

briefing

Burma

Visit to the Thailand-Burma border

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I. Executive Summary

“The situation in Burma is getting worse and worse and poorer and poorer in every way – in social issues, politics and human rights. The international community must put more pressure on the SPDC”. – a Burma Army defector

Burma’s political, humanitarian and human rights crisis continues to deteriorate. The military regime, known as the State Peace and Development Council (SPDC), has shown no sign of ending its policies of repression and ethnic cleansing. Forced labour, forced relocation, torture, the widespread and systematic use of rape as a weapon of war, the forcible conscription of child soldiers, religious persecution, the use of human minesweepers, the looting and destruction of homes and attacks on civilians continue. As the new General Secretary of the Karen National Union, Zipporah Sein, told Christian Solidarity Worldwide (CSW):

“Human rights violations continue – there has been no change. Every single day there is forced labour, attacks on villages, and the military tries to block villagers from getting food. We need the international community to keep the pressure on the regime”.

In May 2008, the SPDC held a referendum on a new constitution. The referendum is widely regarded as a sham, in which blatant efforts to rig the vote resulted in the regime claiming a 99 per cent turnout and a 92.4 per cent vote in favour of the new constitution, which will effectively enshrine military rule. The SPDC plans to hold elections in 2010, but it is widely expected that the elections will be rigged in a similar way to the referendum. Zipporah Sein told CSW:

“2009 is a year in which we will have to struggle a lot, before the 2010 elections. The KNU does not support the 2010 elections because we do not believe it will be a fair election. We do not think anyone should legitimise them”.

In Karen State, the Democratic Karen Buddhist Army (DKBA), an armed militia group aligned to the SPDC, has increased its military activities significantly in recent months. It is believed that the SPDC is using the DKBA to take control of areas rich in natural resources for logging and mining interests and is strengthening the DKBA to play a significant role in the elections in 2010. It is believed that the DKBA may become a border security force after 2010.

From 20 January to 10 February 2009, CSW had meetings with Burmese and international Non-Governmental Organisations (NGOs), political groups and activists in Bangkok, Chiang Mai, Mae Sot and Mae Hong Son; met representatives of Karen, Karenni, Shan, Chin, Kachin and Pa-O ethnic nationalities and visited Karen refugees and Internally Displaced Peoples (IDPs) on the Thailand-Burma border. CSW also interviewed defectors from the Burma Army and obtained eye-witness testimony to the regime’s manipulation and diversion of humanitarian aid to victims of Cyclone Nargis.

CSW calls on the international community to increase its efforts to secure meaningful change in Burma. In particular, CSW urges the United Nations Secretary-General to intensify pressure on the SPDC to abandon its plan for elections in 2010 and instead engage in meaningful tripartite dialogue with the National League for Democracy (NLD) and the ethnic nationalities, leading to a genuine transition to democracy and free and fair elections. Furthermore, CSW reiterates support for calls to refer a case against the Generals in Burma to the International Criminal Court on charges of crimes against humanity.

2. Recommendations

CSW believes the time has come to increase and intensify international pressure on the SPDC to secure meaningful change in Burma, ahead of the proposed elections in 2010. CSW therefore makes the following recommendations:

2.1. To the United Nations:

- To increase the efforts of the UN Secretary-General Ban Ki-moon, and his Good Offices, to secure the release of political prisoners and facilitate a meaningful tripartite dialogue process between the SPDC, the NLD and the ethnic nationalities;
- To continue regular discussions at the UN Security Council on the political, humanitarian and human rights crisis in Burma;
- To secure a UN Security Council resolution setting out specific benchmarks for progress which the SPDC should be required to meet, accompanied by deadlines;
- To clearly and categorically reject the current proposals for elections in 2010 and to insist on an alternative transition plan leading to a free and fair election process, inclusive of all democratic parties, monitored by international observers;
- To secure a universal arms embargo on the military regime in Burma;
- To commission an inquiry into crimes against humanity in Burma, leading to a referral of a case against the Generals to the International Criminal Court (ICC);
- To consider invoking the 'Responsibility to Protect' mechanism in regard to Burma.

2.2. To the Governments of China, India, Japan, Russia, Thailand and the members of the Association of South-East Asian Nations (ASEAN):

- To clearly and categorically reject the current proposals for elections in 2010 and to insist on an alternative transition plan leading to a free and fair election process, inclusive of all democratic parties, monitored by international observers;
- To urge the SPDC to engage in a meaningful tripartite dialogue with the NLD and the ethnic nationalities;
- To urge the SPDC to release political prisoners, introduce a nationwide unconditional ceasefire and to open all parts of the country to unhindered access for international humanitarian organisations.

2.3. To the European Union:

- To maintain existing sanctions and to strengthen targeted sanctions specifically against the Generals and their economic interests through financial sanctions on banking transactions, as recommended by nine Nobel Peace Prize recipients on 19 February 2008;
- To provide urgently needed cross-border humanitarian assistance to the internally displaced peoples in eastern Burma and the victims of famine in Chin State;

2.4. To the United States:

- To maintain current economic sanctions, and consider further targeted measures;
- To support a referral of a case of crimes against humanity to the International Criminal Court;
- To continue to lead and support initiatives at the UN Security Council.

3. Introduction

3.1. Background

Burma has been ruled by a succession of military regimes since General Ne Win seized power in a *coup d'état* in 1962. The current junta, known as the State Peace and Development Council (SPDC), has been in power since the brutal suppression of pro-democracy demonstrations in 1988. In 1990, the regime held elections which were overwhelmingly won by the National League for Democracy (NLD) led by Nobel Laureate Daw Aung San Suu Kyi. The NLD won 82 per cent of the parliamentary seats, but the regime rejected the results, imprisoned many of the elected Members of Parliament and intensified its grip on power. Aung San Suu Kyi has spent over thirteen years under house arrest and remains in detention today.

The past two years have been among the most significant, and traumatic, in Burma's recent history. In September 2007, tens of thousands of Buddhist monks and civilians took part in demonstrations calling for change, in what became known as the "Saffron Revolution". The regime responded with a brutal crackdown in which thousands were arrested and many were beaten, tortured and killed.

In May 2008, Cyclone Nargis hit Burma, and at least 140,000 people died and 2.5 million were left homeless as a result of the regime's failure to prepare the people prior to the cyclone, or to provide assistance in the wake of the disaster. In addition, the regime is guilty of the deliberate denial, restriction and diversion of aid. On 10 May, 2008 the regime held a sham referendum on a new constitution, in which it threatened, intimidated and harassed voters throughout the country into voting in favour of the new constitution which will enshrine military rule. Numerous reports have also been received of blatant vote rigging.

The SPDC is continuing a military offensive against civilians in eastern Burma, in which at least 3,200 villages have been destroyed since 1996 and a million people internally displaced. In November 2008, several hundred political prisoners were jailed, some for as many as 65 years or more. The regime has jailed over 2,000 political prisoners in total and continues to use torture on a widespread and systematic basis. Prison conditions are desperate, with poor food and hygiene and the denial of medical treatment.

Burma has the highest number of forcibly conscripted child soldiers in the world, and rape, torture and forced labour are widespread and systematic. Religious minorities, particularly Christians and Muslims, face restrictions, discrimination and persecution, and Burma is listed as a Country of Particular Concern by the US State Department Office of International Religious Freedom. In January 2009, at least 100 churches in Rangoon were ordered to close, and pastors were forced to sign documents in which they were informed they would be jailed if they resumed their activities.¹

¹ See CSW, *MPs Express Concern At Church Closures in Rangoon*, 10 February 2009 - <http://dynamic.csw.org.uk/article.asp?t=press&id=824> and CSW *Condemns Crackdown on Churches in Rangoon*, 15 January 2009 - <http://dynamic.csw.org.uk/article.asp?t=press&id=820>

3.2. About Christian Solidarity Worldwide

Christian Solidarity Worldwide (CSW) is an international human rights organisation specialising in religious freedom. With advocacy staff based in London and Brussels, CSW has partners and affiliates in the UK, USA, Australia, New Zealand, Hong Kong, India, Sri Lanka, Norway, Denmark and France. CSW has been working on human rights issues in Burma for the past twenty years, making regular visits to the Karen, Karenni and Shan ethnic nationalities on the Thailand-Burma border, the Chin on the India-Burma border, and the Kachin on the Chin-Burma border. CSW funds two orphanages in refugee camps for Karen and Karenni, supports relief for IDPs through the Free Burma Rangers and funds humanitarian projects among the Chin people.

3.3. Itinerary and Purposes

From 20 January to 10 February, a delegation from CSW, led by East Asia Team Leader Benedict Rogers, visited Thailand and the Thailand-Burma border. From 26 January to 5 February, the delegation included two CSW staff members, one CSW Trustee and two CSW volunteer representatives.

CSW had meetings in Bangkok with the British Ambassador to Burma, a former Thai Ambassador to Burma, a former senior official of the Thai Ministry of Foreign Affairs, the President of the ASEAN Inter-Parliamentary Myanmar Caucus (AIPMC), former Senator and current member of the Thai parliament, Kraisaak Choonhavan, the Thailand-Burma Border Consortium (TBBC), the Forum for Democracy in Burma, the Kachin Independence Organisation (KIO) and the Chin Human Rights Organisation (CHRO). In Chiang Mai, CSW had meetings with the Shan Women's Action Network (SWAN), the Burma Relief Centre (BRC), EarthRights International (ERI), the Human Rights Education Institute of Burma (HREIB) and the Free Burma Rangers. In Mae Sot, the delegation was hosted by Partners Relief and Development, and visited refugees and IDPs. CSW also had meetings with the Karen National Union (KNU), the Karen Human Rights Group (KHRG), the Burma Lawyers Council (BLC), the Democratic Alliance of Burma (DAB), Human Rights Watch and the Human Rights Documentation Unit of the National Coalition Government of the Union of Burma (NCGUB). In Mae Hong Son, CSW met representatives of the Karenni National Progressive Party (KNPP) and the Pa'O Peoples Liberation Organisation (PPLO). The purposes for the visit were:

1. To obtain first hand, up-to-date information and evidence of human rights violations and political developments in Burma;
2. To assess existing CSW-sponsored projects and future needs;
3. To express solidarity with the oppressed and persecuted peoples of Burma.

4. Human Rights Violations

Forced labour, the use of landmines and torture continue to be widespread and systematic, and CSW obtained recent testimonial evidence of these and other human rights violations through interviews with IDPs and defectors from the Burma Army. CSW also interviewed one eye-witness to the aftermath of the Cyclone Nargis and the regime's diversion and manipulation of humanitarian aid.

4.1. Internally Displaced Peoples (IDPs)

CSW visited a camp for IDPs inside Karen State, on the banks of the Moie River. Troops from the Democratic Karen Buddhist Army (DKBA), an armed militia allied to the regime, are located one hour's walk from this camp, and Burma Army soldiers are two hours' walk from the camp. Since October 2008, over 200 people from 60 new families have arrived in the camp, with more than 20 families from Takreh Township, Pa-an District, fleeing increased DKBA activity. As a result of the significant increase in the camp population, there is an urgent need for assistance, particularly for rice, fishpaste, salt, sardines, cooking pots, blankets, mats and mosquito nets.

The Secretary of the Karen National Union (KNU) in Takreh Township, two days' walk from the IDP camp, was visiting at the time and described to CSW the situation in his area. He said that since October 2008, when the DKBA captured the area from the KNU, many villagers have been forced to flee two particular townships, Takreh and Lupler, due to increased activity by Burma Army forces and troops from the DKBA. Currently the Burma Army troops are three hours' walk away, but DKBA troops are located in the township. The DKBA is engaged in logging and mining in the area and has forcibly relocated several villages, burned houses and laid landmines at the entrances to villages. Many villagers are forced to provide labour for the mining and logging businesses and have to provide their own food while doing forced labour. Semi-precious stones have been discovered in the area, and the DKBA and SPDC are particularly interested in gem mining. According to the Takreh Township Secretary, only men are forced to do mining work, but women are forced to build military camps for the DKBA and SPDC. DKBA soldiers loot chickens, pigs and other livestock and food from the villagers. Htee Per Wah, Htee Per Kee and Kawlawlu villages are particularly affected and the villagers forced to flee. At least a dozen homes in Htee Per Kee and Kawlawlu villages have been burned. Many villagers fled into the jungle, carrying just blankets and small pots. While many villagers escaped, some were prevented from fleeing by the military, and others have chosen to remain on their own land. Some have been killed or injured by landmines, especially as the DKBA and SPDC force villagers to walk ahead of them as human minesweepers. No hospital treatment is provided, and at least one villager has died as a result of landmine injuries. Another villager has lost one leg. The Township Secretary said: "The people in my area face many difficulties. Please let people know, and please put pressure on the SPDC so that our people can go back and stay in their own villages in freedom. Please ask foreign countries to put pressure on the SPDC to build peace in Burma". Regarding the DKBA, the Township Secretary said: "The DKBA is Karen. They have Karen hearts and Karen blood. Only their leaders get rich from the SPDC, but the junior soldiers just receive orders from their leaders. They only fight us because of the orders they have. The SPDC uses the DKBA like a stick to beat us".

A school teacher in the IDP village said: "We don't fight the Burmans, we fight their policies. We can be friends with them. We can be brothers. Please pray for the regime more than for the Karen people – pray for them to change their policies and change their hearts".

CSW interviewed the following recently-arrived IDPs:

4.1.1. Interview with Mr A, aged 40, from Htee Per village, Takreh Township, Pa-an District

“I arrived two days ago. In October, DKBA and SPDC came to my village, so I fled into the jungle. My house was burned down. Everything was burned. When the DKBA had gone, I returned to my home following the attack, to see whether any of my livestock or property remained, and I stepped on a landmine laid by the DKBA outside my house. My relatives carried me for an entire day to the nearby town for medical treatment, and during the journey I lost consciousness. After receiving medical treatment, I decided to come here, with my wife and four children. I travelled for two days through the jungle, using crutches. I felt unable to stay in my own village. With only one leg, I cannot walk well and so it is better to come here. I worry a lot about my future. I feel safe here, but I would like to go home when the situation is better. I really want all the people of Burma to have peace and freedom. If there is no peace and freedom, I cannot go home”.

4.1.2. Interview with Ms B, age unknown, from Htee Per Kee village, Takreh Township, Pa-an District

“I arrived here in October 2008. I came with three families from my village, and with several children, my two daughters-in-law and my four-year-old grandson. The DKBA forced me and all the other villagers to move to a relocation camp in October, and they burned my house and all my possessions. I don't know why. When we were in the jungle, the DKBA accused us of helping the KNLA. They wanted us to be in relocation camps so that they could control us. In the relocation camp I was unable to collect rice, because there were so many landmines in the area, so I had to leave the rice in the rice field. If I wanted to leave the relocation camp, I had to get permission from the DKBA commander and pay 10,000 kyats for three days. I was not allowed to take any food with me whenever I left the relocation camp, because they suspected I was giving food to the KNLA. It was not possible to stay there and survive, so I came here. Even though we followed the DKBA's orders, they still did bad things to us. I have had to flee many many times. This time will be my last. I hope my children and grandchildren will have a better life, and a chance for education, in the future”.

4.1.3. Interview with Mr C, aged 27, from Htee Per village, Takreh Township, Pa-an District

“I arrived here yesterday, with my wife, and one son and four other families – about 30 people. The journey should only take two days, but it took one week. I left my village because the DKBA set landmines close to the village, and so I could not go out to walk. The DKBA forced me to work for them, carrying mining equipment. Sometimes the DKBA soldiers hit me and pointed their guns at me, if I did not want to work for them. I felt afraid. Other villagers are still waiting in the village, waiting for the situation to enable them to leave. They are always watched by the DKBA. They face many problems. They are often asked to walk in front of DKBA because of landmines, and they don't want to go. Sometimes DKBA beat them. After coming here, I feel safer and free. I can move around freely, without fear of being forced to be a porter. Mostly it was DKBA, but sometimes SPDC and DKBA patrolled together. DKBA soldiers are very bad. We did nothing to them, but they have a very bad mind towards the people, and they have guns”.

4.2. Defectors

Morale in the Burma Army is widely believed to be extremely low, especially among the junior ranks, and, according to one source, in the past four months at least 5000 Burma Army troops have deserted, been wounded or died. Some have gone into hiding within Burma and others have fled to the border areas. CSW interviewed five defectors, all of whom provided information on the SPDC's policies, including its nuclear programme, drugs and human rights. The testimony of one defector is included below:

4.2.1. Interview with a former SPDC soldier, Lieutenant A, aged 24

"I left the Burma Army on 23 March 2007. I joined when I was 17, after passing Grade 10 and had an opportunity to join the Defence Services Academy (DSA). I sat the entrance examination in Mathematics and English and passed. Then I sat the Officer Testing Team (OTT) exam, which I also passed. Following a medical check-up, which I also passed, I began three months basic training. Then I was officially approved as an Officer Cadet, and spent three years on the Cadet Training programme before becoming a 2nd Lieutenant. From that point on, I experienced military life. After a year, I became a Lieutenant, and I understood how bad the military is. I was sent to Karen State and saw the imbalance, the discrimination, between the upper and lower ranks in the military. I also saw a lot of incidents of oppression of civilians. I served in Light Infantry Battalion (LIB) 339, headquartered in Hlaing Bwe, under South-East Regional Military Command. It is the SPDC's policy that every battalion should make money in order to support themselves, and so some battalions own land for income. LIB 339 owned 100 acres of paddy agricultural land, but had no manpower to harvest it, so villagers were commanded to work. Each villager from about ten nearby villages sent their cows and buffalo for ploughing. Whenever we went to the frontline, we ordered villagers to serve as porters. I did not like these things happening, and I tried to avoid being involved. I saw there was discrimination by the SPDC towards the civilians.

"My last operation post was in Tarley Mo, opposite Maetan. I fell in love with a Karen girl from a nearby village, and the battalion commander was not happy. He did not allow me to continue a relationship with a Karen girl. That was why I deserted. When I returned to my battalion headquarters in Hlaing Bwe, I left my base at 9am and arrived at Myawaddy at 5pm, I hired a motorbike, and from Myawaddy I crossed to Mae Sot in Thailand. I contacted my girlfriend and she came to pick me up. Then I had to go into hiding. For a whole year, I was in hiding in Thailand, working as an illegal worker. Then on 13 April 2008 I went to a refugee camp. I married my girlfriend in the refugee camp.

"When I joined the army, I thought I would serve my country. But I witnessed discrimination, and experienced it myself, and that is why I left. I am a Burman, from Momywa, in Sagaing Division. The army told me that my girlfriend is from a different nationality, and that it is impossible for me to be with her. They were interfering and oppressing me personally, and I felt very disappointed. I believe other soldiers have the same feeling as me, but they are denied their individual choices and they are forced to obey the SPDC.

"The Burma Army regards the DKBA as its proxy, but the KNU is its enemy. The Burma Army is always trying to eliminate the KNU and to destroy the Karen people. They want to eliminate anyone who belongs to or supports the KNU. They see anyone who opposes them as insurgents.

"The Burma Army uses child soldiers. In my battalion, out of 200 soldiers at least 35 were aged sixteen or below. Some said they were sixteen, but they may have been forced to lie about their age. They looked very young. At least three soldiers in my company were

seventeen. Some had been forcibly conscripted. One guy from Karenni State told me that his village had been ordered to send a certain number of villagers to join the military.

“The SPDC has a plan to develop nuclear weapons. Every year, some soldiers are sent to Russia to study nuclear science, and I heard that there are two places where there is a plan to establish a nuclear reactor – one in Mergui Division, and the other between Wetwon and Pyin Oo Lwin. At the DSA, one of the specialised subjects offered to selected students is nuclear technology.

“If I was returned to Burma, I would be jailed for more than twenty years, or possibly executed. I dare not contact my relatives, as they could be charged under Law 17/1, referring to contact with illegal organisations, which carries a three year prison sentence, or Law 17/2, involvement in the opposition, which carries a seven year sentence. I want democracy in Burma, and respect for ethnic rights. The situation in Burma is getting worse and worse and poorer and poorer in every way – in social issues, politics and human rights. The international community must put more pressure on the SPDC. The international community should support the democratic opposition and the ethnic nationalities before the 2010 elections. The SPDC is trying to do many bad things before the elections”.

4.3. Post-Cyclone Nargis situation

CSW interviewed a Burmese Christian lawyer who had been involved in organising the delivery of humanitarian assistance to victims of Cyclone Nargis in the Irrawaddy Delta in 2008 and had also participated in the Saffron Revolution in September 2007. She fled Rangoon in July 2007 because she feared arrest, but returned twice to Rangoon to continue efforts to provide assistance to the cyclone victims before finally fleeing again to the Thailand-Burma border. She had received two warnings from the SPDC for working in the Delta without permission. Following her participation in the pro-democracy protests in September 2007, her lawyer’s licence was not renewed. She had taken part in one march, and had also given juice and water to the Buddhist monks who were demonstrating. In December 2007 she applied for the renewal of her lawyer’s licence, and in February 2008 she was informed that the renewal had been denied. She was not given any explanation.

She told CSW of her experience attempting to take relief supplies into the Irrawaddy Delta: “On 31 May, a friend and I took a pick-up loaded with thirteen rice bags, each one 50kg, noodles, salt, clothing and twenty packs of water, each pack containing twelve one-litre bottles. When we reached a check-point at the bridge at the junction of the road to Tonte and the road to Daydaye and Laputta, we were stopped by two police officers. They asked me what the supplies were for, whether they were donations for relief, and I said yes. They asked if I had permission. I told them the supplies were for the labourers on my fish farm. They told me the supplies were too many, and that I could only take half the amount. I paid 20,000 kyats (approximately \$10) ‘tea-money’, and they let me through. We distributed the supplies. Then we drove back to Rangoon. At 5pm, on our way back to Rangoon, we found a long line of cars, at least 50, standing still at the check-point. We were stuck in the line until 11pm. A Captain came to us and I asked him what the problem was. He told me he had instructions from his senior officers to take our driving licences and tax certificates. He took my driving licence, and removed the tax certificate from the vehicle, and then told me to follow him. We went to the Insein Government Technology Institute (GTI), where we saw at least 100 cars in the compound. I was told to write down my name, address, driving licence number and other details, and then at around midnight I was allowed to go home by taxi. The next day I was told to go back to the compound, and pay 30,000 kyats (\$25) for the release of my car”.

In July 2008, she returned to Rangoon, and took part in another relief effort. On one occasion, when she was taking a supply of rice into an area near the Hlaing Tha Yay industrial zone, she was stopped by the USDA Township Quarter-Master, who asked who had given us permission. “I told them I did not know I had to have permission, and I apologised. I had to pay 10,000 kyats”.

She also told us that many relief supplies provided by the UN and other international agencies had been stolen by the authorities and were being openly sold in the market. “Rice sold in the markets is now known as ‘Nargis Rice’. It is the same for fishpaste, salt, tinned fish and mosquito nets”.

As an anecdotal example of the regime’s diversion of aid supplies, she told the delegation that the wives of several Generals went to the airport to check the UN containers of relief. “A Major-General’s wife chose one container and said ‘This is mine’. It contained biscuits and other food supplies. She got into a fight with some other Generals’ wives over who could have the container”.

The authorities have taken children who were orphaned or separated from their families as a result of the cyclone and used them for fundraising purposes. “They take the children around and force people to make donations, supposedly for the orphans. But then they take the money themselves and do nothing for the children”.

It will take at least five years to rebuild the affected areas, and, in her estimation, only one-third of the international relief has reached those who need it, while two-thirds has been stolen by the authorities. “I visited one village, Ohn Pin Chaung – which means ‘Coconut River’ – in Bogalay Township, in October. The people there told me: ‘We have nothing. We have only received two rice bags from a Singaporean Baptist Church!’”

5. Political Developments

No one who spoke to CSW has any confidence that the regime’s proposed elections in 2010 will be remotely free, fair or inclusive of all democratic parties. Furthermore, no one has any trust in the new constitution for Burma, introduced following the referendum in May 2008. As one KNU leader told CSW, the delegates in the National Convention which drafted the constitution were almost entirely handpicked by the SPDC, and the “fraudulently rigged” referendum result in which the regime claims 92.4% voted in favour of the constitution cannot be taken seriously.

Under the new constitution, even if there is an elected civilian government, the military has the power to seize direct control and declare a State of Emergency, and 25 per cent of the parliamentary seats will be reserved for the military. Moreover, a 75 per cent majority in parliament is required to amend the constitution, making future reform almost impossible. The KNU and KNPP, among other groups, will not participate in the elections in 2010 and urge the international community to focus attention on increasing pressure on the SPDC to enter meaningful dialogue. Pro-democracy and ethnic groups have consistently stated their desire for dialogue, but as one KNU leader told CSW: “Until the SPDC declares its willingness to negotiate, we cannot see it as a dialogue partner”. The KNU’s objectives remain: “self-determination and ethnic equality; genuine democracy; and a genuine federation”.

The DKBA, a proxy militia working with the SPDC, has significantly increased its military activities, particularly in eastern Pa’an district and north-eastern Doooplaya district. Sporadic clashes between the DKBA and the KNLA have increased in recent months, as part of what one analyst described as the regime’s effort “to eradicate the KNLA and KNU ahead of the

2010 elections". The DKBA has been actively recruiting new soldiers, and it is believed they now have 4,000 troops. There is speculation that the DKBA could become a border security force, officially approved by the regime, after 2010. There are also reports that the DKBA may adopt SPDC insignia. In addition, the DKBA and the SPDC are working together to secure land for mining and logging interests. On 2 January, DKBA soldiers crossed the border from Karen State and attacked the KNLA Battalion 103 from Thailand. It was reported that the DKBA also forced Thai Karen villagers in Thailand to guide them. When the KNLA resisted the attack, the DKBA troops fled, but burned a number of Thai homes on the way. DKBA also reportedly fired on Thai soldiers and later claimed they thought they were KNLA. The DKBA have also been threatening Nu Po refugee camp just across the border in Thailand.

In Karenni State, the SPDC appears to be using a 'softer' approach, according to the KNPP. Forced labour continues to be used, but is less widespread than in previous years. In some areas local authorities have organised football matches, festivals and given money to local villagers. Some people from relocation camps have been officially permitted to return to their home villages, although they have had to promise that there would be no armed conflict in their surrounding areas and that if the Karenni armed resistance initiates any attacks, the whole village will be held responsible. A KNPP spokesman told CSW he believes the 'softer' approach is due to the elections in 2010, and that the regime is using bribes and other approaches to secure votes.

6. Conclusions

The crisis in Burma is one of the world's worst human tragedies, and one of the most under-reported. It is essential that the international community does not forget the events of 2007 and 2008. Taken together, the regime's response to the Saffron Revolution and Cyclone Nargis and its behaviour during the referendum, combined with the recent severe prison sentences imposed on dissidents, clearly indicate the true nature of the regime's character, policies and attitude. In the words of one KNU leader, "The fascist military regime is the source of all problems in Burma. They hate even the monks, and even their own people".

There are some in the international community who argue that, since Cyclone Nargis, space for humanitarian aid has opened up and that international pressure should be eased. However, even if the SPDC has eased some restrictions on humanitarian aid since Cyclone Nargis, it clearly did so only as a result of international pressure. The threat of invoking the principle of "Responsibility to Protect" combined with the stationing of British, French and American naval vessels off the coast of Burma and the intense diplomatic efforts of the UN Secretary-General and ASEAN succeeded in convincing the SPDC to ease restrictions on access for aid and aid workers. Unless such international pressure is maintained, the SPDC is likely to tighten restrictions at some point, perhaps after the 2010 elections. It is therefore incumbent on the United Nations Secretary-General, the Security Council, the United States, the EU and ASEAN to step up efforts in 2009 to engage the SPDC in substantial dialogue, accompanied by increased pressure. An intensification of diplomatic efforts, alongside increased economic and political pressure, and the provision of more humanitarian assistance, both inside Burma and through cross-border initiatives to the IDPs, is urgently required. Furthermore, the international community should clearly and categorically reject the regime's proposed elections in 2010, and instead urge the SPDC to enter into a meaningful process of tripartite dialogue leading to free and fair elections and a genuine transition to democracy.

For further information, please contact Benedict Rogers, East Asia Team Leader at CSW, on ben@csw.org.uk or visit www.csw.org.uk