup> 2007, p.10.

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The Karen have a long and rich tradition of natural medicine. Knowledgeable villagers concoct such treatments from locally available ingredients and use them to treat a wide variety of ailments including malaria, diarrhoea, cough, fever and toothache among others.<sup>74</sup> In many cases these traditional remedies prove effective. However, for some ailments such treatments have had limited efficacy. Nevertheless, the high cost, in addition to military restrictions, reduces civilians' access to 'modern' medicines which might otherwise assist local health care strategies. As a consequence of this reduced access as well as traditional perceptions of efficacy, civilians living in SPDC-controlled areas heavily rely on traditional remedies.

*"We have no medicine in our village. We only cure our diseases with the herbalist. Sometimes the SPDC gives us medicine if they see sick people in the village but we have to give them a chicken in return. The KNU [probably KDHW] comes and distributes medicine every six months. There are many kinds of diseases. I can't recall their names."*

- Saw M--- (male, 34), Gk--- village, Papun District (Sept 2007)

*"The common health problems that the children here face are malaria, headaches, boils and diarrhoea... For those children who face these health problems, their parents treat them with herbal remedies. Their parents try to find medicines like fern roots, tree roots and leaves from the forest to cure their children. They also ask for assistance from their neighbours and buy medicine from the shop. We don't have a hospital in our village. We just help each other when we get sick and face health problems."*

- Saw T--- (female, 51), Y--- village, Dooplaya District (March 2007)

Where such natural remedies are not available or not sufficient and where high cost, distance or other restrictions hinder access to SPDC hospitals in the towns, villagers may seek out free medical assistance from other sources. Such aid includes KDHW clinics and cross border medical teams organised by groups such as the Free Burma Rangers (FBR), Back Pack Health Worker Team or others.

*"In our village area some of the Back Pack [Health] workers come and distribute medicine."*

- Saw K--- (male, 35), Ht--- village, Papun District (Nov 2007)

*"To make our children healthy and happy we need to protect ourselves. The Backpack Health Workers usually come once every year or once every two years and support us. They tell us that we need to use mosquito nets when we sleep. We need to use toilets to protect against diarrhoea. We also need to wash the vegetables that we eat very carefully and keep our drinking water clean. They always come and give*

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<sup>74</sup> *Diversity Degraded: Vulnerability of Cultural and Natural Diversity in Northern Karen State, Burma.* Karen Environmental and Social Action Network. December 2005.

*[us] health knowledge. Those who listen and practice, they are better off than those who don't practice."*

- Saw M--- (male, 28), M--- village, Papun District (Dec 2007)

In some cases, those living near to the border may visit medical clinics located in Thailand such as the Mae Tao clinic run by Dr. Cynthia Maung, mentioned previously. The Mae Tao clinic treats about 150,000 patients from Burma each year,<sup>75</sup> some of whom have been quoted above. According to clinic staff, approximately half of all patients treated have crossed from Burma in order to access treatment while the other half comprises migrant workers living within Thailand for extended periods.<sup>76</sup> In some cases villagers have also crossed into Thailand to access refugee camp-based hospitals and clinics.

*"We didn't have a clinic in the village. Mostly, when people got sick they are sent to the hospital at Noh Poe refugee camp [in Thailand]."*

- Saw K--- (male, 35), P--- village, Dooplaya District (Dec 2007)

## **The health situation in areas outside of SPDC control**

*"While we were running in the forest we didn't have enough food and we also faced health problems... There were some women who delivered their babies in the midst of insecurity with insufficient medical care and so they suffered many kinds of illnesses as a consequence."*

- Saw Th--- (male, 46), M--- village, Papun District (May 2007)

While children under firm military control face frequent health problems arising from army predation and the resulting household impoverishment, the health problems for those living outside of areas controlled by the SPDC are more commonly related to direct military attacks, restrictions on travel and trade, and destruction of farm fields, food stores and food storage facilities. The Army has pursued an aggressive campaign to undermine living conditions, including health and access to health care options, of those attempting to live outside of SPDC control. By attacking communities in hiding and exacerbating the health crisis in non-SPDC areas, the Army has worked to force displaced villagers out of the forested hills and into military-controlled villages and relocation sites.

### ***The state of children's health in areas outside of SPDC control***

*"We had family members who were sick while we were in the jungle but no medicine and we didn't have any medic to deliver medicine to us or to look after our health."*

- Saw D--- (male, 16), L--- village, Papun District (Feb 2007)

Direct threats to the health of children living in areas outside of consolidated SPDC control include violent attacks with mortar shells, gun fire and landmines.

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<sup>75</sup> For more information on the Mae Tao clinic, see <http://www.maetaoclinic.org/index.html>.

<sup>76</sup> Burma Medical Association (BMA) staff, personal communication, February 7<sup>th</sup> 2008.

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However, far more common are those threats to health which arise from destruction of, and restricted access to, food and medical supplies. The resulting health crisis in these areas is directly tied to a systematic military policy consistent across non-SPDC-controlled Karen State. Along these lines, the University of California, Berkeley and Johns Hopkins University found in their study on public health and military abuse in Burma that,

*"These abuses have left civilians, particularly young children, vulnerable to death and illness from malnutrition, malaria, TB, night blindness (vitamin A deficiency), and diarrheal diseases."*<sup>77</sup>

Health issues affecting children in these areas include, amongst others, malnutrition of both children and pregnant women; birthing complications with resulting high rates of infant and maternal mortality; and a host of preventable diseases interrelated to malnutrition and a lack of preventative medicines and devices. The severity of the health crisis in non-SPDC controlled areas of Karen State is neglected when groups such as UNICEF present 'country statistics' derived from limited data obtained from areas in Burma's central plains. The greater severity of ill health in Karen State, and especially those areas not under SPDC control, is tied to the types and scale of abuse which the junta's military personnel perpetrate.

Much of the health crisis in non-SPDC-controlled Karen State as well as other areas of eastern Burma is underpinned by chronic food insecurity and the resulting malnutrition. As the Backpack Health Worker Team found in their 2006 report on health and human rights in eastern Burma,

*"Food destruction and theft were also very closely tied to several adverse health consequences. Families which had suffered this abuse in the preceding twelve months were almost 50% more likely to suffer a death in the household... Children of these households were 4.4 times as likely to suffer from malnutrition compared to households whose food supply had not been compromised."*<sup>78</sup>

This widespread malnutrition is especially detrimental to children as their physical development has higher nutritional needs than that of adults. IDP children living in Papun District, for example, are facing some of the worst rates of malnutrition with over a quarter of the population sampled in a medical survey showing signs of moderate or severe malnutrition.<sup>79</sup> The related food insecurity and malnutrition limits, in turn, parents' abilities to care for their children whom, in some cases, they have had to send to live at orphanages or with other relatives.

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<sup>77</sup> *The Gathering Storm: Infectious Diseases and Human Rights in Burma*, Human Rights Center, University of California, Berkeley and Center for Public Health and Human Rights, Johns Hopkins Bloomberg School of Public Health, July 2007, P.159.

<sup>78</sup> *Chronic Emergency: Health and Human Rights in Eastern Burma*, Backpack Health Worker Team, 2006, p.10.

<sup>79</sup> *Ibid.*, p. 38.



*"My father died of cholera... In my family we don't have enough food or rice so I have come to stay in the orphanage... Students from other villages have food scarcity problems. For example, they can't carry rice from their village [to the orphanage where they stay]."*

- Saw Ht--- (male, 16), P--- village, Papun District (March 2007)

The ability of IDP communities in Karen State to maintain their evasion of SPDC troops is directly tied to their ability to sustain some measure of food security. However, military attacks on food stores and farm fields and restrictions on civilian travel and trade have seriously undermined families' food security. Families which flee from military attacks may be able to take with them some food supplies or even prepare hidden rice storage bins in the forest in preparation for such flight, but these supplies are not sustainable without free access to agricultural land and the possibility of future harvests.

*"At the time when we were on the run we faced many difficulties and problems. We had to look after the family's food and other needs... At that time I was still young and didn't know much about the problems and difficulties. Three or four years later I came to know about the family's problems and difficulties. It was very difficult to flee from the SPDC... When we moved to K--- [IDP site] I studied in grade one, and grade by grade my mother tried to send me to school even though she faced lots of problems concerning food. When we first left our village we were only able to carry a little bit of rice. It lasted only one or two weeks but my mother tried to work for others as payment and solved the family problems. Because she did this we were able to manage year by year."*

- Naw P--- (female, 20), L--- village, Papun District (March 2007)

This food insecurity, in turn, has direct implications on health and wellbeing as well as children's ability to partake in other social activities, such as regular schooling, which are important for social development and good mental health in children.

*"Presently the problems that disturb me are health and food and also my mother hasn't been able to buy clothes for me so she sent me here [to a boarding school at an IDP site]."*

- Saw E--- (male, 15), L--- village, Papun District (March 2007)

*"There are some school-aged children in T--- village but they haven't been able to go to school because their parents can't cover their school fees, because the parents don't have enough food or rice even though they work very hard. Some reasons are because the SPDC came and they fled away and couldn't go back to do work full time. Even their paddy fields aren't so good and also some fields were destroyed by wild animals during the time when they fled away. Then they become weak and couldn't support their children to go to school. In my area there aren't any children whose parents were shot dead by the SPDC and couldn't go to school, but in other villages there are some children whose parents were shot dead by the SPDC and they became orphans."*

- Saw E--- (male, 20), T--- village, Papun District (March 2007)

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Food insecurity and malnutrition in combination with restricted access to medicine, health care facilities and health practitioners in areas outside of SPDC control also affects children in so far as it threatens pregnant and nursing mothers.

*"Mostly we stayed in the jungle during the month to hide from the SPDC. Fleeing the SPDC in the jungle, it was very difficult for pregnant women when they gave birth to their babies. They didn't have good shelters and medicine. Also, sometimes we couldn't make a fire to warm their bodies because we were afraid that the SPDC would see the smoke from the fire. But some pregnant women were a little lucky when they gave birth to their children because the SPDC soldiers weren't near to the place where they were hiding so we could make a fire for them."*

- Saw T--- (male, 35), P--- village, Nyaunglebin District (June 2007)



*"There were three women who gave birth to their babies during the time they were fleeing in the forest. They were Gk---, Hs---'s mother and I. I gave birth to my baby at M--- and it was in the rainy season. I faced a lot of difficulties. I was sick and at the same time I also had diarrhoea, headaches and went into shock. I didn't receive any medical treatment. It was the [seasonal] diarrhoea period so many people got sick with diarrhoea and many of them were so sick that they couldn't even travel, and the SPDC soldiers were coming."*

- Naw P--- (female, 26), T--- village, Nyaunglebin District (Sept 2006)

Naw P--- holds up her nine-month-old baby at an IDP hiding site in Nyaunglebin District in February 2007. Although her baby suffers from a severe rash covering his entire body, Naw P--- says that she has been unable to access adequate medical treatment. She attempted to treat her child's rash with an herbal remedy available locally, but this proved ineffective. [Photo: KHRG]

Such threats to health and poor medical provisions at times of pregnancy and birth have a resulting detrimental impact on infant and maternal mortality. In comparison to the UNICEF infant mortality statistic of 74 deaths per 1000 live births, medical organisations working outside the control of the Myanmar Ministry of Health note that the infant mortality figure in IDP areas of eastern Burma is much higher. For example, in its survey, the Back Pack Health Worker Team (BPHWT) obtained a figure of 91 deaths per 1000 live births, or close to one in ten babies who die before their first birthday.<sup>80</sup> Maternal

<sup>80</sup> *Chronic Emergency: Health and Human Rights in Eastern Burma*, Back Pack Health Worker Team, 2006, p.33.

mortality as well is catastrophically high in IDP communities. BPHWT has estimated that IDP women in Eastern Burma have a 1 in 12 chance of dying during pregnancy or childbirth in their lifetime (compared to a 1 in 900 chance in neighbouring Thailand).<sup>81</sup>

Those children able to survive through their infancy, however, confront a host of diseases which, combined with pervasive malnutrition and poor medical provisions mean that many cases prove fatal. As in SPDC-controlled areas of Karen State, villagers also regularly report malaria as the most common disease in IDP areas. On top of this, villagers frequently cite diarrhoea, fevers, chronic coughing, headaches and other illnesses.

*"If we have a way to go and get medicine, then we can go and get medicine by ourselves and can share it with our friends, but due to a lack of opportunity we have had to suffer disease and put up with pain. Some children couldn't get medicine and some have died. The common diseases are diarrhoea, malaria, fever, common colds, headaches, joint pain, eye disease and dizziness. People also suffer skin diseases that are like wounds. Actually, all these diseases could be cured in a short time if there were enough medical supplies but now we have had to suffer [like] this for years."*

- Saw A--- (male, 35), K--- village, Papun District (Aug 2007)

*"When I was nine I got two types of malaria at the same time and we didn't have any medicine; my parents only used lemon and sugar. At that time the SPDC came to our village and we had to flee. I nearly died but I was very lucky. I [also] got sick when we were in the jungle. We didn't have any mosquito nets, only fire, and we used natural medicines."*

- Naw E--- (female, 20), W--- village, Papun District (Feb 2007)

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<sup>81</sup> Ibid., p.41.



This young boy, son of Naw A---, shown here in January 2007, lives in P--- village, in an area outside of SPDC control in Papun District. One of the boy's testicles has swollen from disease (possibly *lymphatic filariasis*) but, as of the date this photo was taken, the family did not know where or how they could access appropriate medical treatment. [Photo: KHRG]

In situations of displacement villages are limited in their possessions to what they can carry and those fleeing the military often prioritise food supplies as a necessity. The lack of mosquito nets available at hiding sites means incidences of malaria are unnecessarily high. Efforts to ward off mosquitoes by lighting a fire can reveal the hiding site of displaced villagers and so this option is not always possible. Along with malaria, other mosquito-born diseases such as dengue fever and diseases caused by ingesting contaminated food or water are also prevalent.

*"People are getting sick while running away in the forest because they don't have enough food to eat and are often starving. When people are staying in the forest, they dare not go back to get rice from their village all the time. The common diseases which people are facing are malaria, headaches and diarrhoea. Some people get better and some don't. I get malaria, headaches and dysentery sometimes but I have no medicines to take. We haven't seen anybody come to help us with medical care."*

- Saw K--- (male, 17), L--- village, Nyaunglebin District (Jan 2007)

*"I often get malaria. Sometimes we have medicine, sometimes we don't. We have to buy medicine from the market... We don't have mosquito*

*nets and sometimes we have to walk for a whole day in the sunshine or rain so the balance of [the body] temperature isn't normal. The children often die because we don't have enough mosquito nets, clothes or medicine. In my family, five kids died when they were young. My mother had twelve pregnancies but only seven kids are alive. It's very difficult to cure the kids when they get sick."*

- Saw K--- (male, 23), T--- village, Nyaunglebin District (Feb 2007)

With this combination of malnutrition and disease in the context of military attacks and restrictions, child mortality among IDP communities in Karen State is a greater risk than in other areas of Burma and child mortality rates are far higher than those in Thailand, more closely resembling rates among other least developed countries, such as Sierra Leone, Angola and the Democratic Republic of Congo.<sup>82</sup> Among IDPs, the under-five mortality rate is estimated to be 221 deaths per 1,000 live births, or just over one in five; as compared to 21 deaths per 1,000 live births in neighbouring Thailand.<sup>83</sup> Most deaths among IDPs are from preventable and curable infectious diseases, especially malaria, which the youngest age groups are the most susceptible to. These are needless deaths, but treatment requires access to health care and medicine, both of which the SPDC has sought to restrict in IDP areas. Military blockades on trade and travel, the destruction of medicine and violent attacks on health workers in areas outside of SPDC control have greatly worsened the health situation among children in Karen State and have a direct impact on child mortality.

*"My wife died when my son was a year and six months old. I have four children but all the older children died from sickness. My wife died because of tuberculosis and one by one my children died. Two died from cholera; the oldest one died five months after his mother and the second one two years later. One of my children died at M--- from high fever and shock while I was on the way here. When we reached M--- I couldn't call to him [could get no response from him] and not so long after he died. He was only eight years old. My youngest son got sick on the way here too, but now he has been treated with good medicine and has recovered and can eat some food. There were many villagers or children tortured by the SPDC soldiers. As we had to run from place to place [from the SPDC], the district and township clinics couldn't look after us very well."*

- Saw S--- (male, 43), K--- village, Nyaunglebin District (Feb 2007)

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<sup>82</sup> *The Gathering Storm: Infectious Diseases and Human Rights in Burma*, Human Rights Center, University of California, Berkeley and Center for Public Health and Human Rights, Johns Hopkins Bloomberg School of Public Health, July 2007, p.101.

<sup>83</sup> *Chronic Emergency: Health and Human Rights in Eastern Burma*, Back Pack Health Worker Team 2006, p.33.

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## ***Military attacks and restricted access to health care***

*"Now I'm living at a displacement site. It's not so far from my village. We can cultivate hill fields here [but] we can't get our rice [purchase additional rice] from any other villages. The SPDC military blocks our way where we usually travel secretly to buy food. We have to eat [watered down] rice porridge<sup>84</sup> as we have nearly run out of our food. We realise that we can't stay here for so long. If we stay here without any food we will starve. We can't find food anywhere now. If they [SPDC soldiers] see us on the way, they will kill us, so we dare not go anywhere. If we have no food to eat we have decided that we will go to a refugee camp. We have to leave our place secretly."*

- Saw S--- (male, 32), K--- village, Toungoo District (Aug 2007)

*"We don't have any clinic in the village. Even if we are severely ill, we are not allowed to go to the hospital because they [SPDC soldiers] are afraid that we [hill villagers] are KNU spies."*

- Saw G--- (male, 30), S--- village, Toungoo District (April 2006)

Rather than the inevitable outcome of 'underdeveloped' rural living conditions, the severe health crisis in non-SPDC controlled areas of Karen State is directly tied to military attacks on civilian communities, farm fields, food stores, medics and medical supplies in combination with restrictions on medicine and civilian travel to clinics and hospitals. The example of the SPDC's blockade at the P'Leh Wah checkpoint along the Kler La and Toungoo roadway, as mentioned previously, is illustrative. The MOC #5 soldiers stationed there began in March 2007 to prohibit the transportation of an assortment of goods including medicine, rice, fish paste, salt, dried tea leaves, onion, garlic, edible oil, chillies and monosodium glutamate, presumably to prevent these goods reaching IDPs in non-SPDC controlled areas. The soldiers stationed at this checkpoint confiscated these items from those travelling along the roadway.<sup>85</sup>

*Now we haven't got food to eat. The SPDC has blocked our way so we can't go outside and buy food from other villages. We have had to borrow rice from our friends and give it back to them. Now we also can't buy rice in Kler La and Toungoo, because they have blocked our way there. If our food runs out, we don't yet know ourselves what we will have to do. Finally, I want to say that now we have to eat [watered down] rice porridge. We need our siblings to help us as much as they can."*

- Saw N--- (male, 27), K--- village, Toungoo District (Sept 2007)

<sup>84</sup> Villagers confronting heightened food insecurity often attempt to stretch out meagre food supplies by preparing and consuming heavily watered-down rice porridge. This concoction has little nutritional value and is not the same as the more hearty rice porridge consumed regularly across south-east Asia.

<sup>85</sup> For more information on this incident, see *Provoking Displacement in Toungoo District: Forced labour, restrictions and attacks*, KHRG, May 2007 and *SPDC spies and the campaign to control Toungoo District*, KHRG, March 2008.

To make matters worse, crops, livestock and food stores are directly targeted for destruction by soldiers in an effort to starve the villagers out of the hills and into areas under SPDC control. Food destruction and looting have been found by the 2006 BPHWT survey, previously cited, to be the abuse "*most closely linked to adverse health outcomes, particularly the ultimate one, mortality*"<sup>86</sup> with families who had suffered destruction or looting of their food supplies in the 12 months prior to the survey 50% more likely to have lost family members. IDP families who refuse to submit to SPDC control and oppression constantly face high incidences of food destruction and looting as the campaign for military domination of their areas escalates.

*"We must always flee from the soldiers of the SPDC Army. When they arrive in our village, we always lose our time [that is needed] to do our farming. As of now, we haven't yet finished doing our farming. We need to collect our paddy from the farm and transport it to the rice storage containers. Before the SPDC military soldiers arrived in my village, they entered into Hsaw Htee [Shwegyin township] and then through Ler Doh [Kyauk Kyi township] and entered into our agricultural fields. When they saw the villagers' rice storage containers, huts and paddy at the farm, they burnt it all."*

- Hs--- (male, 57), K--- village, Nyaunglebin District (Nov 2007)

The systematic destruction of food supplies, livestock and crops by SPDC forces functions as part of a campaign to make life unsustainable for villagers outside military control. This has led to widespread poverty and food insecurity throughout the whole of Karen State, even though the land is fertile and rich in natural resources. Many villagers have reported to KHRG over the years that left to themselves, their communities are prosperous and rarely face poverty, but with increasing militarisation in Karen areas and attacks on Karen villages, their livelihoods have been eroded and poverty has become endemic.

*"I didn't have a good chance to cultivate my hill field because it was destroyed by the SPDC soldiers. The SPDC Army soldiers are staying near my hill field so I dare not to go back to weed the grass which has grown in the field."*

- Saw M--- (male, 34), W--- village, Nyaunglebin District (Oct 2007)

Confronted with military destruction of farm fields and food supplies, displaced villagers in hiding must travel afar in search of food and risk being shot on sight by SPDC soldiers operating in the area. As an example, on November 15<sup>th</sup> 2007, SPDC soldiers from LIBs #218 and 219 shot and killed Saw Ler Gkay, a 28-year-old Karen villager from K--- village in Gkwee Lah village tract, Kyauk Kyi township. Although Saw Ler Gkay was a civilian, the SPDC deemed him a legitimate military target because he was in an area that was not firmly under military control. The soldiers shot him dead. Saw Ler Gkay was married and

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<sup>86</sup> *Chronic Emergency: Health and Human Rights in Eastern Burma*, Back Pack Health Worker Team, 2006, p.51.

had three children between the ages of three months and six years. Now that he is dead, his surviving wife will face increasing difficulties in supporting her children and herself.



The surviving family of 28-year-old Saw Ler Gkay whom SPDC soldiers killed on November 16<sup>th</sup> 2007. Saw Ler Gkay's death widowed his wife and left his three children without a father; the eldest aged six and the youngest only three months. His surviving wife now faces the difficult task of supporting her children without the contribution of her husband's labour. [Photo: KHRG]

The health and survival of children's parents are crucial to children's own well-being as parents serve as both providers and protectors from abuse. Karen children who lose one parent must contribute more labour to the family livelihood in order to ensure their continued survival. Children who lose both parents and have no other immediate guardians may become increasingly vulnerable to malnutrition, poor health and exploitation. For babies still reliant on their mother's milk, the death of their mother is a catastrophe for their own survival since obtaining powdered milk to replace breast milk is extremely difficult in the rural areas of Karen State and prohibitively expensive. This means that not only is malnutrition a serious threat, but death and susceptibility to disease are highly likely. In the case of orphans, members of the extended family will usually step in and take care of these children, but this places additional pressure on their own household resources. High numbers of orphaned children will likely continue so long as the SPDC Army maintains violent attacks against civilian communities and deliberately undermines IDP communities' ability to access food and medical treatment.



These military attacks on civilians, civilian farm fields and food and medical supplies in combination with restrictions on travel and trade in food and medicine, underpin the health crisis for both children and their parents in non-SPDC-controlled areas of Karen State. The SPDC uses armed force to block IDP movement, including attempts to access clinics and medical dispensaries, and furthermore prohibits humanitarian organisations from assisting these communities. In a December 2007 report on the situation of children in armed conflict, UN Secretary Ban Ki-moon stated, in regards to the situation in eastern Burma, that "*Government restrictions on humanitarian access to communities in conflict affected areas continue to seriously hamper the delivery of aid to those affected, particularly children.*"<sup>87</sup> In this way the SPDC has fuelled and manipulated the region's humanitarian crisis in order to pressure IDP communities to relocate into areas of military control. The regime's blatant disregard for humanitarian neutrality and the right to medical care in its manipulation of humanitarian aid for political ends are necessary components of any attempt to understand the humanitarian situation of children in such areas.

*"When we heard the SPDC soldiers were coming close to our village we ran away. My husband carried one son and I carried one son and one daughter. We crossed the road very quickly and silently. We dared not let our children cry so we fed them milk and let them sleep. We could see the soldiers closely. We ran without stopping until we reached a safe place beside a stream. There was no food this time. Mosquitoes kept biting us and I felt such pity for my children. We hid ourselves there until we knew that the SPDC soldiers were gone."*

- Naw R--- (female, 35), N--- village, Tenasserim Division (May 2007)

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<sup>87</sup> "Children and armed conflict," Report of the Secretary General, United Nations General Assembly, December 21<sup>st</sup> 2007. Accessed at: [http://www.reliefweb.int/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/EGUA-7BBTF3-full\\_report.pdf/\\$File/full\\_report.pdf](http://www.reliefweb.int/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/EGUA-7BBTF3-full_report.pdf/$File/full_report.pdf) on February 29<sup>th</sup> 2008.

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These five children, shown here in June 2007, live with their parents at a displacement site in a non-SPDC-controlled area of Tenasserim Division where heavy SPDC restrictions on trade and travel have made access to food and medicine both difficult and dangerous. In response, they travel along with their parents to markets on the Thailand side of the Thai-Burma border to buy food and other supplies. [Photo: KHRG]

### ***Civilian health care strategies in areas outside of SPDC control***

*"[T]he villagers need a hospital and they have been trying to set up a hospital for the last two years already, but they can't set one up because of the SPDC activities. Actually, they had already started to construct the building but the SPDC came and we fled and stayed in the forest for one or two months and when the villagers returned they started building again and then ran again; and until now the hospital has not yet been finished. We have a medic to look after the hospital but no hospital yet. The villagers have organised it. If the construction of the village hospital was finished, then the villagers would run it and find help by themselves."*

- Saw Hs--- (male, 17), Th--- village, Nyaunglebin District (Feb 2008)

Despite regular military attacks against civilian communities in non-SPDC-controlled areas, local villagers have adopted diverse strategies to address their health needs and thus support their efforts to survive in this context. Such strategies serve to resist military attempts to drive villagers out of the hills and into military-controlled villages and relocation sites. Most dramatic, perhaps, among such strategies is flight from home in the face of forced relocation orders

and/or armed attack. Although such evasion may avoid the initial threats of violent injury or death, displaced villagers then confront a host of challenges surviving on the run with only those possessions and food supplies that they have been able to take with them. Such are the conditions as well for those civilians who flee from systematic impoverishment and subjugation at military-controlled villages and relocation sites.



This young woman carries her baby slung over her shoulder as she travels through the jungle on October 15<sup>th</sup> 2007 having fled her home along with fellow Htee Bla Kee villagers when SPDC soldiers deployed around their village. The baby feeds on the move. [Photo: KHRG]

Faced with food and health insecurity and restricted access to medical provisions displaced civilians in hiding develop alternate health care strategies. Many villagers prepare for food insecurity prior to fleeing by setting up rice storage containers at secret locations throughout the forest. This measure provides some buffer, although limited in duration, against the threat of malnutrition.

*"When we fled into the jungle it sometimes took about one month. When we ran we carried as much rice as we could and when the rice was finished we went and retrieved it from our secret stores in the jungle where we had hidden our things before the SPDC came. We had to go back during the night to retrieve the rice from our secret location. At that time I was only ten years old so I couldn't go together with my parents, but when my parents went to work or to retrieve the rice from our store I took care of my brothers and sisters."*

- Saw D--- (male, 16), L--- village, Papun District (Feb 2007)

Maintaining food supplies is an essential element of children's continued good health and survival. Displaced families share food among themselves so that nobody is left without while there is still food available. During times of prolonged displacement however, or when caught in a surprise attack, families may be forced to eat watered-down rice porridge mixed with whatever vegetables or edible foliage they can find in the jungle in order to stretch out the last of their supplies. IDP children's diets are frequently sub-standard, lacking enough protein, fruit, vegetables and dairy products, and they rarely eat more than once or twice a day.<sup>88</sup> Many meals consist of only rice and salt. The results are vitamin, protein and iron deficiencies and increased vulnerability to disease.

*"I haven't got enough food and other necessities... In the past, we had to flee to the jungle and we didn't have enough rice. We just cooked [watered-down rice] porridge and ate it with our children. If we had no rice, we looked for banana stems and bamboo shoots and cooked and ate those."*

- Naw P--- (female, 19), L--- village, Pa'an District (Aug 2007)

Should displaced villagers in hiding establish something of a semi-stable community they may be able to cultivate small, covert hillside farm fields. While SPDC troops actively seek out such fields in systematic search and destroy missions, villagers may nonetheless be able to harvest some of their crops. While rice paddy is the dominant crop in such contexts, displaced villagers in hiding often choose to cultivate cardamom and betel nut plantations as cash crops, the profit from which, if the plantations aren't burnt down by SPDC troops, can be used to purchase food and medicine for themselves and their children.

Given the Army's heavy restrictions on travel and trade, purchasing medicine has become increasingly difficult. Many displaced communities in hiding, therefore, employ traditional natural remedies using locally available ingredients, with which villagers have been able to treat a wide variety of ailments. According to villagers, the effectiveness of such measures varies greatly. Furthermore, large scale environmental degradation due to natural resource extraction and construction of military infrastructure in Karen State has led to a loss of many natural ingredients needed for traditional remedies.<sup>89</sup> Nevertheless, such natural remedies, where available, remain a common and often preferred means of treating medical ailments amongst displaced communities in hiding as these methods are available locally and villagers are generally more familiar with their usage.

*"One of my sisters got a disease and died when my mother was running in the jungle. They made natural medicine from plants but when the*

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<sup>88</sup> *Chronic Emergency: Health and Human Rights in Eastern Burma*, Back Pack Health Worker Team, 2006, p.38.

<sup>89</sup> *Diversity Degraded: Vulnerability of Cultural and Natural Diversity in Northern Karen State, Burma*, Karen Environmental and Social Action Network, December 2005, p.19.

*baby was two months old she died from a disease. At that time we had gone to make a new village. I got a stomach ache, couldn't breathe smoothly and got malaria. Sometimes I get medicine when I'm sick, but sometimes not. I've never had vaccinations."*

- Saw N--- (male, 21), L--- village, Nyaunglebin District (Feb 2007)

*"They [the villagers] have to cure themselves with traditional medicine but sometimes they go to a [KNU] township clinic to get treatment. Mostly, the people there face problems of disease such as fevers and common colds. We don't have a medic and nurse in the jungle."*

- Saw M--- (male, 48), S--- village, Toungoo District (Oct 2007)

*"When we were fleeing, there were some pregnant women and some mothers with young babies. Many people got sick on the way. The pregnant women who couldn't manage to walk were taken slowly. We looked after each other and helped to carry the children even when we ourselves had heavy loads to carry. The rain was falling, but not all of us had a plastic sheet. Some of us were sick, but there was no medicine for us among the many people. There were still some people who understood about herbal remedies, so they tried to rub together roots and leaves and give it to the sick people."*

- Saw B--- (male, 46), G--- village, Nyaunglebin District (July 2007)

While displaced communities in hiding may not have a local medic, *per se*, medical treatment among these communities is often administered by a traditional birth attendant, or TBA. Similarly to TBAs who work in areas controlled by the SPDC, these health care practitioners may be versed in other areas of medicine and medical treatment.

*"We don't have a hospital or clinic in our village. The most common diseases here are common colds, runny nose, headaches, and diarrhoea. We have one villager who knows about medicine and diseases. If the villagers are sick, the villagers bring the medicine and she helps us."*

- Saw M--- (male, 29), B--- village, Papun District (May 2007)

Those serving as TBAs may receive additional training from local organisations delivering assistance cross-border or KNU health workers. Such training, the same which is also given where possible to those living in SPDC-controlled areas, is provided by groups like KDHW, KWO and BMA. These groups, as well as FBR and BPHWT are also engaged in the direct delivery of medicine and health care to IDP populations. However, for communities hiding deep in the forest it can be difficult to access such services and staff from these organisations can face violent reprisals if they are caught by the SPDC.

*"While we were fleeing in the forest, there were some villagers who were sick. Mostly the children were sick and there were also some older people that were sick. Some of the villagers received injections in the forest. We received medicine from the [Free Burma] Rangers as well. "*

- Saw Y--- (male, 65), S--- village, Nyaunglebin District (Dec 2006)



A mobile Karen medic gives an injection to a young IDP woman in northern Tenasserim Division. While these medics provide invaluable assistance to displaced communities living at hiding sites, their medical supplies are limited to what they are able to carry on their backs. [Photo: KHRG]

International organisations have for the most part been unwilling to deliver humanitarian aid from across the Thai-Burma border due in large part to political concerns often framed in terms of humanitarian neutrality. Adherence to the principles of humanitarian neutrality, so the confused argument runs, restricts the activities of international organisations to areas where the democratically illegitimate and violently abusive SPDC military regime permits them to operate. Furthermore, the delivery of humanitarian provisions into much of Karen State via Rangoon where international agencies operate with permission from the SPDC has been heavily restricted. A 2007 report by the United States General Accountability Office, noted that *"According to officials of international organizations, the regime has impeded international efforts to address the needs of populations in conflict areas by restricting international access to those areas."*<sup>90</sup>

While the 3D Fund, mentioned above, has signed a Memorandum of Understanding with the SPDC that reportedly allows for *"complete access to all*

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<sup>90</sup> See, for example, Assistance Programs Constrained in Burma, United States Government Accountability Office, April 2007, p.17-19; 20-22. Accessed at <http://www.gao.gov/new.items/d07457.pdf> on April 3<sup>rd</sup> 2008.

*parts of Burma, including states along the border embroiled in ethnic conflict*,"<sup>91</sup> it is extremely unlikely that it will be able to provide services in non-SPDC controlled areas of Karen State, especially following new restrictions which the Myanmar Ministry of Home Affairs set in January 2008.<sup>92</sup> As the Fund will not support cross-border aid, none of the allocated resources will likely be allowed to reach villagers in non-SPDC-controlled areas of Karen State who comprise some of the communities most in need of humanitarian assistance. If this turns out to be the case, then the 3D Fund will fail to deliver aid according to its stated aim "*to reduce transmission and enhance provision of treatment and care for HIV/AIDS, TB, and Malaria for the most in need populations*".<sup>93</sup> And if the resources from this fund do not reach the most in need in Karen State, who are mainly children, this fund may very well have little or no positive impact on the state of children's health in Karen State.

Nevertheless, some international agencies do support local Karen organisations that, in turn, deliver assistance cross-border to rural communities in Karen State. The Global Health Access Programme (GHAP), for example, has provided technical assistance for TBA training programmes, and other public health initiatives, run by local groups that operate in Karen State and other areas of Burma outside of SPDC control structures. In a recent change of policy following criticism of its aid programme, the UK Department for International Development (DfID), has removed restrictions on its funds being used to support the cross-border delivery of aid and increased the amount of funding available for such work.<sup>94</sup> Cross-border medical aid provided by local organisations, however, remains woefully under funded while the medical needs of the population are high.

A final measure which civilians living in non-SPDC-controlled areas employ to address their health needs is flight and displacement further afield in search of more extensive medical facilities. Such facilities may be located at larger IDP camps such as Ee Thoo Hta along the Salween River in Papun District, in refugee camps or even at government hospitals in Thailand. Given that Karen villagers have strong ancestral ties to the land in which they live and generally try to stay living near their homeland for as long as possible, fleeing the area, whether temporarily or permanently, is not a lifestyle choice. Rather, it is a last resort in a fight for dignity and survival typically adopted when all locally

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<sup>91</sup> "Engaging Burma with Funds for HIV, TB, Malaria," IPS, October 19<sup>th</sup> 2006. Accessed at <http://www.ipsnews.net/news.asp?idnews=35162> on January 30<sup>th</sup> 2008.

<sup>92</sup> "Burma's government tightens its grip on international aid agencies," *Mizzima News*, January 29<sup>th</sup> 2008. Accessed at <http://www.reliefweb.int/rw/RWB.NSF/db900SID/EMAE-7BBQKX?OpenDocument> on January 30<sup>th</sup> 2008.

<sup>93</sup> *Three Disease Fund proposal*, available online at the 'HIV Information for Myanmar' website at <http://him.civiblog.org/blog/archives/2007/1/12/2636163.html>.

<sup>94</sup> DfID Assistance to Burmese Internally Displaced People and Refugees on the Thai-Burma Border: Responses to the Committee's Tenth Report of Session 2006-07, House of Commons International Development Committee, October 2007. Accessed at <http://www.dfid.gov.uk/pubs/files/burma-idp-response.pdf> on January 30<sup>th</sup>, 2007.

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available options are exhausted or more extensive medical treatment is desperately needed.

The ongoing SPDC offensive in the northern districts of Karen State has produced huge numbers of IDPs over the last two years and the humanitarian situation is dire. Families unable to survive in hiding any longer and those requiring urgent medical treatment continue to make the difficult decision to leave their homeland and make the dangerous journey to Thailand where they may find a relatively safe, if uprooted, life as refugees.



## VI. Violent abuses

### Violent abuses in areas under SPDC control

In areas under SPDC control both the direct use of and the threat of violence serve as means to enforce compliance with military demands. While some of these abuses arise out of a clear systematic military policy, such as firing on civilians spotted outside of designated village confines, others seemingly occur as random acts of violence initiated by individuals or groups of soldiers active amongst the civilian population. However, even these latter forms of violent abuse, arising as they do within a climate of impunity for army personnel, cannot be separated from the overall system of militarisation which the SPDC has been in the process of expanding and consolidating across Karen State. This climate of impunity, cultivated through the Army's application of arbitrary violence with no follow-up trial or punishment for perpetrators, points to an official sanction of violent enforcement of military rule, as it operates in areas of SPDC-controlled Karen State.

Given widespread civilian resistance to exploitative military demands, the application of violence amidst a climate of impunity is necessary in order to maintain the SPDC's abusive system of militarisation in anything like a functional manner. In SPDC-controlled areas, including those regions administered by SPDC proxy militias, such as the DKBA and Karen Peace Force<sup>95</sup> (KPF), military violence against children has involved attacks and killings with guns, mortars and landmines, torture, sexual assault and other forms of physical and mental abuse employed to cultivate fear. In some cases, such as with the use of landmines, the Army may not have been directly targeting children as such. However, the indiscriminate use of violence amongst civilian populations serves, for the Army, the same general function of fostering a culture of civilian compliance whether the casualties are children or adults.

#### **Attacks and killings**

*"In 2005, Infantry Battalion #83 shot my little daughter Zin Ma Oo. She was two years old. It happened at two o'clock in the morning. The SPDC soldiers were carrying out sentry duty at night in the bunker [a pit beside the speaker's house where villagers shelter if the SPDC attacks the village]. We woke up to hear their guns fire six or seven times. After the firing stopped the soldiers went back to their army camp immediately. My little child was killed by that gunfire. We reported it to a villager who takes responsibility for the children in the village and he reported it to the [SPDC Army] commander, and then they came to look*

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<sup>95</sup> The Karen Peace Force (Nyein Chan Yay in Burmese) is the ex-KNLA 16<sup>th</sup> Battalion which agreed to a ceasefire in 1997 and has since been allied with the SPDC.

*at my daughter. When they looked at her they said they couldn't help her because she didn't have a hope, and then they went back. The next day they came and gave me 70,000 kyat [approximately US \$63 at current rates]."*

- Maung S--- (male, 23), T--- village, Dooplaya District (Jan 2006)

In an effort to confine the civilian population to areas under SPDC control, local military units have implemented a widespread forced relocation programme and imposed tight restrictions on travel outside of fenced-in military-controlled communities. Such restrictions on movement, essentially the large-scale arbitrary detention of the region's entire civilian population, make it easier for SPDC personnel and its proxy militias to enforce demands; as villagers are hampered from fleeing to avoid compliance. The army officers enforcing this mass deportation typically tell village leaders that following a specified date, anyone seen outside the designated relocation site will be shot on sight.

However, the SPDC provides little or no alternative farm land to relocated villagers who must attempt to eek out a meagre livelihood on the postage stamp-sized residential plots to which they are assigned. Although in some cases villagers have been able to purchase temporary travel documents that allow for travel to agricultural fields or nearby villages for limited durations, the cost of repeated purchase of such slips adds up and undermines the benefit of maintaining external farm fields. Should villagers' initial food supplies run out, as commonly occurs, in addition to this inability to grow enough crops on the small amount of accessible land which they were allocated, they are severely limited in their options for acquiring more food as there is little available at the new site. In such situations the people begin to starve.

In response to food insecurity at military-controlled villages and relocation sites, a given household may try to sneak out some of their family members to secretly find food and bring it back to the site or to work on their fields and plantations. They may choose to do so covertly either to avoid paying repeated fees for travel permission documents or to avoid local authorities altogether in cases where SPDC personnel are unwilling to issue such documents. This tactic, however, is dangerous because relocation sites are typically fenced in, guarded by soldiers and at times bordered by landmines. Villagers sighted outside relocation site or SPDC-controlled villages are targeted and shot on the pretext of being, supporting or contacting insurgents. The SPDC has been quite explicit in its threats on this matter. For example, one order document demanding the confinement of the civilian population to within an SPDC-controlled village in Papun District which the local Army official issued in December 2006 declared, in reference to those villagers caught violating the restrictions on movement, that *"if the soldiers shoot [them], it will not be our responsibility."*<sup>96</sup>

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<sup>96</sup> For the complete text of this order document, see *Shouldering the Burden of Militarisation: SPDC, DKBA and KPF order documents and forced labour since September 2006*, Appendix 3, section d, order #66, KHRG, August 2007.

Children who attempt to assist their families by travelling outside of demarcated areas in order to tend crops or seek alternative food sources are placed at risk by their decision. However, where the SPDC is able to consolidate its hold on the civilian population to the extent that evasion is less feasible, such shoot-on-sight policies may become more relaxed. As a consequence, the shoot-on-sight killings of children and other villagers is generally more prevalent in areas where the SPDC lacks a strong hold on the civilian population. Nevertheless, the fact that soldiers target villagers, including children, when tending farm fields, demonstrates how 'counter-insurgency' functions as a pretext and not a motive, for such attacks. Villagers have reported to KHRG that it is clear the SPDC soldiers know they are shooting at very young children but this does not appear to inhibit them.

Along with attacks and killings of those children violating movement restrictions, other types of situations with risks of violence to children under SPDC control, or the control of any of its proxy militias, include 'counter insurgency' interrogations where soldiers demand information on armed opposition groups, as well as sporadic attacks by reckless, drunk or generally aggressive soldiers active amidst civilian communities. A sample of cases involving such attacks and killings of children in SPDC-controlled areas of Karen State follows.

*"The other day, some Nyein Chan Yay [Karen Peace Force]<sup>97</sup> soldiers, including Hsa Kyay, came to a house that was close to my house and they drank alcohol. Then they argued with each other and fired off guns. So the house owners had to take their small children and flee away to another house. They were very afraid."*

- Daw K--- (female, 40), Bp--- village, Dooplaya District (June 2006)

On October 24<sup>th</sup> 2006, soldiers from SPDC LIB #242 under the command of Theh Oo, shot at villagers from Htee Nah Hta of Mone township in an SPDC-controlled area of Nyaunglebin District while they were working in their fields. A young boy named Saw Tha Day Htoo, aged 16, died and another villager from Nwah Kee village, Saw D---, was wounded.

On October 25<sup>th</sup> 2006, a group of villagers from Mar Lar Gone village on the border of Nyaunglebin and Toungoo Districts secretly went to harvest their rice crop to bring food back to their families in SPDC-controlled villages. Their families were starving because of strict bans on tending their farm fields and travelling to trade goods. No other food was provided by the SPDC to compensate for the restrictions they imposed on the villagers so they had no choice but to secretly travel back to their farms and try to harvest their rice. Whilst they were working, Infantry Battalion (IB)<sup>98</sup> #73 commander Aung Kah and his soldiers shot the villagers. Three villagers died, two of whom were

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<sup>97</sup> The Karen Peace Force (called *Nyein Chan Yay* in Burmese) is the ex-KNLA 16<sup>th</sup> Battalion which agreed to a ceasefire in 1997 and has since been allied with the SPDC.

<sup>98</sup> Infantry Battalion of the SPDC, supposed to be about 500 soldiers strong, but at present most SPDC battalions number under 200. Infantry Battalions are primarily used for garrison duty, but sometimes used for offensive operations.

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under age 18: Saw Maung Maung (male, 40), Saw Chit Chit (male, 16), and Saw Ah Cho (male, 15). A young boy, Saw K--- (15), was seriously injured.

While the state-sanctioned murder of children is more common in those areas not under consolidated SPDC control, the Army nevertheless maintains a willingness to enforce its authority through violence and killing in all areas. In recent years, the murder of civilians by soldiers with impunity has continued unabated and the cases presented here are just a snapshot of the situation.

### **Torture**

*"All the men who are at the age of looking after the cows [usually about age 12 or 13] were called out and they were interrogated [by DKBA officer Mo Kyo's soldiers at 9:00 pm]. They [the soldiers] also threatened people that they would beat them. After that they were released."*

- Naw M--- (female, 37), W--- village, Thaton District (Feb 2006)

The SPDC and their proxy armies regularly threaten and torture the villagers in the areas they control; the cultivation of fear serving to foster a culture of compliance with military demands. While young children are generally ignored, army personnel appear to have no qualms about threatening and torturing young teenagers and older children. Karen children are harassed and abused partly because they belong to an ethnic group whose 'otherness' is deemed a threat to the SPDC's assimilationist *"national reconsolidation"* programme<sup>99</sup>, but also because the regime sees all citizens as actual or potential dissidents and thus threats to ongoing military rule. In DKBA and KPF-administered areas, which should not be seen as distinct from SPDC-controlled areas<sup>100</sup>, such civilian oppression is likewise pervasive despite the fact that militarisation is sustained under a nominally Karen authority.

*"The SPDC troops who entered [on November 27<sup>th</sup> 2006] and stayed in S--- village were from LID<sup>101</sup> #101, #255 Battalion and their commander was Aung Sa Thein. While the students were going to school his soldiers frightened them with a stick."*

- KHRG field researcher, Papun District (Jan 2007)

On 26<sup>th</sup> February 2006, when the KNLA attacked the DKBA camp in Mae Moei Tah, the SPDC soldiers from IB #232 under the command of Nyi Nyi Lay went

<sup>99</sup>For details on the SPDC's 'national reconsolidation' programme see, "State Peace and Development Council Chairman Senior General Than Shwe's Union Day message", Myanmar Ministry of Foreign Affairs, February 14<sup>th</sup>, 2003. Accessed at [http://www.mofa.gov.mm/news/feb14\\_friday\\_state.html](http://www.mofa.gov.mm/news/feb14_friday_state.html) on February 5<sup>th</sup>, 2008.

<sup>100</sup> Mary Callahan in her paper *Political Authority in Burma's Ethnic Minority States: Devolution, Occupation, and Coexistence* (East-West Center Washington, May 2007, p.39) terms the particular form of mixed political authority in DBKA-controlled areas as 'coexistence' between the SPDC and DKBA.

<sup>101</sup> Light Infantry Divisions (LIDs) of the SPDC, consists of 10 Light Infantry Battalions.

to L--- village in Bu Tho township of Papun District and threatened the villagers in retaliation. A seventeen-year-old boy named P--- was arrested when he came back to the village after fishing in the river and foraging for vegetables for his family. The SPDC soldiers covered his head with plastic, tied his hands behind his back and detained him for three hours. Throughout Bu Tho township, the villagers reported additional incidents of children having been threatened, interrogated and tortured. Students have been interrogated about KNLA activities and even a young boy aged only six years old was threatened at gun point by SPDC troops in M--- village. In T--- village, 16-year-old M--- was interrogated by SPDC soldiers following a KNLA attack on Mae Moei Tah village. He reported the incident to a KHRG field researcher as follows:

*"When he [the SPDC soldier] asked me whether I knew about the incident that happened at Mae Moei Tah and when I answered that I didn't know, he accused me that I knew and I dared not tell him. I told him that I didn't know and if I knew, I would dare to tell him so. Then I told him to ask the village head. Then they grabbed my jaws. I was afraid and nervous at that time but one retired monk named T--- defended me."*

- M--- (male, 16), M--- village, Papun District (April 2006)

On July 15<sup>th</sup> 2006, DKBA Gk'Hsaw Wah Battalion Commander Lah Maung and 40 soldiers under his command embarked on an operation in Thaton District to wipe out all KNU soldiers of KNU-designated 1<sup>st</sup> Brigade. They conducted part of their operation in Htee Hsih Baw village, Bilin township, and rested there in the village. While the column was resting in the village, one of Commander Lah Maung's soldiers, Pah Bih, entered a house where he spotted 10-year-old Naw B---. Villagers reported that Pah Bih told her to give him a bottle of alcohol, but she answered, *"There is no alcohol"*. Pah Bih replied, *"There can't be no alcohol,"* and he took his pistol and hit the girl's head with the pistol's butt, then he pointed the pistol at the girl. The girl was so scared that she ran to her mother's side. Then he told the girl, *"If there is no alcohol, give me 1,500 kyat and I'll go to buy it."* The girl's mother told this DKBA soldier, *"You are pointing at my daughter with your pistol, but she hasn't done anything wrong. You are drunk and if you pull the trigger accidentally, my daughter will die."* The soldier then shouted back at her, *"You woman! Don't argue so much! Give me money for the alcohol. If you don't give it to me, I'll kill both you and your daughter. Give it to me now!"* Since this DKBA soldier was drunk, the girl's mother was afraid he would do something to them so she gave him 1,500 kyat quickly. After he got the money, he left the house.

## **Landmines**

*"The SPDC laid landmines on our farm road. We have to walk carefully when we go to our farm."*

- Saw G--- (male, 43), D--- village, Nyaunglebin District (Aug 2007)

In areas under the control of the SPDC or its allied armies, landmines are routinely laid around villages, paths, roads and army camps. Such deployment

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functions to prevent attacks from KNLA soldiers, to attack or ambush KNLA soldiers and to restrict villagers' movements. Army personnel deploy landmines around the periphery of SPDC-controlled villages and relocation sites in order to prevent anyone from entering or leaving the sites; alongside vehicle roads in order to prevent displaced villagers in hiding from crossing; and throughout forcibly depopulated villages in order to prevent the return of evicted villagers.

For example, on June 15<sup>th</sup> 2007, SPDC soldiers from LIB #599 operating under deputy battalion commander Yah Neh accused residents of Hsa Leh village, Nyaunglebin District, of having contact with the KNU and forced them to relocate to Shway Bpaung Gkah. The soldiers gave the villagers just three days in which to relocate. The villagers were not allowed to come back to their old village and search for food and the SPDC soldiers planted landmines in the abandoned village so that the villagers dared not return.

On August 13<sup>th</sup> 2007 SPDC soldiers approached Leh Poh Der village, Papun District during the night time and fired off their guns. The villagers then ran to the forest to hide. Following this the soldiers looted the villagers' rice supplies, burnt down their houses and planted landmines in the village before departing. Following this, one local resident, Saw Thay Klee Htoo (male, 27) returned to the village where he stepped on a landmine and died.

Some areas are so heavily mine-infested that they have been completely deserted by both civilians and soldiers. In the Le Nya area of Tenasserim Division, for example, the land is so heavily mined by both the SPDC and KNLA that everyone has resorted to travelling around by boat on the Le Nya river, soldiers and civilians alike, rather than on paths and roads.

*"We dare not to go out to search for food because the [SPDC] soldiers laid their landmines on the street and around the village. There were three people hurt by their landmines... They were hurt when they went out to find bamboo shoots in the jungle. They didn't look after the people who were hurt by their landmines. They didn't tell us the exact place where they laid the landmines so the villagers didn't know the place and could step on them."*

- Saw D--- (male, 43), S--- village, Nyaunglebin District (Aug 2007)

Since factory-made landmines developed by the regime, or imported from China and elsewhere, can last many years, and particularly as the SPDC and DKBA rarely tell villagers where they have planted the mines, there is no way of knowing which areas are safe. Thus, all children are at risk of stepping on a landmine as they play around their village, forage for food in the forest, conduct work and forced labour tasks in the surrounding area and porter supplies to military camps. Children are also at risk of stepping on KNLA landmines. However, as these are typically handmade from locally available materials they have a much shorter life-span, usually no more than six months. KNLA soldiers have furthermore made some efforts to verbally inform villagers of the placement of landmines and subsequently removed them. Villagers report that de-mining work is only ever carried out by the KNLA; the SPDC and DKBA

make no efforts to de-mine areas to enable the villagers to go back to their villages or farm fields.

As another example of heavily mined areas of Karen State, villagers in Thaton District, have frequently complained to KHRG that Moe Kyo, commander of DKBA Brigade #333 which operates in Thaton District, orders his soldiers to plant landmines throughout their fields and along paths making travel and farming very risky. Moe Kyo is also notorious for being a very violent man who is 'trigger-happy' with his guns. Whenever he is in the area, the villagers say that they dare not go outside to their farm fields for fear of encountering him. As a result of his propensity to landmine areas under his control, many families have had to abandon their fields and allow their crops to be ruined unless they manage to locate a KNLA soldier to remove the landmines for them. This has led to increased impoverishment and decreased opportunities for children as their families rely on their crops for their livelihoods. Ironically, in late 2007 KHRG received reports that Moe Kyo himself was severely injured and lost a leg when he stepped on a landmine. Whether this mine had likewise been deployed by DKBA soldiers under the command of Moe Kyo was not clear.

*"They [Moe Kyo's troops] also planted landmines in people's hill fields so people didn't dare to go there. In Mu Yaw's father's hill field, people said that they had also planted a landmine. People said 'It might not be the only one, but you can go if you have an extra leg'."*

- Saw M--- (male, 40), G--- village, Thaton District (Sept 2006)

*"Moe Kyo has planted landmines in Sah Gklay Dtuh area. Villagers dare not go there now. Moe Kyo planted the landmines secretly and didn't let the villagers know. The women don't dare to go out to scratch the bark of the trees [tap the rubber] to make money..."*

- D--- (male, 55), T--- village, Thaton District (Jan 2007)

It is impossible to state with exact precision the numbers of landmine victims in Burma per year, whether children or adult, because many victims die before they can reach medical aid, few organisations collect or release statistics of landmine injuries treated and, as the most recent Landmine Monitor Report has acknowledged, the SPDC actively suppresses attempts to survey landmine casualties.<sup>102</sup> Nevertheless, KHRG regularly receives reports of civilian landmine injuries and deaths and the Landmine Monitor cited at least 243 new mine/ERW (explosive remnants of war) casualties in Burma during 2006, where the heaviest deployment was in Karen State and other areas of the eastern part of the country.<sup>103</sup> Many of those injured are civilians, both convict porters and local villagers, whom the Army forces to carry military supplies. Furthermore, children and other civilians taken from Karen villages for forced labour, as well as convict porters – some of whom are also under 18 – are used by the SPDC for human mine-sweeping and as human shields. They are forced to walk in

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<sup>102</sup> *Landmine Monitor Report 2007: Burma/Myanmar*, October 2007, International Campaign to Ban Landmines, p.17.

<sup>103</sup> *Ibid.*, p.1.

front of military columns when carrying supplies for the army and sit on or walk alongside bulldozers building roads to inhibit KNLA ambushes.

*"The SPDC forces villagers to go ahead of them even though the villagers dare not go because the landmines often explode. They [the SPDC soldiers] always ask me to go. It's been over ten times that I've gone and worked for them."*

Saw A--- (male, 35), Bp--- village, Papun District (Aug 2007)

The Karen news agency *Kwe Ka Lu* reported the September 10<sup>th</sup> 2007 suicide of 18-year-old Saw Poh Dee, a married man from Gklay Soh Kee village. In the rainy season of 2007, Saw Poh Dee was forced to porter food supplies for the soldiers of MOC #5. During this forced labour, he was made to act as a human minesweeper at the front of the patrol and consequently lost a leg when he stepped on a landmine. On returning from hospital, he discovered his wife had no remaining rice left to cook for them. Knowing the difficulties he would face without his leg and the situation he and his wife were already facing, he also decided he didn't want to continue his life and hung himself.<sup>104</sup> Also, as one ethnic Palaung convict porter who escaped from a large SPDC operation in Papun District said to KHRG in regards to SPDC MOC #3, *"They ordered prisoners and soldiers to walk in front of the cars because they worried that they [the soldiers] would step on landmines."* Other landmine casualties include soldiers from all groups. Since many SPDC and DKBA soldiers are under age 18, inevitably children in their ranks are placed at high risk of landmine injury or death.

### **Sexual abuse**

*"Last year during the hot season, I heard that [soldiers from SPDC] LIB #599 raped two girls from another village. It [SPDC LIB #599] was led by Maung Myit. Those girls dared not report the case to the commander."*

- U P--- (male, 35), S--- village, Nyaunglebin District (Aug 2007)

*"Also, some girls stayed in the hill field farm house during the time when they were planting rice and the SPDC dragged them away and raped them and killed them."*

- Naw P--- (female, 19), L--- village, Pa'an District (Aug 2007)

While some women and girls in Karen State have reported being raped and tricked or forced into marriage by local men or their families, most incidents of sexual abuse which villagers report to KHRG involve soldiers operating in the region. High levels of militarisation throughout Karen State and the culture of impunity fostered in military ranks heightens the vulnerability of both girls and boys to sexual abuse. Incidents of rape appear to serve the military in its aim to cultivate fear and intimidation among rape survivors and the wider community.

<sup>104</sup> "People have to beg as the situation gets worse in Toungoo District," *Kwe Ka Lu*, September 28<sup>th</sup> 2007.



This fear serves to support military control over Karen society and challenges the villagers' will to resist demands. It also serves to dehumanise girls and women, in support of the SPDC's vision of a hierarchical society controlled by an all-male military. Soldiers exploit not only socio-cultural power disparities between men and women, adults and children but also those between the military and the villagers. The structures of militarisation thus compound those of gender to create an environment supportive of sexual abuse. Children are not spared from such violence and soldiers have actively chosen to rape girls and younger women, whether due to their lesser physical strength, perceptions of their purity or other reasons. Such sexual assault of girls and young women has continued since KHRG began documenting the human rights situation in Karen State in 1992, as the quote below from a 17-year-old rape survivor who had been serving as forced porter for the SPDC at that time illustrates.

*"I didn't have much time to think about the cold, because the soldiers always came for me at night. Because I am young and single, they all wanted to rape me and every night I got raped worse than most of the others. An officer who the soldiers all called "Bo Gyi" always came for me. He also raped a young Indian girl very often. All night long, the soldiers would gang rape all of us one after another. You could always hear women's screams at night, if they were strong enough to scream. Then in the morning they made me carry the bombs again."*

- Naw W--- (female, 17), T--- village, Thaton District (Jan 1992)<sup>105</sup>

In a more recent incident on April 9<sup>th</sup> 2006, at around 8:00 pm, fourteen-year-old Ma M--- from Htee Chwa village in Pa'an District was returning home with two female friends from a tutorial session at her teacher's home. Along the way a soldier from SPDC LIB #547 approached and attacked her. Her two friends ran off and informed a man from the village about what was happening. The man then rushed to the scene of the incident and upon arrival the soldier fled. Ma M--- told her aunt about the incident, and this aunt related the events as follows:

*"When the man arrived to help Ma M---, the soldier left. When the soldier was trying to rape Ma M---, he punched her in the face one time and pushed her down and he began to rape her and she struggled, and then he punched her again on her jaw so that Ma M--- fainted. When the man arrived he just saw Ma M--- sitting and faint, and her face was swollen but she hadn't been raped yet."*

The following week, the swelling on her face lessened but she told her parents that she dared not go to school and she wished to take her own life. Her parents, the village head and her teachers all attempted to comfort her. The villagers also approached SPDC LIB #547 commander Khaing Maung Htway and complained about the soldier. Following this the commander discharged the guilty soldier. Punitive action against military personnel guilty of sexual

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<sup>105</sup> For more information on this incident, see *Testimony of Porters Escaped from SLORC Forces*, KHRG, January 1992.

abuse or rape is rare; officers usually commit such acts with complete impunity, but sometimes impose token punishments on rank-and-file soldiers as in this case. In addition to appeasing the angry villagers, Khaing Maung Htway's discharge of the soldier may have been intended to send a message to his soldiers that rape with impunity is supposed to be an officers' privilege.

Confronted by villagers angered over an incident of rape, SPDC officers have in some cases sought appeasement through the payment of token indemnities.

*"Before, there was a village girl who was raped by an SPDC soldier. This was a long time ago already. This girl's name is Naw M--- and her father's name is M---. She's still alive. When she was raped, she was aged 15 or 16 at the most. She was coming back from her hill field and on her way home through the shrubbery when the soldier saw her and raped her. This soldier was from LID #22. We heard that later the soldier's commander gave this girl 5,000 kyat [US \$4.50]. This happened six to seven years ago."*

- U Ny--- (male, 40), K--- village, Doooplaya District (Dec 2006)

Incidents of sexual abuse occur most commonly in those villages under military control that are located near army bases or temporary camps. Soldiers and officers wander into villages to loot property, look for women or just relieve their boredom. The risk of sexual abuse increases where girls are isolated from their village in situations of forced labour at military bases and camps, other forced labour sites, or even while working in their fields, and especially so when soldiers have been drinking. Perpetrators are rarely punished and people dare not file a complaint because they fear punishment should they do so. The perpetrator may also murder the girl after raping her so that she cannot report the incident, however, traditional notions of propriety are often enough to keep a rape survivor silent about the abuse. Rape survivors and their families fear stigmatisation by the community if the abuse becomes public knowledge and particularly worry for their daughter's future marriage prospects if she is not yet married. In some cases girls have been ostracised by the community, or even by their husband, after they have been raped. In cases where the rape leads to pregnancy, the girl may attempt to abort using unsafe methods and herbal remedies.

Ko A---, an escaped Arakanese convict porter who spoke with KHRG in January 2007, reported that he saw several cases of rape whilst serving under SPDC LIB #363. He saw SPDC soldiers rape two girls near Muh Theh village in Nyaunglebin District, then when they were near Plah Koh village in Papun District he saw the SPDC soldiers arrest a girl who had gone to work in her hill-field. The SPDC soldiers subsequently raped and killed the girl.

The Karen news agency *Kwe Ka Lu* reported that on May 1<sup>st</sup> 2007, Myint Aung, a sergeant in SPDC IB #118, column #3 entered a house in Thaton district and attempted to rape a 12-year-old girl while she was sleeping. Myint Aung laid

down on her and started to take off the girl's clothes but the girl woke up and shouted loudly and the rape was averted.<sup>106</sup>

When SPDC soldiers are depopulating areas and forcing the villagers into relocation sites, they may threaten the villagers with rape if they escape from the secured village. In Than Daung township of Toungoo District, a KHRG field researcher reported in September 2006 that LIB #66 commander Khin Zaw Oo directed his soldiers to order the villagers to build a perimeter fence around the following twelve villages: Kler Lah, Kaw Koe Koh, Wah Thoe Koh, Ler Koe, Maw Pa Der, Koo Pler Der, Klay Soe Kee, Kaw Thay Der, Der Doh, Gay Mu Der, Maw Koe Der and Beh Kaw Der. After the villagers had fenced in their own villages, the SPDC ordered them not to go out. The soldiers said that if any villagers left the village, they would shoot to kill them all. Using fear of sexual assault to enforce movement restrictions, one of the SPDC officers who settled in Klay Saw Kee, warned the villagers that *"If you, the women, are travelling, never walk alone. You have to travel in groups of more than three women. Since there is an order that came from the leaders above, if any rape or sexual abuses occur I can't take action on my soldiers."*

Fear of increased sexual abuse against women and girls in areas where soldiers have constant control over and access to villagers is one of the many combined factors villagers take into consideration when making the common decision to flee into hiding in the forest, in the face of orders to relocate to areas under SPDC control.

*"They [the SPDC officers] told us to come and stay [at Thee Muh Hta] because they love our civilians and take pity on the civilians, but we already see through them... We already see their intestines [know what they are really like]... If the SPDC come to our village, we can't sleep during the night. We worry that they will fuck [sic] our daughter or fuck our wife and if they fuck our daughters and wives to whom will we put the crime. Then if we go and stay among them, it's [our life's] finished!"*

- Saw Le--- (male, 40), Gk--- village, Papun District (Jan 2008)<sup>107</sup>

Not only girls suffer from sexual abuse. Men and boys may be attacked as well and face a different type of shame and stigmatisation after the event. Villagers in Tenasserim Division reported to the Karen news agency *Kwe Ka Lu* that an SPDC soldier raped a young boy from their village in November 2006.<sup>108</sup> Hpay Chah village, in Ler Muh Lah township of Tenasserim Division, is a village of 400 houses which was relocated by the SPDC in 1997. In November 2006 while the villagers were drying their betel nuts, two boys went to bathe in the river beside the forced relocation site. While they were bathing, soldiers from SPDC battalion #309, who were based at a camp beside Hpay Chah village,

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<sup>106</sup>“Army officer attempted to rape a 12-year-old girl,” *Kwe Ka Lu*, May 25<sup>th</sup>, 2007.

<sup>107</sup> For further accounts from Gk--- villagers and information on how and why this village chose to evade SPDC control, see *Village-level decision making in responding to forced relocation: A case from Papun District*, KHRG, March 2008.

<sup>108</sup>“Burmese soldiers forcibly take away a boy,” *Kwe Ka Lu*, March 5<sup>th</sup>, 2007.

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grabbed one of the boys and tied him up. The other boy managed to run away. The Hpay Chah villagers who gave the information said, *"that soldier did [raped] the younger boy's anus."* The boy who was raped was only seven years old. The parents sent their son to the local clinic because later he got piles. The village head reported the rape to the soldier's battalion commander but the villagers said that no official action was taken against that soldier, but he was punched and beaten by his captain and the family received the small sum of about ten to twenty thousand kyat (US \$9 to \$18) in compensation.

Children are also affected by sexual attacks on their family members. For example, on November 21<sup>st</sup> 2005, Naw L---'s young son arrived back from school to find a soldier from SPDC IB #124 attempting to rape his mother in their home in Kler La village, Than Daung township, Toungoo District. Naw M-- - cried to her son to slash the soldier so her son grabbed a machete and slashed him, enabling his mother to escape from the rape. The soldier did not die, but Naw M--- did not dare to stay in her village any longer as she knew the SPDC were hunting for her after this incident, so she took her three children and fled to a refugee camp, across the Thai border.

Villagers have no recourse to a fair and independent judicial system when soldiers threaten and torture their children. Throughout Karen State, soldiers of the SPDC and its allies can act with impunity and more often it is those who complain who are punished rather than the perpetrator of abuse. Most villagers choose not to report abuses for fear of punishment and further harassment, but in cases of serious abuse, such as rape, torture and murder, they have been known to take matters into their own hands, sometimes finding and killing the perpetrator.

## **Violent abuses in areas outside SPDC control**

*"When I lived in my village, the SPDC would come and shoot and kill us [the villagers] who were in farm field huts and when they saw our children, they would beat them dead. But no [punitive] action was taken against them [the soldiers]. My parents were killed by the SPDC. They always looked forward to killing our Karen people... There were child abuses in my village, like children who were beaten, shot dead and forcibly taken away. We didn't see these children come back to the village after they were taken away by the SPDC."*

- Naw P--- (female, 19), L--- village, Pa'an District (Aug 2007)

The SPDC Army has persisted with military attacks on civilian communities as a means of turning 'hiding villages' (communities of displaced villagers in hiding) into what the regime calls 'peace villages', essentially SPDC-controlled communities. In this way the Army has worked to maximise the exploitable pool of civilians on which it depends and furthermore ensure that the entire population is subsumed within the junta's 'nation-building' goal of a hierarchically-structured and military-dominated society. To these ends the

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military has applied a sweeping shoot-on-sight policy whereby anyone attempting to live outside of military control, including children, is deemed an enemy of the State and therefore a legitimate target for military aggression, which includes state-sanctioned torture, murder and sexual assault.

*"Students cannot study very well in the forest. If Burmese [SPDC] soldiers see villagers or students or KNLA they will kill them all."*

- Saw K--- (male, 17), L--- village, Nyaunglebin District (Jan 2007)

### **Attacks and killings**

*While I have lived here, the SPDC soldiers have come two or three times and burnt down the houses. When the SPDC soldiers came we avoided them near our village because we couldn't go further. The people who don't live under control of the SPDC are enemies of the SPDC. So if the soldiers see anyone in the village including the babies they shoot them at once without asking them any questions.*

- Saw T--- (male, 55), Ht--- village, Nyaunglebin District (Aug 2007)

Military attacks and killings of civilians have been widespread throughout non-SPDC-controlled areas. However, amidst the ongoing northern Karen State offensive - which began with a series of attacks from November 2005 to February 2006 and has continued unabated ever since - KHRG has been receiving increasing numbers of reports of attacks on villages and murders of civilians, including those under age 18. Such reports have mostly come from Toungoo, Papun and Nyaunglebin Districts, which comprise the most northerly region of Karen State. In these areas the Army has approached villages outside of SPDC control and displaced communities in hiding, shelled them with 120 mm mortars and then advanced in amongst the villagers' homes firing indiscriminately on anyone who has not yet fled. In these attacks SPDC forces have intentionally targeted non-SPDC-controlled civilian communities as a means of forcing them to relocate into SPDC-controlled areas. While SPDC attacks against civilians in the three northern districts have skyrocketed, the Army has in many cases avoided engaging KNLA forces in the region. This selective aggression illustrates that it is precisely the civilian population which the SPDC is targeting as part of the wider strategy of subjugation, contrary to claims that SPDC forces are targeting insurgents with villagers unintentionally caught in the cross-fire. Nevertheless, international media outlets continue to depict civilians in conflict areas of Karen State as primarily unintended victims of the civil war; as, for example, in the following:

*"Caught in the murderous conflict between the Burmese army and Karen rebels, the people of a makeshift jungle village witness a new arrival. While the Karen National Union, Burma's oldest and perhaps most important ethnic rebel group, continues its fight against the Burmese*

*junta, Karen villagers are forced to flee their homes to avoid the fighting.*<sup>109</sup>

In contrast to such external depictions, SPDC soldiers continue to target, attack and kill civilians, including children throughout those areas where it doesn't fully control the local population. The following cases of the killing of children from the northern District of Toungoo during 2007 are illustrative:<sup>110</sup>

| Date                       | Name                 | Age      | Details                                                                                            |
|----------------------------|----------------------|----------|----------------------------------------------------------------------------------------------------|
| Jan 19 <sup>th</sup> 2007  | Saw Hta Kyah         | 15 years | Shot by SPDC                                                                                       |
| April 5 <sup>th</sup> 2007 | Saw Ah Po's daughter | 2 months | Shot by SPDC along with her father (aged 24) from Yay Sha village                                  |
| May 25 <sup>th</sup> 2007  | Saw Dtar Koo Noo     | 7 years  | Shot in Gkreh Loh village by SPDC soldiers from IB #78 of LID #88, under the command of Myint Soe. |

Regarding the killing of 7-year-old Saw Dtar Koo Noo listed above, SPDC soldiers from LID #88, IB #78 under the command of Myint Soe entered the hill farms of Hsih Daw Koh village in Tantabin township while the villagers were sowing their paddy crops on May 25<sup>th</sup> 2007, at 4:00 pm. Upon spotting the villagers at work in their field, the soldiers opened fire, killing Saw Gay Gay (male, 18), Saw Lee Kwek (male, 40) and his son, Saw Dtar Ku Noo (male, 7). They also wounded Saw B--- (male, 30), Naw L--- (female, 24) and Naw K--- (female, 18).

Attacks on villages in Nyaunglebin District have functioned as part of the large-scale depopulation and forced relocation programmes which the regime has been implementing in the region. On June 24<sup>th</sup> 2006, for example, SPDC troops from LIB #522 under MOC #16 entered K'Ya Ta village, Mone township and captured two villagers. One of these was a 31-year-old woman named Naw K--- who was taken along with her young son Saw Bee Ohn. Though Naw K--- was later released, the soldiers killed her son Saw Bee Ohn. Subsequently, these SPDC troops moved on to attack villages in Theh Bpaw Der, K' Waw Ko, Kheh Po Der and Saw Tay Der village tracts.

In another attack in Nyaunglebin District, this time during September 2006, SPDC soldiers shot and killed a ten-year-old boy and his father and wounded another boy who was 16 years old:

*"None of us villagers were killed by sickness, but the SPDC came and shot Gkoe Heh Nay, Gkoe Heh Nay's father [Maung Du Kaw] and Tee Tha Paw. They were from Kyaw Kah Der village. Maung Thay Kya was*

<sup>109</sup> "Born in the crossfire," *The Nation*, July 11th 2007. Accessed at [http://www.nationmultimedia.com/2007/07/11/regional/regional\\_30040353.php](http://www.nationmultimedia.com/2007/07/11/regional/regional_30040353.php) on April 4<sup>th</sup> 2008.

<sup>110</sup> More information about these murders and murders of adults in Toungoo District can be found in *Landmines, killings and food destruction: Civilian life in Toungoo District* (Karen Human Rights Group, August 2007).

*a bit older than me, he was 40 years old and his son was about 10 years old. His son had attended school for only two years and then he was killed. The SPDC soldiers that came and shot the villagers were coming from Mu Pleh. The soldiers shot them while they were working in their hill field. They were the villagers, they didn't hold any guns. They were killed in the afternoon while they were coming back from their field to home. They didn't know that the SPDC soldiers were on the way so they came back and then they were shot by the soldiers. His older son, Saw Heh Nay Htoo, 16 years old, was wounded. He was wounded on his buttock. It was painful for the mother because her husband [and son] was killed and her son was wounded. If the SPDC didn't kill them, they would still be managing to work for their livelihoods."*

- Naw P--- (female, 26), Th--- village, Nyaunglebin District (Sept 2006)

In some cases, those attacked may be able to get away alive, albeit often with injuries. In one case from Nyaunglebin District, SPDC soldiers operating in the area of Htee Gkiah Kee village, Shwegyin township attacked 16-year-old Naw Th--- on October 9<sup>th</sup> 2007; firing rifles and shelling her from a distance with mortars. Although suffering injuries to her right arm and left leg Naw Th--- managed to escape with her life. Naw Th--- gave the following account of the incident to KHRG on October 19<sup>th</sup> 2007:

*"The SPDC [soldiers] shot me over one week ago already. They shot and injured my right arm. It didn't injure my bone. The SPDC shot me, when I was in my hillside farm house. At the time when they shot me there were five people. There were two people who were injured and the other was my Aunty. When I was injured I couldn't walk, I just crawled on the ground. My leg was also wounded. I don't know how I wounded my leg. I know only that I got a pain in my leg and it became twisted. When it became painful I stopped running and the SPDC shot at me from behind and they also fired mortar shells one or two times. I wasn't able to catch up with the people who were running ahead of me. I just stayed alone in the forest. I couldn't run very far, only a short distance, and my brother came back and found me the next day. I had to sleep one night in a stream in the forest and my arm was bleeding a lot. Also the rain was falling and I had to sleep in the rain and I felt cold and I also got dizzy and I couldn't get any rice. The SPDC first shot at me at 8:00 and early the next morning my brother came back and found me."*



SPDC soldiers operating near Htee Gklah Kee village, Shwegyin township attacked 16-year-old Naw Th---, quoted above, on October 9<sup>th</sup> 2007. In this photo Naw Th--- recovers on October 19<sup>th</sup> 2007 after fleeing through the forest from the SPDC soldiers who shot her. [Photo: KHRG]

At 3:00 in the afternoon on Friday May 23<sup>rd</sup> 2007 soldiers from SPDC LIB #88 of LID #78 arrived at the Bpay Baw Dter area of Tantabin township, Toungoo District. Upon reaching the local paddy fields soldiers opened fire on resident villagers at work tending their crops. At this time the soldiers shot and wounded 14-year-old Naw K---. The bullet pierced the front of her chest and exited out of her back. During this attack the SPDC soldiers shot and killed three villagers and wounded three others, including Naw K---. Those killed in the attack were 38-year-old Saw Maw Lee Gkeh, 18-year-old Saw Hsa Gkoo Doo and 18-year-old Saw Gkay Gkay. Along with 14-year-old Naw K---, the SPDC soldiers also injured 34-year-old Saw Naw Htoo and 22-year-old Naw Tha Lay. The dead and injured villagers were from See Daw Koh village, Tantabin township, Toungoo District.

*"If the SPDC Army saw the children they would catch or kill them all. They don't have any pity for them."*

Naw M--- (female, 20), K--- village, Nyaunglebin District (June 2007)

Papun District has likewise seen ongoing attacks against civilian communities living in non-SPDC-controlled areas. One example, of documented cases of children injured in the attack is the incident at Ebenezer Church, Thay Thoo Kee village, in Kay Bpu village tract which was described in the section on education above. In this incident 15-year-old Saw P--- and 16-year-old Saw K-- - were both hit by shrapnel and suffered minor injuries.





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In another incident, on July 8<sup>th</sup> 2007 SPDC LIBs #374 and 376 set up four additional military camps within Saw Ka Der village tract in Papun District as part of their campaign to extend military control in the area and drive the villagers into relocation sites. They subsequently attacked the villagers' hiding sites, displaced villages and food stores. In the attack on July 9<sup>th</sup> 2007, the SPDC attacked Htee Baw Kee village in Saw Muh Plaw village tract, Lu Thaw township, with heavy weapons, wounding two children: Saw Kree Htoo (male, 12) and Naw Hsay Ler Paw (female, 4).

Risks of attacks and killings for villagers living in areas outside of SPDC control are heightened during labour intensive times in the crop cycle, such as during the initial planting of May-June and harvesting in November-December. At these times villagers, often including children, must spend long hours in the open areas of their agricultural fields where they are much more visible to patrolling soldiers, in order to finish their harvest quickly. The likelihood of being spotted and fired upon thus increases during these periods.

*"Last week SPDC soldiers arrived in the village. When they saw us in the hill field farm hut they fired on us. It was on Tuesday. At that time there were five people in the hut. Only women, no men, were staying in the hut at that time. Mostly the SPDC soldiers came to the village by way of the jungle not by the village street. I saw many soldiers but I didn't count them. I immediately ran out from the hut. Luckily I wasn't hurt by the SPDC soldiers' bullet but one of my children and another woman were. I and another woman with her child escaped."*

- Naw M--- (female, 45), Ht--- village, Nyaunglebin District (Oct 2007)

*"When we were harvesting and collecting our rice in the hill fields, the Burmese soldiers came to attack us. They shot at us and we ran away. My father and a boy name P'Ree Sein, 16 years old, died in the hill field at that time. My father was left in the hill field but we couldn't do anything."*

- Naw S--- (female, 22), S--- village, Toungoo District (Nov 2006)

On November 15<sup>th</sup> 2006, SPDC soldiers from Thaw Gkway Htoo Army camp in Toungoo District attacked T--- village, a 45-minute walk away. Most of the villagers had managed to flee away when they heard that the soldiers were approaching the village but there still remained a 13-year-old girl cooking rice in her house and two old people threshing paddy on the ground. The soldiers shot at these villagers from about 10 yards away (close enough to see that they were shooting at unarmed civilians, one of whom was a child) but fortunately all three people managed to flee without being injured. The soldiers burned six out of the eight houses in this village.

On September 5<sup>th</sup> 2006, soldiers from SPDC IB #73 under the command of Aung Kah entered Zee Pyu Gone village where they conducted searches of three separate homes. In the course of these searches they encountered Saw Htoo Per and his family while they were in the midst of worshipping. At this point the soldiers grabbed everyone they saw for detention and arrest. While they subsequently released Saw Htoo Per's wife and other children, the soldiers took Saw Htoo Per and his son Saw Baw Baw Htoo away from the house and executed them. On October 25<sup>th</sup>, these same troops arrived at the hill-side rice fields of Mar Lar Gone village while the farmers were in the process of harvesting their crops. Upon spotting the villagers in their fields the troops opened fire killing 40-year-old Saw Maung Maung, 16-year-old Saw Chit Chit and 15-year-old Saw Ah Cho, while another child, 15-year-old Saw Kwa Lar was seriously injured in the shooting.

### **Torture**

*"It is better to run away. If they [the SPDC] catch us they will be very mean to us, it is better to escape. It is better to live in Thailand, if you live in Burma now it is very, very bad."*

- Naw M--- (female, 23), K--- village, Papun District (Feb 2007)

Children living outside SPDC control are very fearful of SPDC soldiers, having seen and heard about other villagers' violent encounters with them. Often these soldiers are referred to simply as 'the enemy'. Some children have directly experienced abuse by military officials themselves while many others know of someone in their village or a nearby village who has been abused. The 17-year-old girl in the following interview explains to a KHRG field researcher why she is afraid of the SPDC:

#### ***The villagers didn't dare to go back to their village...***

"The occupation of the villagers was farming hill fields and planting cardamom. We used to sell the cardamom to Kaw Thay Der village, but now we can't go there peacefully, we have to be afraid of the SPDC and everything and we are always in fear. SPDC LID #47 captured four villagers from Shoe Ser. They were Naw May May [female, 20], Tar Day Poe, Saw Pweh and Naw Kloe Moo. The SPDC looted 250,000 kyat from Naw May May. She was captured on December 23<sup>rd</sup> 2005. She was staying in her hut at her cardamom plantation

garden and her husband went to sell cardamom at Kaw Thay Der and bought rice and other food for their family. Saw Tar Day Poe was beaten, hit and tortured the most.

The SPDC captured those villagers from Shoe Ser and forced them to show them the way to Hih Daw Khaw village. These villagers were afraid of them so they led them to Hih Daw Khaw. When they reached there, they burned the village and then went back. Before they went back, they planted five landmines in the village. The villagers didn't know where they planted them so the villagers didn't dare to go back to their village. Now the villagers have to stay in the forest."

- Naw P--- (female, 17), H--- village, Toungoo District (April 2006)

Karen villagers living outside of SPDC control typically flee whenever they hear news of approaching enemy soldiers in order to evade the initial attack as well as subsequent violent abuse and forced relocation. It is not a viable option for them to remain in their village and try to negotiate with the soldiers, as Saw K--- explains in the following interview:

*"Two or three of my cousins were caught by the SPDC, two people tried to escape and they were shot by the SPDC. If the SPDC see us they shoot us and we start to run away. If you die it's better for you than if the SPDC captures you because your problems are all over."*

- Saw K--- (male, 23), T--- village, Nyaunglebin District (Feb 2007)

As part of the northern Karen State offensive SPDC forces have intensified attacks on villages, crop destruction and executions displaced villagers in hiding. Those not killed in the initial attack and unable to flee into the forest are sometimes taken away to army camps for interrogation, forced labour and other abuse. Children may be abducted and used for portering military supplies or other labour at army camps or forced to serve in the army. In such cases physical and mental abuse are rife. Once they are taken, it is almost impossible for parents to find out any information about their children as the parents themselves must continue to evade army personnel for their own safety.

On August 13<sup>th</sup> 2006, SPDC LIB #557 shot at the Le Nya villagers in Tenasserim division while they were in their hill fields. All the villagers ran away but a four-year-old boy named Saw Pah Lah was left behind and the SPDC abducted him and took him to Bok Pyin military camp. After that the parents could get no further information about their child and his fate is unknown.

In October 2006, soldiers from SPDC LIB #66 operating in areas of Kler La town in Toungoo District were conducting search and destroy missions targeting displaced villagers covertly harvesting their rice. At this time, the soldiers opened fire upon coming across one group of farmers. Although all of these villagers fled the SPDC patrol, soldiers were able to capture 16-year-old

Saw Bp--- whom they brought back to the camp at Kler Lah. At this location they kept him detained in a small hole dug into the ground. Although the soldiers were reportedly intending to execute Saw Bp--- after two weeks, he was able to flee before this time. Following his escape, Saw Bp--- said that during the period of his internment, soldiers regularly tortured him and never provided him with sufficient rations.

### **Landmines**

*"The situation here is very bad and unstable. SPDC soldiers have put landmines around our rice fields and betel nut fields. Very recently, five villagers accidentally stepped on landmines and died. We don't even dare to go and take them to the village [collect their dead bodies]. We were very upset about this incident. We held a memorial service for them as well."*

- Saw B--- (male, 38), T--- village, Tenasserim Division (June 2007)

Villagers in non-SPDC-controlled areas confront many of the same landmine issues as those living under SPDC control. For the most part displaced villagers in hiding must deal with landmines in villages, along paths and in farm fields which the SPDC Army deploys following attacks against civilian communities. The deployment of landmines in such areas serves to undermine the conditions for villages living outside of SPDC control and thereby force all villagers into military-controlled villages and relocation sites. Displaced villagers in hiding furthermore confront landmines in their attempts to cross SPDC-controlled vehicle roads. The expansion of such road networks in Karen State, along with the deployment of landmines alongside them, has heavily restricted the options for villagers fleeing SPDC attacks and abuse. Landmine placement, furthermore, makes all travel and work risky because villagers can never be sure where the landmines lie.

*"Last year, 16-year-old Naw Gay Gay Paw, from Thay Koh Der village, was killed because she stepped on an SPDC landmine. She had two siblings and she was the second child. Her elder sister was already married. She stayed with her widowed mother and looked after her. They made their living by carrying fruit and searching for vegetables. She went out to search for the betel nut for her mother, but on the way she stepped on the landmine. She was buried there so her mother didn't see her burial."*

- Naw Y--- (female, 52), W--- village, Toungoo District (April 2006)

Nevertheless, some communities in non-SPDC-controlled areas have themselves deployed homemade landmines to defend their villages from SPDC attack. In other cases civilians have said that the KNLA's deployment of landmines has served to defend them from potential SPDC attack or at least given the village community warning of military advances and a window of time in which to flee.

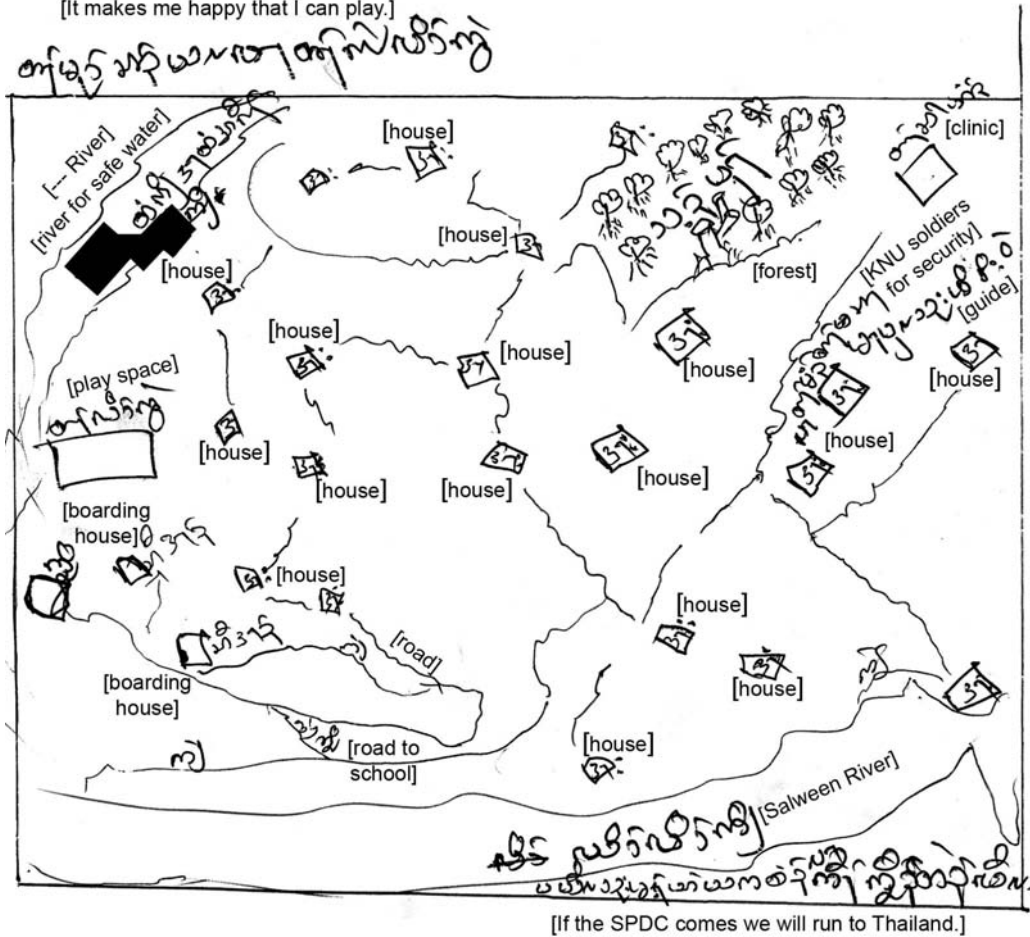
*"Here there are some landmines planted by both the SPDC and the KNU [KNLA]. But if the KNU plants landmines, they let us know and they only plant landmines on the route that the SPDC comes and if the SPDC goes back, they remove the landmines. But the SPDC doesn't remove the landmines after they are planted. And if people travel, people step on the landmines and are wounded or die. In my opinion, landmines are not good, but it is beneficial for us when the KNU plants landmines to protect us because if the SPDC comes and steps on the landmines we can hear them explode and we can run away."*

- Saw J--- (male, 40), H--- village, Toungoo District (June 2007)

### **Children's responses to violence**

Whether from landmines, direct military attacks and killings, sexual assault or other forms of torture, children in non-SPDC-controlled areas of Karen State regularly confront violent abuse despite their community's efforts to protect them. These children have expressed their worries about SPDC attacks on their homes and villages and fear for their security when they hear that soldiers are in the area. Children between the ages of 9 and 12 interviewed by KHRG in June to July 2007 using group-based activities in workshops at various IDP sites in Papun District drew maps of their hiding site and included on it the locations they felt were important. Some indicated their escape routes should SPDC soldiers approach the village or added statements that if the SPDC came to their village, they would run away to Thailand. During the workshop with the children one group said, *"to be able to have good security we must resist them,"* whilst another group said, *"If the SPDC comes, we will run and shelter in Thailand and ask the Karen soldiers to go and shoot them."* Despite their young age, Karen children learn early the meaning of abuse and in response make very political statements about resistance. In the drawing included below, one group of children drew the place where the KNU soldier takes security and guides the villagers and included the statement *"If the SPDC comes we will run to Thailand,"* but also clearly indicated their favourite play area. When they were asked if they wanted to go home to their villages, everyone said yes, but also said they were too afraid to go home until there was peace.

[It makes me happy that I can play.]



Map of an IDP hiding site along the Salween River across from Thailand drawn by IDP children taking part in a workshop with KHRG. Notice the KNU security post at the top right and the writing at the bottom right on the Thailand side of the Salween River, "If the SPDC comes we will run to Thailand." The name of a secondary river which could identify the hiding site's location has been censored. [Image: KHRG]

## VII. Child Soldiers

*"Allegations were made with evidence that over 2,700 villages were destroyed or relocated since 1996; that soldiers raped ethnic minorities; that there were [sic] widespread forced labour in Myanmar; and that child soldiers were recruited by the Tatmadaw<sup>111</sup>. Actually in Myanmar, those forcefully mobilizing children as new recruits are a handful of insurgent terrorists."*

- Official statement at SPDC press conference (Oct 2005)<sup>112</sup>

*"Prior to September [2007], the majority of [forced labour] complaints received [by the ILO] concerned public works under local administration with only a few military-related complaints and cases of underage recruitment. Since September that pattern has been reversed with the majority of complaints now being military-related and underage recruitment [child soldier] cases."*

- ILO statement on forced labour in Burma (March 2008)<sup>113</sup>

Defining child soldiers is problematic in Burma. Notwithstanding the fact that Karen conceptions of childhood generally consider those above age 13 to 14 to be no longer children, numerous international standards on the issue set the relevant age at either 15 or 18. The 1998 Rome Statute of the International Criminal Court, in specific reference to armed conflicts not of an international character, and thus applicable to the situation in eastern Burma, defines as a War Crime, *"Conscripting or enlisting children under the age of fifteen years into armed forces or groups or using them to participate actively in hostilities"*.<sup>114</sup> This includes not only children's direct participation in combat, but also their use as soldiers in other military activities and support roles, such as portering. The Coalition to Stop the Use of Child Soldiers calls for the minimum age to be raised to 18 and the 1999 Worst Forms of Child Labour Convention (ILO Convention 182) defines *"forced or compulsory recruitment of children for use in armed conflict"* as being that done to any child under the age of 18.<sup>115</sup> The Capetown Principles and Best Practices adopted by the NGO Working Group on the Convention on the Rights of the Child and UNICEF at the Symposium on the Prevention of Recruitment of Children into the Armed Forces and on

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<sup>111</sup> *Tatmadaw Kyi* is the Burmese name for the SPDC Army.

<sup>112</sup> SPDC press conference statement, 23<sup>rd</sup> October 2005, accessed at [http://www.myanmar.com/press\\_conference/2005/23-10.html](http://www.myanmar.com/press_conference/2005/23-10.html) on 23<sup>rd</sup> January 2008, in reference to the report *Threat to the Peace: A Call for the UN Security Council to Act in Burma*, commissioned by former President of the Czech Republic Vacláv Havel and Archbishop Desmond Tutu, September 2005.

<sup>113</sup> "Developments concerning the question of the observance by the Government of Myanmar of the Forced Labour Convention, 1930 (No. 29)," [GB 301/6/2]. para.26, p.6, March 2008.

<sup>114</sup> Article 8.2.(e)(vii), 1998 Rome Statute of the International Criminal Court, available online at <http://untreaty.un.org/cod/icc/statute/romefra.htm>.

<sup>115</sup> Article 3.a, 1999 Worst Forms of Child Labour Convention (ILO Convention 182), available online at <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C182>.

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Demobilisation and Social Reintegration of Child Soldiers in Africa in April 1997 defined "*child soldiers*" as any person under the age of 18 who is "*part of any kind of regular or irregular armed force or group in any capacity, including but not limited to cooks, porters, messengers and those accompanying such groups, other than purely as family members. The definition includes girls recruited for sexual purposes and for forced marriage. It does not, therefore, only refer to a child who is carrying or has carried arms.*"<sup>116</sup> This definition has since served as a common international framework and is identical in wording to that included within the Deed of Commitment signed by the KNLA.<sup>117</sup> KHRG also follows this definition of child soldiers, which covers all those less than 18 years old.

Given the above definitions, in Burma, where every aspect of life is highly militarised, all forced labour by underage children, whether they are formally enlisted into the army or not, can arguably be considered as forms of child soldiering because such work is utilised in support of the military, whether it be portering military supplies, clearing roads for military columns or building infrastructure for military advance and control. Even so, formal underage recruits into armed groups, such as the SPDC, DKBA, Karen National Union/Karen National Liberation Army - Peace Council (KNU/KNLA-PC) and KNLA are more obviously child soldiers. In Karen State, however, where individual villages often take responsibility for their own security, children may also be posted as village look-outs and may be armed. They may not be part of any formal militia and they are not considered to be child soldiers by Karen villagers, but they sometimes carry a gun while taking responsibility for village security.

*"In our village we rotated village security. Sometimes the young people also had a job to take security for the village and go to look around... Only the boys take responsibility for village security, not the girls, but for education we have the same opportunity... I needed to go and look at the situation around and sometimes needed to carry a gun. If I saw something happen then I needed to tell the older people."*

- Saw K--- (male, 23), T--- village, Nyaunglebin District (Feb 2007)

The SPDC and DKBA have systematically forced children to join the military against their will. Children have also been forced to join the KNU/KNLA-PC and organisations used as paramilitary forces, such as the Auxiliary Fire Brigade, the USDA, the *pyitthu sit* (People's Militia) and the Myanmar Red Cross. In a number of instances KHRG has also received reports of children serving in the KNLA or KNLA-organised village militias. In regards to SPDC-controlled paramilitary organisations as well as the DKBA, if a village refuses to send any of their young men for soldiering duties then they are forced to pay a fine. Some families manage to raise enough money to pay someone else to

<sup>116</sup> Capetown Principles and Best Practices, UNICEF, April 1997. Accessed online at [http://www.unicef.org/emerg/files/Cape\\_Town\\_Principles\(1\).pdf](http://www.unicef.org/emerg/files/Cape_Town_Principles(1).pdf) on February 28<sup>th</sup> 2008.

<sup>117</sup> *Sold to be Soldiers: The Recruitment and Use of Child Soldiers in Burma*, Human Rights Watch, October 2007, Appendix E.



fulfil their quota, but those families who cannot raise the money end up having to send their children.

*"The SPDC collects taxes from the villagers for alcohol and the pyitthu sit [People's Militia]. For the pyitthu sit, our village has to pay 2,000 kyat per month. This tax is collected because we don't want to join the pyitthu sit so we have to pay money and they hire other people instead of us."*

- Saw K--- (male, 44), N--- village, Thaton District (Feb 2006)

## Children in the SPDC Army

*"He [SPDC Maj-Gen Thura Myint Aung] said the committee [the SPDC's 'Committee for the Prevention of Military Recruitment of Underage Children] cooperated with UN agencies. As a result, there are only very few cases of recruiting minors. Due to the supervision of the committee, new members of the military force were systematically recruited in accord with the laws, rules, orders and directives issued. The achievements of the committee improved year after year, he said."*

- Statement from SPDC-controlled media (Jan 2008)<sup>118</sup>

*"There were over ten soldiers aged about 16-17 out of 30 soldiers. I have seen it personally. This is in battalion [SPDC LIB] #378."*

- A--- (male, 34), escaped convict porter, Papun District (Feb 2007)

Despite the SPDC's insistence that *"the Myanmar Armed Forces is a voluntary army,"*<sup>119</sup> there is continuing evidence that the SPDC Army, known as *Tatmadaw Kyi* in Burmese, obtains most of its recruits by forced and coerced conscription. Moreover, despite the supposed Ministry of Defence rule that *"anyone who wants to join the Tatmadaw must be between the ages of 18 and 25,"*<sup>120</sup> recruiting officers often prey upon children because they are far more easily frightened and bullied than adults. KHRG continues to receive reports of child soldiers in the SPDC Army who have been forced or coerced into joining and then denied permission to leave. Human Rights Watch has suggested that the SPDC's increased reliance on child conscripts stems from the inability of recruiting officers to meet recruitment quotas in the face of *"Declining morale in the army, high desertion rates, and a shortage of willing volunteers."*<sup>121</sup> Recruiting officers or non-commissioned officers (NCOs) detain boys outside schools, and other public places, and threaten them with arrest if they refuse to

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<sup>118</sup> "Committee for Prevention against Recruiting Minors into Army holds seventh meeting," *New Light of Myanmar*, January 29<sup>th</sup> 2008.

<sup>119</sup> *Union of Myanmar: The Length of Borders with Immediate Neighbouring Countries*, Myanmar Information Committee, Yangon, October 10<sup>th</sup> 2002. Accessed at <http://myanmar.tempdomainname.com/political/english.pdf> on June 26<sup>th</sup> 2007.

<sup>120</sup> Quote from Police Major Than Swe, interviewed in the article "Taskforce to Prevent Exploitation of Children," *The Myanmar Times*, November 6<sup>th</sup>-12<sup>th</sup> 2006.

<sup>121</sup> *Sold to be Soldiers: The Recruitment and Use of Child Soldiers in Burma*, Human Rights Watch, October 2007, p.5

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join the military. The child's parents are rarely even informed of their son's location, let alone asked to give permission for their enlistment into the military. Those parents who manage to find out where their children are being held are threatened by the soldiers if they try to demand their child's release.

Despite the junta's claims in the mid-1990s that it aimed to expand the SPDC Army to a total strength of 500,000 troops, recent estimates suggest the number of soldiers could be as low as 250,000.<sup>122</sup> Out of a 2002 figure of 350,000 troops in the SPDC Army, Human Rights Watch estimated that upwards of 70,000 of its soldiers were under age 18; making it by far the largest recruiter of child soldiers in Burma and, indeed, throughout the world.<sup>123</sup> Furthermore, the disparity between the actual troop strength and the intended troop strength illustrates the difficulty that army officers have had in attempting to meet the recruitment quotas which SPDC authorities have set and points to one reason why officers have continued to recruit children as soldiers.



Sixteen year old T--- had only completed grade five at school when he was inducted into the SPDC Army in 2006 and posted to Light Infantry Battalion #434's Win Maw (Wa Muh in Karen) camp in western Papun District.

He told KHRG that he was persistently abused by his non-commissioned officer (NCO), so he fled the Army in October 2006 and ended up in the care of the KNU. [Photo: KHRG]

In the past, many of those children serving in the ranks of the SPDC Army have deserted, fleeing a life of beatings, extortion, torture and hunger. More recently, however, with a greatly intensified SPDC military presence in Karen State, escape has become more difficult as deserters are more readily captured and,

<sup>122</sup> For varying estimates on the current troop strength of the SPDC Army see, for example, Martin Smith, *State of Strife: The Dynamics of Ethnic Conflict in Burma*, East-West Center Washington, August 2007, p.22; Mary Callahan, *Political Authority in Burma's Ethnic Minority States: Devolution, Occupation, and Coexistence*, East-West Center Washington, May 2007, p.7 and *Sold to be Soldiers: The Recruitment and Use of Child Soldiers in Burma*, Human Rights Watch, October 2007, p.29-31.

<sup>123</sup> *My Gun Was as Tall as Me: Child Soldiers in Burma*, Human Rights Watch, October 2002, p.3.

thus, to KHRG's knowledge, child desertions more restricted. Nevertheless, local villagers and escaped convict porters regularly report seeing child soldiers in the ranks of the SPDC Army.

*"The youngest porters were aged 14 years. The youngest soldiers were aged 15 years [in SPDC LID #88]."*

- K--- (male, 29), escaped convict porter, Papun District (Feb 2007)

In acknowledgment of the SPDC's ongoing recruitment of child soldiers, the UN Secretary General's December 2007 report on children in armed conflict stated that:

*"Furthermore, written law states that participation in the Government armed forces (Tatmadaw Kyi) is entirely voluntary and that the minimum age for recruitment is 18 years. However, reliable reports from United Nations partners indicate that forcible attempts to recruit children for Tatmadaw Kyi are still taking place."<sup>124</sup>*

The international attention paid to the regime's recruitment and use of child soldiers seems to have led the SPDC to take extra measures to deny that the practice ever takes place and to prevent children deserting, rather than abolishing the practice of recruiting children as soldiers. A KHRG field researcher operating in Karen State has reported that the SPDC has issued an order restricting child soldiers' movements in front line areas so that they cannot easily escape and report their cases to human rights groups, the UN or other international agencies. Nevertheless, current child soldiers (as well as soldiers that were recruited underage but have since passed the age requirement) do continue to escape and have been able to describe their experiences in depth. The following is one example.

*"I worked in IB #13, LID #88. My Battalion Commander's name was Htun Oo. I was a soldier and my identification mark is #----. Many soldiers in the military were the same age as me and some were younger than me. I had to attend military training in Taung Dwin Gyi. There were many 16-year-old soldiers in the training. I was happy to be in the military training because it was held in the city. I learned how to set up the guns and landmines. We had to do 'loh ah pay' [forced labour] such as rebuilding the roads and working on the farms. We were beaten by the trainers when we attended the training. There were many soldiers who tried to escape during the training because they were so exhausted. After the training, I had to go to IB #13 in Ku Muh Der and many young soldiers aged 16 and 17 years old were there. The soldiers died from malaria and diarrhoea. I didn't go to the frontline; I just stayed in the military camp and sometimes I had to take sentry duty. We*

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<sup>124</sup> "Children and armed conflict," Report of the Secretary General, December 21<sup>st</sup> 2007. Accessed at [http://www.reliefweb.int/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/EGUA-7BBTF3-full\\_report.pdf/\\$File/full\\_report.pdf](http://www.reliefweb.int/rw/RWFiles2007.nsf/FilesByRWDocUnidFilename/EGUA-7BBTF3-full_report.pdf/$File/full_report.pdf) on February 22<sup>nd</sup> 2008.

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*always put the landmines around our camp at night time and we dug them up in the morning. The other soldiers told me that when they saw the villagers and their animals they shot them all. They taught me that if I saw a girl I shouldn't have any sympathy. I escaped from them when I carried the rice sacks to Ku Muh Der camp."*

- Ko M--- (male, 19), SPDC deserter, interviewed in Toungoo District (Feb 2007)

Following international condemnation over the use of child soldiers in the SPDC Army, the regime set up its *Committee for the Prevention of Military Recruitment of Underage Children* at the start of 2004. However it seems that this committee takes as its mandate refuting accusations that the armed forces employ child soldiers and fabricating positive responses for the benefit of visiting UN officials, rather than actually working to prevent underage recruitment into the military. The SPDC-run newspaper, the *New Light of Myanmar*, quoted the chairman of the Committee, Secretary-1 of the SPDC and the country's current prime minister, Lt-Gen Thein Sein saying that "*the committee will have to heighten its efforts to convey the truth to the UN... [since] the conspirators are framing the Tatmadaw for the alleged forced recruitment of juvenile soldiers for the front lines.*"<sup>125</sup> The account of the committee's meeting then describes how each officer reported on the actions their department had taken to refute accusations of child soldiers in the armed forces propagated by "*certain big powers*" and "*destructive elements*" within Burma.

Despite the SPDC's ongoing denials, KHRG continues to receive evidence, often as direct testimonies, of the continuing recruitment (both forced and voluntary) of child soldiers as young as 11 into the *Tatmadaw Kyi* and other armed groups operating under the patronage of the SPDC. In interviews with KHRG, these former SPDC child soldiers have elaborated on the harsh conditions which young recruits face. Many have said that they were arrested or otherwise detained prior to being sent to military training camps. At this recruiting and training stage underage soldiers have been forced to lie about their age and clearly state that they are 18 years old. On being sent to the frontlines, young recruits face persistent beatings and other mistreatment at the hands of their senior officers.<sup>126</sup> Often, commanding officers steal or otherwise refrain from handing over pay and rations; which can instead be sold off for profit. Lacking sufficient food or finances with which to purchase rations, young soldiers are then pressured into stealing livestock or other food from local villagers or buying food on credit which they are unable to repay. They are furthermore not allowed to carry their guns while in camp as commanding officers do not trust their obedience. The SPDC Army demands the submission of young soldiers to military authority amidst threats against desertion and a

<sup>125</sup> "Myanmar still facing unjust accusations of child soldiers as only slanders and falsehood reach UN," *New Light of Myanmar*, February 4<sup>th</sup> 2005. Accessed at [http://www.myanmar.gov.mm/NLM-2005/Feb05/enlm/Feb04\\_h3.html](http://www.myanmar.gov.mm/NLM-2005/Feb05/enlm/Feb04_h3.html) on February 22<sup>nd</sup>, 2008.

<sup>126</sup> For more information see, *Abuse Under Orders: The SPDC and DKBA Armies Through the Eyes of their Soldiers*, KHRG, March 2001.

general climate of fear and insecurity at the frontline.

To illustrate the recruitment and use of child soldiers in the SPDC Army with one example, fifteen-year-old Ko Z--- was arrested on May 1<sup>st</sup> 2005 on his way to sit his 5<sup>th</sup> standard school examinations in Myo Thay township of Mandalay Division. The arresting officer was NCO Tin Soe from Meiktila and he arrested Ko Z--- for not being in possession of an ID card. Ko Z--- was sent to Military Training Base #7 after spending two weeks in the recruitment camp. After four months of military training and hard labour, he was posted to LIB #349 in Win Maw (Wa Muh in Karen) camp in western Papun District, under Battalion Commander Soe Tint. An extensive excerpt from Ko Z---'s interview with KHRG is quoted below:<sup>127</sup>



Fifteen year old Ko Z---, a former SPDC child soldier shown here in 2006.  
[Photo: KHRG]

***There were many recruits under 16 years old...***

"I was arrested on May 1<sup>st</sup> 2005 and they kept me in the *Su Saun Yay* [recruitment camp] for 15 days. There were many recruits under 16 years old in the recruiting camp. The NCOs at the recruiting camp sold recruits for money to Battalion companies who needed more soldiers. If a soldier runs away from his company, the Company Commander can go and buy a soldier from the recruiting camp to replace him. The Battalions paid 50,000 kyat [US \$45] for a fully aged recruit or 30,000 kyat [US \$27] for an underage recruit. Underage recruits at the recruiting camp who wanted to attend training also had to give a bribe to the recruiting camp NCO. So the NCO was paid 30,000 kyat [by a battalion] for each new underage recruit, and if you are underage you must also pay the NCO another 2,000 kyat and you can attend training.

On May 17<sup>th</sup> 2005 they sent me to #7 Army Training Camp at Taung Dwin Gyi, and I was in training there for four months. The NCO [at the *Su Saun Yay* recruitment camp] assigned me to Light Infantry Battalion #378 but when I arrived [at training] they assigned me to LIB #349. My weight wasn't enough, but I put some mud in my uniform pockets when they weighed me. The minimum weight is 80 pounds but I weigh under 70 pounds.

There were 250 recruits attending the training, including 10 child soldiers. The recruits were divided into four companies at the Army Training Camp. I saw

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<sup>127</sup> For more information on this child soldier case, see *Interview with an SPDC Child Soldier*, KHRG, April 2006.

three child soldiers in other companies who were younger than I am. They were about 13 years old. During my training time, I heard that General Kyaw Win was coming to visit our training camp and my Sergeant Kyaw Oo asked me, "How old are you?" I answered that I am 15 years old and he slapped my face. He told me I must answer 18 years old, because if General Kyaw Win asks me I must answer that I am 18 years old...

During training ten recruits tried to escape, but only four of them got away and six were recaptured. They were tortured seriously, nearly to death. They were kept locked in leg stocks, handcuffed, tied with chains, and beaten again and again every time the NCOs got drunk. The NCOs ordered them to lie down on their faces and then beat their backs in front of all the recruits. I was afraid of that so I didn't dare to run away.

Seven of us were sent to LIB #349 as soldiers: Ko Z---, M---, Z---, Z---, W---, T---, and A---. Of the seven, Z---, W--- and I have already run away. There were over a hundred soldiers in LIB #349. My Captain was Soe Win, the battalion commander was Soe Tint, and the 1st Lieutenant was Thet Khaing. The battalion commander liked to choose soldiers who could speak Karen language and who were skilled in defense. This was the first time for me to come to the front line. We started by travelling from Ma Ta Ba to Shwegyin. We came by boat on the Sittaung River from Shwegyin to Shan village. From Shan village we walked for three days to Win Maw. The battalion commander demanded six porters from every village along the way. He took six villagers, then when we arrived at the next village he demanded six more villagers and released the previous six villagers. LIB #349 controls the area around Per Lah Daw, Myeik Way, Kya In Gone and Win Maw. LIB #349 arrived about two and half months ago to replace LIB #587. The LIB #349 commander is Soe Tint, the 1st Lieutenant is Thet Khaing, Company #1 commander Bee Tah [transliteration of 'Peter'], Company #2 commander Yeh Htun, Company #3 commander Zin Oo and Company #4 commander Kyaw Zin Htaik.

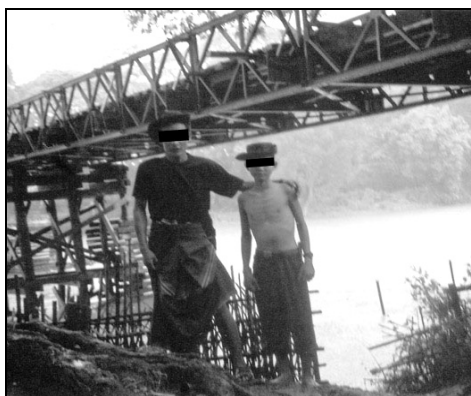
The NCOs bullied and forced the ordinary soldiers to do work all the time. They were so cruel to us. We never had time to rest, whether in the back lines or at the front line. I am angry at the SPDC's NCO soldiers and I want to kill them.

The reason I ran away from the SPDC Army is that one day when I was cooking [for his unit] Corporal Kyaw Thu called me and ordered me to carry water. I replied that if I went my rice would go soft [from overcooking] and asked someone else to carry the water. The Corporal said I was disobeying him and he punched me. I reported it to company commander Bee Tah, and he punched me too. The other reason I fled is that I never wanted to join the army, but if I had run away when I was still in the back lines I surely would not have escaped. When I arrived at the front line I decided to run away. I ran away on February 4<sup>th</sup> 2006. Now I hope I can continue to carry arms, but if that's not possible I will attend school again.

- Ko Z--- (male, 15), M--- township, Mandalay Division (Feb 2006)



When this photo was taken in August 2007, the two child soldiers shown here (left and middle) were aged 16 and 17 and were active under LID #--- in Papun District. The two children told KHRG that they were arrested and forced to attend military training then sent to the frontline where they had to guard a vehicle road from attack. When they stayed around the camp, the commander would not allow them to carry guns because he thought that the soldiers would try to desert with them. These two boys said that they stole villagers' livestock, fruit and vegetables from their plantations and hill fields because they were hungry and wanted to eat but their salary was not sufficient to buy any food. They therefore bought some food on credit from the villagers' shops but could not repay their debts because they only got a small salary and their officers confiscated a large part of it from them. They said they would like to go back to their parents but their leaders would not allow it. The interview was conducted in Papun District when the boys had temporarily ventured into a local village. As far as KHRG is aware, these two boys have not yet left the SPDC Army. [Photo: KHRG]



Both of these photos show child soldiers on active duty with SPDC LIB #--- in Papun District. They both told their stories to a KHRG researcher. The boy in the photo on the left was doing sentry duty at --- Army camp when this photo was taken in June 2004. He said he was kidnapped and forced to join the SPDC Army when he was 12 years old, and that when

he first arrived at the army camp his commanding officer pocketed a large portion of his salary and forced him to work laying stones for a nearby road project. He dared not complain for fear of being beaten. The boy on the right-hand side of the photo on the right serves with the same battalion, and was only 15 years old when this photo was taken in June 2004. Their current fate is unknown. [Photo: KHRG]



The two child soldiers pictured here (first and second from the left) in August 2007 said that they were forcibly recruited, sent for military training and then dispatched to LID #---, at the frontline in Papun District. The soldier standing on the far left and wearing a uniform is 16 years old and the soldier next to him is 17 years old. They told KHRG that now most of the SPDC soldiers are children. Their leaders keep their guns in the camps and they therefore walked into the village where this photo was taken without any firearms. They furthermore said that they fear their leaders and must do whatever they demand. They also said that their monthly salaries were not enough for them because their officers enforced various 'deductions'. These child soldiers entered the village every day looking for vegetables in the villagers' hill fields and stealing chickens; trampling the villagers' crops in the process. When the villagers' complained they said that unless they look for food, they cannot eat. Sometimes when the leaders give them a tin of condensed milk they sell it or exchange it for a chicken. [Photo: KHRG]

### ***Children as military porters for the SPDC Army***

*"LIB #219 ordered the villagers to carry their rations from Meh Prih Kee to Wa Muh. We had to carry the SPDC rations for two days. The rations came from Kyat Htoh and both men and women carried them. Many old people whose ages were above 60 and also many young children whose ages were below 15 had to carry things. We had to carry one sack of rice between two people. It was so heavy for us but even though we couldn't carry the things we dared not refuse them. We were afraid of them."*

- Daw T--- (female, 60), P--- village, Papun District (March 2007)

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Karen children continue to be used by military columns for forced and uncompensated military portering duties. They are forced to carry heavy loads of military supplies for the soldiers and given no food and little time to rest. The portering of supplies is a very risky activity because of the threat of landmines and military attacks, as well as beatings and sexual violence from the soldiers they are forced to serve. SPDC forces operating in Karen State have used children at least as young as 12 to porter military supplies. In one case from December 2006, SPDC soldiers took a 12-year-old child from his house in Noh N'Boo village, in Kawkareik township of Doooplaya District, when his parents were not there. They forced him to guide them on foot to the Gklay river, a 30 minute walk away. The child was given a bag to carry, which weighed 5 viss (17.5 lb. / 8 kg.) and was not given any pay or food. The soldiers tried to get the child to lead them further, but he refused, saying he needed to return home and do his homework.<sup>128</sup>

*"On March 11<sup>th</sup> 2007 our villagers had to go and carry things to Gkay Gkaw... We had to carry rice, boxes of condensed milk, beans, cans of fish and cooking oil and such things; many kinds of rations. All of these were for LIB #219. These rations came from Bee Lay. The villagers who went there were not over 60, but there were two or three below age 16. I didn't make any record so I don't know [exactly] how many of the boys were below age 16. Both men and women were included when we went there. There were 10 women included and the oldest was aged 35 to 36 and [women] below age 16 were also included. Each load weighed about 15 viss [52.5 lb. / 24 kg.]. Even though there were young boys and girls under age 16, they had to carry this weight even though they weren't able. They have to carry the same as the older people."*

- Saw M--- (male, 34), M--- village, Papun District (March 2007)

*"The villagers were forced to carry food supplies from Maw Gkeh Thah Bper Koh to Gk'Bpa Htah Army camp. They forced all the villagers, including children and women, to do it."*

- Saw G--- (male, 36), --- village, Nyaunglebin District (Dec 2006)

On top of the conscription of children and other villagers for portering duty, the SPDC has become increasingly reliant on large numbers of convicts brought in from prisons across the country to serve in this capacity on the frontlines. These convict porters are especially brutalised and frequently murdered when – due to overwork, under nourishment and mistreatment – they are no longer able to carry their loads. In many cases these individuals have actually committed no crime, but are instead imprisoned due to the regime's increased reliance on convict porters to carry supplies, support offensives, act as human minesweepers and supplement the forced labour of villagers, many of whom have been able to evade such abuse.<sup>129</sup> Moreover, some of them are children.

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<sup>128</sup> KHRG reported this incident in *State repression and the creation of poverty in southern Karen State*, February 2007.[0][0]

<sup>129</sup> For more information on the systematic use of convict porters see *Less than Human: Convict Porters in the 2005 – 2006 Northern Karen State Offensive*, KHRG, August 2006.

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Convicts whom the SPDC has used as porters are generally sent far away to ethnic areas where they cannot speak the local language, are unfamiliar with the local geography and will be more easily intimidated against deserting. The child convict porters who escape in Karen State are thus rarely of Karen ethnicity; coming from distant parts of the country, making return to their parents and homes especially difficult.



These two photos, taken in December 2006, show ethnic Burman former child convict porters who escaped from LIB #535 in Papun District. K--- (above left), who was 15 years old at the time of his escape is from Rangoon Division and was imprisoned for one year in Insein prison for quarrelling with his friend who had borrowed money from him. While portering on the frontline he saw other porters killed by the soldiers and learnt that the SPDC did not give medicine to porters when they became sick. A--- (above right), who was 17 at the time of his escape and also from Rangoon was sentenced to eight years in Insein prison for stealing. He was tortured by the SPDC soldiers while he carried their loads, had to labour without rest and did not have enough food to eat. As these abuses compounded to make life unbearable, both decided they could no longer endure the persecution and ran away. [Photos: KHRG]

## Children in the DKBA

*"Some children have come to live here [in a displacement site] because, in their area, the SPDC was forcibly recruiting child soldiers and they dared not live there and [so they] came to study here in a Karen area... The DKBA also forcibly recruits child soldiers under the age of 18. Some of the children came here in order to avoid forced recruitment. I haven't seen [myself] children under the age of 18 working in the SPDC organisation and also the KNU doesn't recruit child soldiers. The children below the age of 18 who have been recruited as soldiers are afraid of war and can't even carry their guns and some have stepped on*

*landmines and died and the legs of some have been mutilated. I don't want my children to be soldiers... Some children if they see soldiers, they are afraid of them because they are not used to seeing them and the guns frighten them... Some boys, when the SPDC enters the village unexpectedly and they can't run, the SPDC rounds them up and conscripts them as soldiers... Some boys were forced [to be soldiers] by DKBA as well."*

- Naw P--- (female, 19), teacher, L--- village, Pa'an District (Aug 2007)

The DKBA relies extensively on forced conscription by demanding quotas of recruits from villages. Once chosen, the only way a villager can escape is to pay a very large bribe to the relevant officer or flee the village altogether. Children are often recruited as part of these quotas. In one case from 2007, DKBA Brigade #333 Brigadier Maung Kyi summoned village heads from Bilin and Pa-an townships of Thaton District for a meeting at the DKBA base at Ohn Daw. KHRG field researchers reported that larger villages, those with 200 households or more, were ordered at this time to gather six recruits each to be soldiers; smaller villages, with 60 households or less, were told to collect two to three recruits each; and a number of other villages were ordered to gather five recruits as soldiers. Maung Kyi told the village heads that if they couldn't gather enough villagers, he would fine them 600,000 kyat [US \$540.54] for each recruit short of the quota and, furthermore, send DKBA soldiers to the villages to seize the required number of recruits themselves where they would take not only enough to meet the initial quota but would take all males under the age of 40 to serve as DKBA soldiers.<sup>130</sup> Moreover, with a shortage of available young men and the need for fathers to engage in farming for their family's survival, the initial responsibility to fill the quota of soldiers demanded sometimes falls to younger boys under the age of 18.

*"The DKBA summoned us to a meeting and told us to collect soldiers for them. They told us to return back to them after three days. But now it has already been five or six days and we haven't returned to them. They told us to collect six villagers from my village to join the military. We went to this meeting on the full moon of this month [January 2<sup>nd</sup> 2007]. In the meeting we met with Deih Bu and he said that he was ordered by somebody to inform us, the village heads. Deih Bu is a soldier of Commander Bih of [DKBA] Brigade #333. But we didn't see Commander Bih when we went to this meeting. We met only Deih Bu and Pah Mer Ler. They said that if we didn't provide them with the soldiers, they would come and catch them by themselves. There were some other villages that went to this meeting together with us."*

- Daw K--- (female, 52), Ht--- village, Bilin township (Jan 2007)

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<sup>130</sup> For more information on this incident see *The Compounding Consequences of DKBA Oppression: Abuse, poverty and food insecurity in Thaton District*, KHRG, July 2007.



16-year-old N---, a former DKBA child soldier shown here in March 2006, was captured when the KNLA attacked a DKBA camp at Meh Mweh Hta, Papun District in February 2006. N---'s father had already died, and he was living with his mother, grandmother and two siblings when the DKBA ordered him to join them or pay 50,000 kyat. He had no money, so he joined. They told him he would receive 50,000 kyat per month as salary, but he never saw any money at all. *[Photo: KHRG]*

## Children in the KNU-KNLA Peace Council

In May 2007, KHRG reported that the newly formed KNU-KNLA Peace Council, led by a splinter group of ex-KNLA officers, was trying to expand its military and put on a display of strength by recruiting Karen children from both Burma and Thailand. The group tricked and coerced young Karen boys from Mae La refugee camp and Thai-Karen villages in Tak province, Thailand, into joining the group and then prevented them from leaving. KHRG received information about five boys who were recruited by this group from Mae La refugee camp and four boys who were recruited from Thai-Karen villages on the border. Reports from the boys who managed to escape and return to their homes suggested that there were additional numbers of Karen boys who had been recruited from inside Burma. Bah Soh Gay, a commander from the KNU-KNLA Peace Council, told KHRG on May 21<sup>st</sup> 2007 that children under the age of 18 were free to join their army if they were willing and that anyone who wanted to go back to the camp to study was free to leave. However, the children's own testimonies refute this. They claim that instead they were coerced into joining and then denied permission to leave. They were also scared by threats from DKBA soldiers that they would be attacked, tortured and killed if they returned to the refugee camp. Those children who decided to return home anyway felt compelled to desert secretly.

On February 21<sup>st</sup> 2007, Saw E--- and Saw L--- left Mae La refugee camp and crossed the Moei river, which forms part of the Thai-Burma border between Thailand's Tak Province and Pa'an and Dooplaya Districts of Karen State. The two boys then arrived at Maj-Gen Htain Maung's base camp in T'Nay Hsah

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township, Pa'an District, across the river from Htee Nuh Hta village in Thailand. Saw E---, who was aged 12 at the time, volunteered to join the KNU-KNLA PC and then persuaded his friend Saw L--- to join him. Once they had joined they were given uniforms, put on sentry duty and prevented from leaving. They were also threatened that if they went back to the refugee camp the other residents would kill them.<sup>131</sup>



*"Saw E--- is 12 years old. He is my friend and neighbour and he persuaded me to go with him to get his bicycle... At first I only thought to take the bicycle but after I arrived at Htee Klo Hnee, the people caught me... Saw Eh Hser, who is a [military] official, threatened me that, 'if any soldiers go back to camp, the people in camp will kill you.' I told him that I was not a soldier and that my parents stay in the camp. He replied, 'You are not allowed to go back, if you go back and we catch you again, you will have to stay in jail'... They gave me a gun and a uniform and I stayed there about one month. They didn't order me to do anything but they didn't allow us to go outside [the camp]. In the evening*

*from 7:30 pm to 10:00 pm, I had to do sentry duty with a partner. I had to do sentry duty every night... They divided the old and new soldiers. I saw about five or six new soldiers under 18 years and I saw two of the child soldiers who were the same age as me... I heard one of the officials say, 'We have to go back and attack Mae La camp.' We would have to cooperate with DKBA and SPDC, but they didn't say the exact date. When I heard this I worried about my family so I decided to run away and inform my family... [W]hen they were not aware, Saw D--- and I ran away. We arrived at Htee Nuh Hta and crossed the river and arrived at the fields and went up the mountain way... The new soldiers there want to come back but they don't dare to come back. They worry that people will catch them again. For me, if I thought of that I would be afraid as well, I had never been a soldier before. When I was lost [missing from the refugee camp], my mother searched for me. Since I have arrived at the camp, I have had to work for daily wages with my brothers until now... The money which I get from daily wages is 60 [Thai] baht [US \$1.90], I take half and the other half I give to my mother. If I have money, I want to study and in the future I want to be a teacher."*

*- Saw L--- (male, 14), Mae La refugee camp (May 2007)*

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<sup>131</sup> For more information on this incident see *Child soldiers recruited to support expansion of the KNU-KNLA Peace Council*, KHRG, May 2007.

## Children in the KNLA

*"When I grow up I am going to be a soldier because I am unable to bear the SPDC oppression and torture of our people."*

- Saw M--- (male, 14), K--- village, orphanage resident in D--- village, Papun District (March 2007)

*"The KNU [KNLA] soldiers, when they enter the village, they don't loot or confiscate the villagers' materials or food. They just ask politely and if we have [what they ask for], we give it to them but if we don't have it, we can't give it to them. They haven't raped any ladies in the village and also they don't shout or scold the villagers when they enter the village, but every year they recruit teenagers aged 17 to 18 to participate in the KNU Army. They just come and collect politely. There is no forced recruitment and when they ask, people join."*

- Saw M--- (male, 35), M--- village, Papun District (March 2007)

Since 2003 it has been official KNU policy not to accept recruits under age 18 into its military wing, the KNLA. In 2004, Saw Ba Thin Sein, President of the KNU signed a Deed of Commitment in which the KNLA condemned *"the use and recruitment of children as soldiers"* and stated that *"We will not recruit or use in any circumstances, 'voluntary' or by force, persons under the age of 18 years under any circumstances"*.<sup>132</sup> Prior to his assassination in February 2008, former KNU General Secretary Pado Mahn Sha explained the KNLA policy on the recruitment of child soldiers to KHRG as follows:

*"Our policy is, number one, we agree with international law not to recruit child soldiers into our KNLA. That is number one; we agree with international law. Number two, we stopped in 2003 and we gave the instructions to the Army not to recruit new, not to recruit child soldiers. That is number two. Number three, [on those] who make mistakes at the frontline we will take action. We will take action, we will punish them. Number four is, we give the duty to the frontline commander to watch this policy. This is our policy."*<sup>133</sup>

In some areas the KNLA recruitment policy is to request one male of at least 18 years of age per family to serve with the Army for a period of two to three years. However, KHRG has continued to receive reports of recruitment, occasionally forced, of those less than 18 years of age into the KNLA.

*"The KNU also came and collected the new soldiers. When they come they discuss with the parents and called them [their sons]. When they came and called my brother they discussed with my mother and my*

<sup>132</sup> *Sold to be Soldiers: The Recruitment and Use of Child Soldiers in Burma*, Human Rights Watch, October 2007, Appendix E.

<sup>133</sup> KHRG interview with Pado Mahn Sha (former KNU General Secretary 1) and David Thackarbaw (KNU General Secretary 2) on August 7<sup>th</sup> 2007.

*mother let him go, but my brother didn't want to go. In a family if there are two or three sons, one has to be a KNU [KNLA] soldier."*

- Naw K--- (female, 13), H--- village, Papun District (March 2007)

*"KNLA took responsibility for village security. Sometimes people aged 16-19 joined the KNLA, but they were sent to school if they were too young. Sometimes if they had few soldiers they asked the villagers for people who feel confident to protect the village. If they don't join sometimes it's OK, but if they really need the soldiers sometimes they force them - one family, one boy. Sometimes they limit service for 2-3 years then they can come home. If there are only girls, they can work in the hospital or teach instead, something that benefits the community... Sometimes in the village my school friends went to the frontline as soldiers then came back to school."*

- Saw T--- (male, 18), L--- village, Nyaunglebin District (Feb 2007)

In other cases young males below the age of 18 volunteer to serve with the KNLA. Boys may volunteer, or wish to volunteer, in order to avenge abuses against their families, escape poverty and deprivation, seek a military career or for broader political and ideological reasons. These incentives may lead them to falsely report their own age.

*"When I am in school I still worry that the SPDC will come and shoot us dead because they shot dead my father so I worry that they will shoot me too. When I grow up I will try to be a Captain and fight the SPDC back because they shot dead my father."*

- Saw E--- (male, 12), H--- village, orphanage resident in D--- village, Papun District (March 2007)

*"Some young people under 18 years old have joined with the KNLA because the enemy [SPDC] are persecuting them and they want to resist it. If the KNLA did not protect us the Burmese [SPDC Army] would destroy our villages more and more. Some young people under 18 years old in my village were forced to join with the KNLA. Some young people didn't want to join but young people must join with KNLA too because the enemy [SPDC] comes to persecute us all the time. KNLA didn't force everyone to join with them. If people were forced to join the KNLA and their parents didn't arrange some way for them to escape from the KNLA, their parents were sorrowful about it. Young people aren't happy to join with the army because the life of a soldier isn't easy and they must sleep in the forest or in the bushes under the trees."*

- Saw K--- (male, 17), L--- village, Nyaunglebin District (Feb 2007)

*"My father died last year from appendicitis. I lived with my mother but she has not enough rice so she sent me to this orphanage. Last year the KNU soldiers bought for her one sack of rice. I am not so clever in the class. I want to be a soldier; if the SPDC shoot us I will shoot them back. My mother visited me once. I am grade two at Ht--- primary school and we have a chance to play in the paddy field. My favourite sport is caneball."*

- Saw G--- (male, 12), T--- village, orphanage resident in D--- village, Papun District (March 2007)



*"...but still some [parents] are poor and couldn't send their children to school. One of my cousins went into the KNU [KNLA] army even though he was not at legal age but he just did it for some years and then left and his younger brother has replaced him. The elder brother wasn't forced; he himself was eager to join, but I don't know about his brother, but the brother was not a student."*

- Naw L--- (female, 17), K--- village, Papun District (March 2007)

In many cases where younger boys not yet of legal age desire to enlist, the KNLA will send them to school until they are 18. KNU authorities have also told KHRG that there is no obligation following the completion of studies that these boys must serve in the KNLA, although this option would remain open to them.

*"[In the family there are] three boys and three girls but my younger brother and sister couldn't attend school even though we had a school in our village. For me, I entered into the Karen revolutionary group [KNU] and the leaders sent me to attend school."*

- Saw T--- (male, 16), B--- village, Nyaunglebin District (Feb 2008)

*"Some of the villagers who are aged 16 start to join the KNLA. At 16 the leader of the KNLA asks them to go to school and they do not start until they are aged 18... If they get married under age 18 they don't have to join the military."*

- Saw K--- (male, 23), T--- village, Nyaunglebin District (Feb 2007)

It also appears that some children may not be serving within the formal KNLA structure but rather as part of the local village security, possibly within the Karen National Defence Organisation (KNDO), which serves as the



militia/police wing of the KNU. Alternatively, villages may establish their own independent security force to monitor any approaching SPDC patrols and warn fellow villagers of potential attacks.

*"The KNU [possibly referring to the KNDO] has asked for [a total of] 13 or 14 children from their parents. But I don't know whether or not they have been able to [get all of the recruits they requested]. They asked in a peaceful manner. This happens once a year. Some are afraid to go. They have to serve in the militia in the village tract and the village tract leader came and asked these children. They are not soldiers [i.e. they are militia, not KNLA]. This year the KNU asked for two children in the whole village tract. They said these children had to become soldiers and they would have to attend training. If the children didn't go, they [KNU] couldn't ask for money [compensation from the parents]."*

- Naw K--- (female, 54), Gk--- village, Papun District (Sept 2007)

The KNU affirms that there are no underage recruits in the ranks of the KNLA, and has appeared willing to follow up any reports of underage recruitment which KHRG presents to them and take action against the officers responsible.<sup>134</sup> Furthermore, in most places, villagers have told KHRG that the KNLA does not recruit or accept child soldiers from their area.

*"Sometimes, the KNU [KNLA] soldiers have arrived in the village but they didn't tyrannize us like the SPDC, but have they occasionally asked for food from the villagers. They [KNLA] have never asked us for 'loh ah pay' [forced labour]. They also haven't asked for child soldiers from the village."*

- Saw Ht--- (male, 38), M--- village, Papun District (March 2007)

Nevertheless, villagers' testimonies from as recent as 2007 suggest that the KNLA has in some frontline areas, been unable to effectively enforce its ban on the recruitment and use of child soldiers. It may be that KNU authorities face difficulties ensuring local level compliance with the policy on child soldiers, especially in relation to the KNDO, as the recruitment practices of village militia are less firmly under the formal control of the KNU. Nonetheless, interviews with Karen villagers indicate that the children continue to play a part, however small, within the KNLA as well as within local village security forces.

*"We have some problems concerned with the collecting of soldiers, but we don't blame them [KNLA] because in the civil war we have to serve our people. They still collect students even though the law [KNU policy] doesn't allow the collection of students to be soldiers. Also there are some whose parents tried to send them [their children] to school but when the leaders said that they must be a soldier then they weren't interested to go to school and they joined the KNU soldiers group [KNLA] even though their parents didn't approve."*

- Saw P--- (male 18), orphan, D--- village, Papun District (March 2007)

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<sup>134</sup> KHRG Interview with Pado Mahn Sha (former KNU General Secretary 1) and David Thackarbaw (KNU General Secretary 2) on August 7<sup>th</sup> 2007.

## VIII. Play

*"Play is essential to development because it contributes to the cognitive, physical, social, and emotional well-being of children and youth. Play also offers an ideal opportunity for parents to engage fully with their children."*

- American Academy of Pediatrics Clinical Report (Jan 2007)<sup>135</sup>

Play is widely recognised by psychologists as a necessary part of child development. As well as promoting physical development in an enjoyable way that allows children to not only develop muscle strength, but also confidence and self-assurance in their own bodies, it also helps them to develop many social skills useful in later life. Amongst other such skills, play enables children to learn to share and work in groups; to negotiate and resolve conflicts; to manage their emotions; to improve language skills; to develop their personal identity and generally, to practice adult roles in a safe and secure environment.

<sup>136</sup> In fact, play is seen as so important for such developmental functions that it is enshrined as a universal right for all children in the Convention on the Rights of the Child.<sup>137</sup> However, due to the SPDC's aggressive campaign of militarisation in Karen State, children's play in many areas has become either so regimented that it loses its developmental benefits or heavily restricted due to a dangerous environment or the impacts of mounting military demands upon families.

### Children's play in areas under SPDC control

*"Regimented play activities can have negative consequences on the social and emotional development of a child because they are too organised and take away a child's initiative and freedom of choice."*

- Extract from a report on the value of play in children's development (2006)<sup>138</sup>

In areas under the control of the SPDC or one of its allied armies, every aspect of civilian life is regulated and militarised, sometimes even young people's games. As an illustration, in one incident in October 2006 local DKBA

<sup>135</sup> Kinsburg, K. et al. (2007). "The importance of play in promoting healthy child development and maintaining strong parent-child bonds", *Pediatrics* 119(1): 182-191, p. 182.

<sup>136</sup> For more information, see the following texts, in addition to the above clinical report: Brain, C. and Mukherji, P. (2005), *Understanding Child Psychology*, published by Nelson Thornes and Packer Isenburg, J and Quisenberry, N (2002), *Play: Essential for all Children*, Association for Childhood Education International, accessed at <http://www.acei.org/playpaper.htm> on April 4<sup>th</sup> 2008.

<sup>137</sup> Convention on the Rights of the Child, Article 31(1). Accessed at <http://www.unhcr.ch/html/menu3/b/k2crc.htm> on April 4<sup>th</sup> 2008.

<sup>138</sup> Smith, P. and Biggins, R. (2006), *The Trouble with 21<sup>st</sup> Century Kids*, SPI Play. Accessed at <http://www.api-play.org/upload/documents/document56.pdf> on April 4<sup>th</sup> 2008.

authorities in Doooplaya District dispatched order documents to 37 villages, ordering residents to participate in a rainy season football match, leaving the villagers with little option but to comply or face punishment. Every village football team was ordered to pay 25,000 kyat [US\$ 22.52] and 1 tin [16 kg. / 35.2 lb.] of rice on October 2<sup>nd</sup> 2006 and go to meet each other on October 10<sup>th</sup> 2006. In order to enforce compliance, the issuing officer threatened that *"If any teams are absent from the competition, the team must pay 100,000 kyat in cash."*<sup>139</sup> While it is not clear what proportion of participants were below the age of 18, the order document made no stipulation against the enforced participation of children in this event.

Beyond forced participation in sporting events, children's right to play in safety is undermined by the threat of violent soldiers, landmines and unexploded ordnance lying around their village and the surrounding area. Parents are often forced to leave their young children at home unsupervised because of the amount of time they have to spend doing forced labour for the military and working in their own fields to try and cultivate enough food to support their families. Often they tell their children not to go outside the house because they fear for their security in heavily militarised areas, thus children have little opportunity to play with other village children outside in a safe and supportive environment.

*"In Oh B'la [relocation site] I did not have any friends because my parents asked us to stay at home all day. They left us alone [to go to work] but worried if we went outside."*

- Naw E--- (female, 20), --- village, Papun District (Feb 2007)

The increasing impoverishment of those households living under SPDC control also means many families need their children to engage in extensive household chores while adults are out working or even take up paid wage labour in order to compensate for inadequate household incomes. Such labour, in turn, takes away from children's own time for education, as mentioned previously, as well as play. Nevertheless, many children find opportunities to play despite the amount of work they have to do to assist their family's survival. These children often find creative ways of intermingling play with work, for example, by bringing their younger siblings whom they have to care for in a sling on their back when going to meet and socialise with friends.

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<sup>139</sup> See order document #23 in *Shouldering the burden of militarisation: SPDC, DKBA and KPF order documents and forced labour since September 2006*, KHRG, August 2007, p50.



SPDC forces operating in Nyaunglebin District ordered the village of Taw Koh in Kyauk Kyi township, where these children resided, to relocate to a military-controlled site in early 2007. When this photo was taken, the children had accompanied their parents back to their former homes at Taw Koh village in order to collect supplies, such as roofing thatch, left behind when they initially relocated. While their parents collected the materials, the children found time to play together nearby. [Photo: KHRG]

## Children's play in areas outside of SPDC Control

*"In my village, children have no special games to play. We have no football to play with. I have seen a caneball and used to play with it. Most of the children have to play with dust. Children have to play with leaves and sticks in the forest in the displacement place. Children dare not play freely in the displacement places because their parents worry that the Burmese soldiers will come to them; they have to listen to the news all the time and parents have to keep their children near to them and not allow them to shout loudly. Children dare not play joyfully because they are afraid the enemy [SPDC] will come to the places where people are staying in the forest. We want to play very much but dare not to play because the enemy has come and stayed near to us."*

- Saw K--- (male, 17), L--- village, Nyaunglebin District (Feb 2007)

Children forced to flee from their village have to grow up quickly in the forest and help their parents with daily survival tasks, thereby limiting their time for play. Toys and play equipment are also scarce because families have to prioritise food and other essential items such as cooking equipment when fleeing with only the belongings they can carry on their backs. Nevertheless,

displaced children continue to devise activities for entertainment and to cheer themselves up, often drawing on the resources around them as play equipment.



This photo taken in June 2007 shows a child displaced from her village in eastern Than Daung township, Toungoo District. She cannot attend school because the SPDC burnt down her village so she is just playing with a medical glove donated by a mobile medical team. [Photo: KHRG]

Children interviewed in Ee Thoo Hta IDP camp drew maps of their villages and showed the KHRG interviewers the play areas in their village. They spoke about how playing makes them happy and many children interviewed recalled in detail the games they played when they were still in their villages.

*"I played by jumping over rubber. I never saw a football or volleyball in our village. We dug in the ground and played like that. Sometimes my friends and I wore our parents' longyi and played marriage. We cut the leaves off of the banana stalk and made a catapult gun and shot each other like soldiers. Sometimes we played 'SPDC coming!' and our parents scolded us because they feel like the children are very honest and if they say it, it will really happen. In the jungle we were not allowed to talk or laugh a lot because the old people worried that the SPDC would hear us. We just went to find fruit and fish and carry the water up the hill. Then I was very happy, I did not think or worry that our food will be gone or the Burmese will shoot us, we [friends] thought only that it's very nice to stay in the jungle."*

- Naw E--- (female, 20), W--- village, Papun District (Feb 2007)

When the SPDC attacks villages and families run away to hide in the forest, life is especially difficult for children. Often they cannot play freely because the villagers fear that any noise will alert the soldiers of their presence and help them to find their hiding site.

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*"In the village we played football, kickball and swimming. We would make a bamboo toy gun and fire fruit but if the old people saw us play like that they scolded us: "Do not play like that. It's not good for you!" In the hiding site we couldn't play, we had to stay very quiet and couldn't speak loudly. If the children cry, the other parents scold these parents. It is very difficult for the children; they cannot do anything, just sit quietly."*

- Saw N--- (male, 21), L--- village, Nyaunglebin District (Feb 2007)

*"Sometimes we played soldier games but if the old people saw us they got very upset and scolded us because they believe if you play like that the Burmese [SPDC] soldiers will come. When we were displaced, sometimes we played but sometimes we had to stay quiet. If we could not play, I used to go fishing very close to the place where we hid."*

- Saw T--- (male, 18), L--- village, Nyaunglebin District (Feb 2007)



Displaced children in non-SPDC controlled areas, like this child from L--- IDP camp in Pa'an District, shown here in August 2007, have demonstrated a strong resilience to the challenges of militarisation and found time and means to play amidst the context of insecurity. [Photo: KHRG]

Not only are children frequently unable to play in their hiding sites, they also experience extreme anxiety and fear if they are aware of the danger they are in. Everyone is fearful that their hiding place will be discovered and they will be attacked and children are all too often aware of the dangers facing them and their families.

*"Yes, we played [in the village]. We played Toh See and Dee [traditional Karen children's games] and skipping. We also played football and volleyball. But now we are in the forest and we can't play here. I was happy to live in my village because we had our house and we could play and live peacefully."*

- Naw D--- (female, 12), L--- village, Nyaunglebin District (Feb 2008)

*"In the hiding site our parents did not allow us to make songs or noise because the SPDC would hear us, so the children did not play. Sometimes we were too scared because we were too close to the SPDC so we even scolded the children who were crying. We felt scared because that was a dangerous place."*

- Saw K--- (male, 23), T--- village, Nyaunglebin District (Feb 2007)

Even when children are not displaced in the forest, they have to fear troop movements and attacks on their village. Parents may particularly restrict their

children's play when they know soldiers to be nearby the village. At these times, children are also not usually allowed to wander freely around because if they are seen by the enemy soldiers they will be attacked.

*"We have a volleyball ground, football ground and caneball ground in our school compound. Last year we always played sports but this year we rarely play because we are afraid of the SPDC and DKBA soldiers."*

- Naw H--- (female, 13), Gk--- village, Papun District (Aug 2007)



Children from M--- village in Lu Thaw township of Papun District, playing while their parents participate in a KHRG Village Agency workshop in March 2007. The children do not have any toys to play with because their parents must spend all of their income on food, so they took the earth, mixed it with water and moulded it into marbles. They then left the marbles in the sun to dry. Afterwards the children put their home-made marbles in groups of three and played a throwing game with them. [Photo: KHRG]

Despite this context of insecurity, parents and teachers in non-SPDC controlled areas have taken an active part in providing opportunities for children to play. The fact that they are willing to utilise limited resources of time and money for children's play is indicative of the value they recognise in such activity.

*"We collected some money from the school entrance fee and additional school fees. We used it for the school opening and school closing ceremonies [and] some games to make the students happy. Those children who are happy to go to school, they attend school but those who aren't happy, they don't attend school."*

- Saw K--- (male, 35), Ht--- village, Papun District (Nov 2007)

## IX. Legal framework

*"The repeated abuses committed against men, women and children living along the Thai-Myanmar border violate many provisions of international humanitarian law,"*

- ICRC Statement on SPDC violations of international humanitarian law in Eastern Burma (June 2007)<sup>140</sup>

International legal frameworks are useful in standardising approaches to disparate humanitarian and human rights crises. However, given that they are drawn up externally to the context in question, they risk misrepresenting local situations and can lead to blind spots or inappropriate responses in the development of policies for intervention. Those seeking to address the dire situation of children in Karen State should therefore seek a nuanced understanding of the situation, taking as the starting point the perspectives of children and other villagers themselves. Engaging the situation from this angle, outside actors can work to develop policies and programmes that support the strategies of children, families and communities in combating the abuses they face. International law can then serve as a tool to support the efforts that local people already employ rather than being an end in itself. While an extensive range of treaties, international customary laws and UN Security Council resolutions are relevant to the situation in Karen State, only some of the most pertinent of these relevant to abuses against local children are discussed here.

### ***Convention on the Rights of the Child***<sup>141</sup>

Burma acceded to the 1989 Convention on the Rights of the Child (CRC) in July 1991, which defines a child as *"every human being below the age of eighteen years"* unless under the laws of the country, majority is attained earlier. Under Burmese law, the 'child' is defined as being below the age of 16, while a 'youth' is defined as being aged 16 or 17.<sup>142</sup> In Karen culture, children generally transition to young adulthood at around age 14 or upon marriage if this is earlier, but since those committing the vast majority of abuses in Karen State either belong to a State party to the Convention, or a group under the patronage of this State party, which considers Karen State as being within its national boundaries, the articles and definitions contained within the Convention in relation to anyone under 18 years of age are binding.

<sup>140</sup> "Myanmar: ICRC denounces major and repeated violations of international humanitarian law," International Committee of the Red Cross (ICRC), June 2007. Accessed at <http://www.icrc.org/web/eng/siteeng0.nsf/html/myanmar-news-290607> on March 10<sup>th</sup> 2007.

<sup>141</sup> Convention on the Rights of the Child, 1989, available online at <http://www.unhchr.ch/html/menu3/b/k2crc.htm>.

<sup>142</sup> Myanmar's Second Submission to the Committee on the Rights of the Child, United Nations Committee on the Rights of the Child, June 2002, p. 14. Accessed at [http://www.unhchr.ch/tbs/doc.nsf/385c2add1632f4a8c12565a9004dc311/357a104dd2a37d04c1256e0c0037e59a/\\$FILE/G0344866.pdf](http://www.unhchr.ch/tbs/doc.nsf/385c2add1632f4a8c12565a9004dc311/357a104dd2a37d04c1256e0c0037e59a/$FILE/G0344866.pdf) on March 4<sup>th</sup>, 2007.



While officers and soldiers of the SPDC have violated almost every article contained within the Convention, in order to be concise only those rights and abuses most heavily documented in this report will be commented on here. To begin with, the most fundamental right, "*the inherent right to life*" as articulated in Article 6, is systematically violated by the SPDC in all areas of Karen State. The killing of children by SPDC Army personnel in the application of an indiscriminate shoot-on-sight policy in those areas outside of consolidated military control has been the most widespread violation of this article. The villagers' testimonies in this report<sup>143</sup> are evidence of this policy and the SPDC's persistent refusal to respect children's right to life in contested areas.

Article 24 of the Convention concerns the child's right to health and medical treatment and requires State parties to take measures to, *inter alia*, diminish infant and child mortality, ensure the provision of health care to children, combat disease and malnutrition, ensure pre-natal and post-natal care for mothers and "*strive to ensure that no child is deprived of his or her right of access to such health care services*". By confiscating and destroying civilian medical supplies and restricting the construction of non-SPDC medical clinics or otherwise razing them during village destruction, the SPDC effectively obstructs children's access to health care and totally undermines their right to "*the highest attainable standard of health*". The regime has also refused to grant permission for local and international organisations to deliver medical aid to IDP populations; both to those living outside consolidated SPDC control, as well as to many of those living in particular areas under SPDC rule. While the SPDC has allowed UNICEF to conduct vaccinations in some areas of Karen State, at the same time it has fuelled childhood disease and malnutrition by extorting families' food, money and property and charging prohibitively high fees for any kind of health care or medical treatment at SPDC clinics and hospitals.

The SPDC's confiscation of school supplies, restriction on the expansion of existing schools, imposition of entrance fees and arbitrary charges for school materials for primary education, obstruction of education by commandeering schools for military purposes and the demolition, shelling and burning of non-SPDC-controlled village schools are all in violation of "*the right of the child to education*" for which primary education must be "*compulsory and available free to all*", secondary education must be "*available and accessible to every child*" and higher education must be "*accessible to all on the basis of capacity by every appropriate means*" as enshrined in Article 28. Furthermore, the systematic impoverishment of households through exploitation by SPDC military personnel which has necessitated increased school dropouts, in addition to the insufficient provision of educational opportunities in the first place, has been a particularly egregious violation of the right to education.

State parties to the Convention are also required to protect children from sexual abuse, torture and arbitrary or unlawful detention under Articles 34 and 37. Article 37, states that "*No child shall be subjected to torture or other cruel,*

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<sup>143</sup> See Chapter VI on violent abuses above.

*inhuman or degrading treatment or punishment*" and *"No child shall be deprived of his or her liberty unlawfully or arbitrarily."* In Karen State, however, not only are armed forces under State patronage responsible for many cases of sexual abuse, torture and arbitrary and unlawful detention, they also typically go unpunished. Children are raped by SPDC, DKBA and other soldiers under SPDC patronage and are sometimes murdered after the event. Cases have also been detailed in this report which show that children are continuing to be tortured and detained unlawfully by military personnel under SPDC rule. Upon accession, the then SLORC regime submitted reservations to Articles 15 and 37 of the CRC. The regime stated that the provisions of Article 37, such as those prohibiting the arbitrary arrest and torture of children, would not be recognised as preventing the regime from exercising *"such powers as are required by the exigencies of the situation for the preservation and strengthening of the rule of law, the maintenance of public order (ordre public) and, in particular, the protection of the supreme national interest, namely, the non-disintegration of the Union, the non-disintegration of national solidarity and the perpetuation of national sovereignty, which constitute the paramount national causes of the Union of Myanmar"*; powers which could potentially include, in relation to children, *"the powers of arrest, detention, imprisonment, exclusion, interrogation, enquiry and investigation"*. Following international pressure over its refusal to recognise the prohibition against arbitrary detention and torture of children, the regime subsequently withdrew these reservations on October 19<sup>th</sup> 1993.<sup>144</sup> However, this withdrawal doesn't seem to have changed the behaviour of the armed forces in this regard, as the testimonies of this report illustrate.

Under Article 38 of the Convention, State parties are required to respect the rules of international humanitarian law (IHL) in armed conflict which are relevant to children and, in accordance with this obligation, to *"take all feasible measures to ensure protection and care of children who are affected by armed conflict"*. Furthermore the article stipulates that States parties shall *"refrain from recruiting any person who has not attained the age of fifteen into their armed forces"* and moreover that they shall *"endeavour to give priority to those who are oldest"* when recruiting those between the ages of 15 and 18. The recruitment of child soldiers is also covered in Burma's national laws which prohibit the recruitment of anyone under the age of 18 into the national army, the *Tatmadaw Kyi*. In reality, however, the SPDC, and other allied armed groups which it supports, forcibly recruit children from about age 12 upwards into their military ranks, lie about their presence there to the children's parents and the international community and by and large refuse to demobilise any child soldiers or allow them to leave on their own free will.

The SPDC and its various proxies operating in Karen State flagrantly flout both the national Child Law and the rules of the CRC; a legally binding instrument. There is currently no authority which can hold the SPDC accountable to its own laws, but they can be held accountable for their actions and commitment to the

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<sup>144</sup> 'Declarations and Reservations,' United Nations Treaty Collection, October 2001. Accessed at [http://www.unhchr.ch/html/menu3/b/treaty15\\_esp.htm](http://www.unhchr.ch/html/menu3/b/treaty15_esp.htm) on March 4<sup>th</sup> 2008.

Convention before the international community. UNICEF's commendation on Child Rights Day in November 2004<sup>145</sup> of Burma's ratification of the CRC should not mislead observers into taking this as a reflection of a change in the regime's actions on the ground. In the sixteen years since the SLORC ratified the Convention, the Army's violations of the full range of children's rights enshrined in the Convention have been continuous and widespread.

### ***The 1930 Forced Labour Convention (ILO Convention 29)***<sup>146</sup>

By ratifying the Convention concerning Forced or Compulsory Labour of the International Labour Organisation (ILO) in 1955, Burma bound itself under international law to the provisions enshrined therein. The Convention is a set of criteria under which this form of labour may be utilised rather than an absolute proscription against its use. However, one criteria within the Convention does state that *"only adult able-bodied males who are of an apparent age of not less than 18 and not more than 45 years may be called upon for forced or compulsory labour"* (Article 11). According to the Convention, forced or compulsory labour refers to *"all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself voluntarily"* (Article 1). The SPDC military violates this prohibition by regularly employing girls and boys under the age of 18 in forced labour on military projects throughout Karen State, as illustrated by the villager testimonies in the Work chapter of this report.

As a State Party to the Forced Labour Convention, the SPDC is obliged to punish as a *"penal offence"* any instance where these articles are being breached and ensure penalties imposed are *"really adequate"* and *"strictly enforced"* (Article 25). Following the SPDC's continuous disregard for the laws contained in the Convention, the ILO established a provisional one year reporting mechanism in Burma for victims of forced labour in a final effort to pressure the SPDC to honour its commitments before referring Burma to the International Court of Justice. By March 2008, after one year of use, the ILO reported that they had received over 70 submissions of forced labour claims and had reached an agreement with the SPDC to extend the mechanism for another year.<sup>147</sup> Nevertheless, while a few low level civilian officials have had cases brought against them during this time, the SPDC has diligently worked to restrict legal cases from being brought against military officials. While the ILO's March 2008 report on developments concerning the SPDC's observance of the Forced Labour Convention does list a number of instances where the Army conducted military trials and *"enquiries"* over violations of the Convention by army personnel between March 2007 and March 2008, these actions resulted

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<sup>145</sup> "Child Rights Day celebrated in Myanmar," UNICEF Media Centre, November 20<sup>th</sup> 2004. Accessed at [http://www.unicef.org/myanmar/media\\_1575.html](http://www.unicef.org/myanmar/media_1575.html) on August 29<sup>th</sup> 2007.

<sup>146</sup> Forced Labour Convention (ILO Convention 29), 1930. Available at <http://www.unhchr.ch/html/menu3/b/31.htm>.

<sup>147</sup> "ILO says forced labour increasing in the military," Democratic Voice of Burma, March 3<sup>rd</sup> 2008. Accessed at <http://english.dvb.no/textonly/news.php?id=1017> on March 6<sup>th</sup> 2008.

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in no more than a "*disciplinary reprimand*," if anything at all.<sup>148</sup> The ILO, furthermore, stated that in at least two of these cases, the "*disciplinary action as the result of Military Enquiry [was] inadequate*." On top of this, the forced labour reporting mechanism is deeply flawed, and receives far fewer submissions than there is evidence for from Karen State and other areas of the country. Most victims of forced labour are logistically unable to submit reports to the ILO office in Rangoon and unwilling to test the regime's guarantees to the ILO that it will not retaliate against those who dare to complain.<sup>149</sup>

### **United Nations Security Council Resolution 1612**

The UN Security Council adopted resolution 1612 on Children and Armed Conflict in July 2005 and shortly afterwards established a working group on the issue. The working group was given the mandate to "*review progress in the development and implementation*"<sup>150</sup> of the requirements of the resolution. As the resolution calls for an end to the use and recruitment of child soldiers and other abuses prohibited under "*applicable international law relating to the rights and protection of children in armed conflict*,"<sup>151</sup> the UN has listed six relevant, particularly egregious, violations that the resolution covers. They are as follows<sup>152</sup>:

1. Killing or maiming of children;
2. Recruiting or using child soldiers;
3. Attacks against schools or hospitals;
4. Rape or other grave sexual violence against children;
5. Abduction of children;
6. Denial of humanitarian access for children.

In June 2007, Ms. Radhika Coomaraswamy, UN Special Representative for Children and Armed Conflict, visited Burma to establish a monitoring and reporting mechanism for these six abuses. The ability of the UN to establish this mechanism was directly tied to the March 2007 inclusion of Burma on the agenda of the UN Security Council Working Group on Children and Armed

<sup>148</sup> *Developments concerning the question of the observance by the Government of Myanmar of the Forced Labour Convention, 1930 (No. 29)*, GB.301/6/2, ILO, March 2008. p.12-14. Accessed at [http://www.ilo.org/wcmsp5/groups/public/---ed\\_norm/---relconf/documents/meetingdocument/wcms\\_091341.pdf](http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_091341.pdf) on April 6<sup>th</sup> 2008.

<sup>149</sup> For more in-depth analysis of the limitations of the ILO mechanism, see *The limits of the new ILO mechanism and potential misrepresentation of forced labour in Burma*, KHRG, April 2007.

<sup>150</sup> "Security Council Establishes Monitoring, Reporting Mechanism on use of Child Soldiers, Unanimously Adopting Resolution 1612 (2005)," Press Release, UN Security Council, July 26<sup>th</sup> 2005. Accessed at <http://www.un.org/News/Press/docs/2005/sc8458.doc.htm> on March 6<sup>th</sup> 2008.

<sup>151</sup> Resolution 1612 (2005), UN Security Council, July 26<sup>th</sup> 2005. Accessed at [http://nepal.ohchr.org/en/resources/Documents/English/children/03.%20SC%20Res%201612%20\(2005\)%20Eng.pdf](http://nepal.ohchr.org/en/resources/Documents/English/children/03.%20SC%20Res%201612%20(2005)%20Eng.pdf) on March 6<sup>th</sup> 2007.

<sup>152</sup> *UN Security Council establishes monitoring and reporting system to protect children affected by armed conflict*, UN Security Council Press Release, July 2005. Accessed at <http://www.un.org/children/conflict/pr/2005-07-05118.html> on March 6<sup>th</sup> 2007.

Conflict.<sup>153</sup> This was itself only made possible by the inclusion of Burma on the permanent agenda of the UN Security Council Agenda in September 2006. The mechanism on children and armed conflict applies in Burma only to the armed forces of the SPDC, KNU, Karenni National Progressive Party and United Wa State Army. As discussed above in the section on child soldiers, the Burma country report was examined by the working group in November 2007 which cited ongoing reports of "*forcible attempts to recruit children*" into the SPDC Army.

As shown in the present report in the relevant previous chapters, members of the SPDC Army continue to violate the rights of children in all six of the areas under consideration by the Working Group on Children and Armed Conflict. The SPDC and its proxy armies have regularly killed, raped and maimed children in contested areas as well as in areas in which it already exerts *de facto* control. Child soldiers continue to operate within all armed groups in the region, with the SPDC, DKBA and para-military groups operating under SPDC control being the worst violators. Entire villages, including schools and clinics, continue to be burnt to the ground in areas outside full SPDC control and medical supplies confiscated by both the SPDC and DKBA, causing some children to die and others to suffer unnecessarily. There are continuing reports of abductions of children, particularly for forced labour purposes and child soldier recruitment, and, in the vast majority of Karen State, humanitarian actors are completely denied access. In IDP areas, humanitarian relief teams are not only banned, they have, along with the local population, confronted the regime's indiscriminate shoot-on-sight policy as a direct military obstruction to the provision of essential medical and food aid to civilians. State military forces are moreover denying the civilian population permission to travel to seek humanitarian aid and are blocking paths and roads in an attempt to prevent people from fleeing the country and seeking humanitarian relief in Thailand. In sum, the denial of humanitarian access for children in Karen State is widespread, systematic and has created a dire humanitarian crisis.

Visiting UN officials must not be deceived into accepting the regime's claims about addressing these issues as evidence of any actual change in the abusive situation on the ground. As the actions of the SPDC's Committee for the Prevention of the Recruitment of Minors for the Armed Forces demonstrates, the regime is dedicating itself to denying the accusations levelled against it and covering up abuses, rather than actually trying to prevent violations against children.

### ***Customary International Humanitarian Law***

As globally accepted rules governing the use of force in armed conflict, customary international humanitarian law (IHL), as distinct from treaty law,

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<sup>153</sup> "Press Conference of the Special Representative," Office of the Special Representative of the Secretary General for Children and Armed Conflict, June 29<sup>th</sup> 2007. Accessed at <http://www.un.org/children/conflict/pr/2007-06-29161.html> on March 6<sup>th</sup> 2007.

forms a set of prohibitions on parties to armed conflict, irrespective of their ratification of any given convention. Such rules become binding when they reflect prohibitions generally accepted as law, determined by widespread and consistent practice and a common international belief that the rule is binding. In 2005, the International Committee of the Red Cross identified 161 rules now accepted as binding under customary IHL, many of which are applicable to non-international armed conflict, such as that in Karen State and other conflict areas in Burma.

Destroying civilian food sources, attacking civilians, laying landmines in civilian areas and impeding the passage of humanitarian relief are all prohibited under customary IHL, but all are common tactics employed by the SPDC and its proxy armies in contested areas of Karen State. Article 3 common to all four of the 1949 Geneva Conventions, is a principle component of customary IHL and is, furthermore, applicable to non-international armed conflicts, and thus relevant to the situation in Karen State and other conflict areas of Burma.<sup>154</sup> In respect to "*Persons taking no active part in the hostilities*" such as civilian children, Common Article 3 explicitly prohibits, amongst other acts,

*"(a) violence to life and person, in particular murder of all kinds, mutilation, cruel treatment and torture;*  
*(b) taking of hostages;*  
*(c) outrages upon personal dignity, in particular humiliating and degrading treatment;*  
*(d) the passing of sentences and the carrying out of executions without previous judgment pronounced by a regularly constituted court, affording all the judicial guarantees which are recognized as indispensable by civilized peoples."*

As is evident in this report, however, members of the SPDC Army have continued to perpetrate such abuses irrespective of international legal proscriptions against them. While the local SPDC officers may utilise the pretext of 'counter insurgency' in its offensive against civilians in Karen State, even this deceptive terminology does not exonerate the regime's soldiers from compliance with Customary IHL as enshrined in Common Article 3 and elsewhere. The well documented cases of abuse in Karen State show that the majority of those targeted and killed are not members of any armed group, but rather local civilians, many of whom are children, attempting to evade abuse and live outside of military control.

The SPDC's continued abuse of children and disregard for the rights of children living in Karen State are in clear violation of the country's international legal obligations codified within the Convention on the Rights of the Child, the 1930 Forced Labour Convention, Security Council resolution 1612 and customary IHL. The regime's continued affirmations of support for UN treaties and

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<sup>154</sup> Geneva Convention (IV) relative to the Protection of Civilian Persons in Time of War. Geneva, 12 August 1949. Available at <http://www.icrc.org/ihl.nsf/FULL/380?OpenDocument>.

international legal measures bear no resemblance to the actual application of such law inside the country. The effective enforcement of the international legal measures and declarations listed here, when applied with a contextual understanding derived from local civilian perspectives, would go a long way in supporting Karen villagers' efforts to claim children's rights and resist military abuse against them. Given the regime's intransigence and continuing inaction on necessary measures to ensure respect of human rights in the country, however, it is unrealistic to assume State authorities will take responsibility for protecting Burma's children and live up to its national and international obligations any time soon. The responsibility to protect this population has, therefore, fallen on the international community.

## X. Conclusion

*"After I graduate school I will try to be a politician for my people... When I become a politician I will meet with the military government and talk about peace."*

- Naw S--- (female, 14), K--- village, Nyaunglebin District (Feb 2008)

Throughout Karen State and other areas of Burma, children continue to suffer the immediate impacts and long term consequences of abusive State policy. Rather than the unpredictable acts of local-level army personnel, such abuse is directly tied to a systematic policy of expanding and entrenching exploitative military rule over a dissenting civilian population. The SPDC has itself claimed responsibility for the behaviour and actions of local army personnel in Karen State and elsewhere. As SPDC Minister for Information Brigadier-General Kyaw Hsan stated at a press conference in 2006, *"In fact, the Tatmadaw is well-organized, well-trained and having an excellent chain of command and control system."*<sup>155</sup> It is, therefore, to local voices – as expressions of life under military rule – that we must turn in order to understand the policies and effects of SPDC governance.

What is evident from the testimonies of children, their parents and communities, as quoted at length in this report, is that, while particular egregious incidents of violent and other emotive military abuses against children continue, it is rather the impact of long-term structural abuse that affects a far larger number of children in Karen State. Such abuse involves a variety of actions which combine over time to undermine the lives and livelihoods of children, their families and their communities. In blatant disregard of the concerns of local people, the restrictive economic, social and political policies which SPDC authorities have imposed in Karen State and elsewhere function to ensure absolute State control over all aspects of civilian life; inhibit dissent and resistance to the military rule; and redistribute wealth from the rural poor to the military elite. Widespread and systematic abuse thus remains crucial to maintaining the system of militarisation as currently enforced under SPDC rule.

Given the different roles of children in the household and community, their greater physical and emotional vulnerability and the smaller degree of control that they are able to exert over their own lives, differences in the impact of human rights abuses are correlative to age. Irrespective of whether or not children, as such, are targeted for abuse, draconian restrictions on travel, trade and independent local initiatives; regular demands for forced labour, exploitative and arbitrary 'taxation' and other forms of extortion, combined with the often violent coercion used to enforce such governance, have severely

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<sup>155</sup> "Entire Mon State and most areas of Kayin State are peaceful, tranquil Residential people there are enjoying fruitful results of development endeavours," SPDC Press Conference, June 2006. Accessed at [http://www.myanmar.com/press\\_conference/2006/11-6a.html](http://www.myanmar.com/press_conference/2006/11-6a.html) on April 6<sup>th</sup> 2008.



undermined the health, education, and the all round development of children living in SPDC-controlled areas of in Karen State. Likewise, aggressive campaigns of forced relocation, village and crop destruction, restrictions on movement and a shoot-on-sight policy have undermined the development of those children living outside of SPDC-controlled areas.

Nevertheless, in the face of such pervasive abuse, children, their families and wider communities have not been passive victims. Rather, these individuals have actively engaged with the local structures of power to negotiate improved living and working conditions; analysed their situation and developed local initiatives to address recognised needs; evaded military efforts at control and exploitation; vocalised clear political statements and otherwise resisted abuse and claimed their rights.

Honest attempts by external actors to address the deteriorating human rights and humanitarian crisis in Burma require a clear acknowledgement of the abuse and agency of local children, their families and communities. Whether through international reporting or advocacy, direct humanitarian aid or support to indigenous organisations, external actors are beholden to listen to local voices and use such perspectives as the starting point for intervention and assistance. It is not so much pity that the villagers, and indeed all civilians in Burma, need but solidarity and an honest desire to support the strategies which they already employ to resist abuse and claim their rights.