



SWAN

Shan Women's Action Network Newsletter

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Pooling community talent to oppose the sham 2010 election



"The upcoming November 2010 election, which is based on the 2008 constitution, is just changing the appearance not the substance of the government. The Burma Army want to continue their grip on power, but they want to become a legitimate government. The 2008 constitution will ensure that power stays in their hands," says Shan scholar Khuensai Jaiyen at the start of a new CD produced by border-based community groups and distributed in different areas of Shan State.

The new Shan language CD "Lerk Tang 2010 am mee sang jang lek lai" (2010 elections will bring no change) is a compilation of modern and traditional songs, poems and interviews. They cover different themes in Shan State – human rights, the environment, culture, drugs, education – all reflecting how the upcoming election will bring no positive change to people's lives.

Many activists, well-known singers and artists collaborated to produce the CD. The theme song "2010 election" is

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composed and sung by famous singer Sakaha (of the band Freedom's Way), and illustrated with clips of the uprisings in Burma, army brutality and Than Shwe's daughter's lavish wedding.



Another song by Sai Aye Lek, with a catchy "hip-hop" refrain, describes how giant hydropower projects are destroying Shan State's beloved rivers. Most of the electricity is being sold to Burma's neighbours, while the local people in Shan State still use candles instead of electricity. Clips of the Salween, Mao, and Teng rivers are interspersed with images of dams and bright city lights in neighbouring countries.



Renowned cartoonist Harn Lay not only contributed numerous cartoons satirizing the election, but also a short animated film "The Wizard of Naypyidaw," showing Wizard Than Shwe handing over his broom to a "civilian" successor, who thinks he will get to fly on it, but ends up having to sweep up the debris – skulls, bones, nuclear waste – left by his predecessor.

"The CD was a great collective effort," said SWAN coordinator Hseng Moon. "Everyone was strongly motivated to share the truth about the election with people in Shan State."



MESSAGE FROM SWAN

As the November 2010 elections approach, the regime is doing away with any pretence that the process will be free and fair. It has locked up all dissenters, and is taking all measures to ensure that its puppet party, the Union Solidarity and Development Party (USDP) will win.

Yet, surprisingly, there are still many who are claiming that the elections are an "opportunity" and a first step towards a gradual change to democracy.

We wish this was the case. Unfortunately, all signs indicate that the situation will worsen after the election, particularly in the ethnic areas. The regime is gearing up for a military confrontation with the ethnic ceasefire groups that have refused to come under their control as Border Guard Forces. Instead of heeding their appeals for political negotiation, it has been mobilizing troops, and building new road and rail links to bring tanks and artillery to the front lines.

This will plunge northern and eastern Shan State into renewed civil war, causing local populations to face the same patterns of systematic abuse and displacement that have been occurring for the past few decades in southern Shan State.

At the same time, the regime has been signing a rash of new deals with foreign investors, to build more giant hydropower dams and mines in Shan State. These projects will all require large-scale military deployment for security.

In other words, the Burmese generals are digging in for the long term in Shan State, and we have only further civil war, militarization, displacement and environmental degradation to look forward to after the elections.

Finally, we wish to remind those who see the elections as an "opportunity" not to forget the Shan State political leaders languishing in prison. This includes the ailing 74-year-old Sao Hso Ten, serving a 104-year sentence, who was recently transferred to four different prisons within a week, ending up in the remote Sittwe Prison in Arakan State. The move was apparently a warning to his organization, the ceasefire Shan State Army North, to conform to the order to become a Border Guard Force.

Such deliberate cruelty confirms that the power-holders in Burma are as unscrupulous as ever, and have no intention whatsoever of bringing about democratic change in our country. □

Patterns of sexual violence and impunity continue in Shan State

It has been over 8 years since the publication of our joint report *Licence to Rape*, documenting the systematic sexual violence carried out by Burma Army troops in Shan State between 1996 and 2001.

In the past few years, we have worked with other sister organisations in the Women's League of Burma to issue reports and briefings on continuing cases of sexual violence throughout Burma, but have not published any recent overall numbers of cases in Shan State. This has led some to conclude that the situation for women in Shan State has improved.

We only wish this was true. The number of Burma Army battalions has been steadily increasing in Shan State, with troops given ongoing licence to secure control over local populations at

all costs. This means that women and girls continue to live in fear of assault during their daily lives, whether in their homes, fields or on their way to market.

We have compiled some of the rape cases that have been reported over the last two years to show that the same patterns of sexual violence that we exposed 8 years ago are still evident. For sure, these cases are only the "tip of the iceberg" as most women and girls remain afraid to disclose incidents of rape, for fear of retribution from their rapists and censure from their communities.

Most of the rapes continue to be carried out by officers, usually in front of their own troops. Almost half of the cases are gang rapes. Over half are girls under 18, several of whom were killed. The rapes were committed by perpetrators

from a range of different battalions, not from a single "rogue" battalion. These are very similar to the patterns that we exposed in *Licence to Rape*.

Finally, and most importantly, in the recent cases no legal action whatsoever has been taken against any of the rapists. In other words, there is still complete impunity for sexual violence by Burma Army troops. This is the main chilling fact that is instilling fear among women and girls throughout Shan State.

That is why the sham 2010 election, based on the 2008 constitution which keeps the military outside the law, provides no hope of peace and safety for our people. The Burma Army's "Licence to Rape" is set to continue.

Date	Age of girl/woman	Case details	Perpetrators	Legal action
Jan 17 2009	18	Raped when troops stayed at her house	Capt of SPDC IB 277	None
July 26 2009	13	Raped while detained for one night	Officer of SPDC 515	None
Aug 5 2009	16	Raped while tending cows; other soldiers stood guard	Corporal of SPDC LIB 313	None
Aug 9 2009	19	Gang-raped, while husband was tied up	Capt and 5 soldiers of SPDC LIB 514	None
Aug 21 2009	19	Gang-raped while working in farm	Capt and 5 troops of SPDC LIB 333	None
Sept 8 2009	14	Gang-raped and killed	Police sergeant and colleagues	None (Police accused and tortured innocent villagers to deflect blame)
Apr 24 2010	13	Gang-raped and beaten to death while tending buffaloes	4 ex-soldiers from SPDC IB 67	None
July 24 2010	30	Raped while at home alone	Soldier from SPDC IB 524	None
Aug 7 2010	17	Raped	Soldier from SPDC LIB 569	None

*Note: SPDC = State Peace and Development Council, the current Burmese military regime
(L)IB = (Light) Infantry Battalion*

Struggling to be legal in Thailand

Without access to asylum, hundreds of thousands of Shan refugees have been forced to become migrant workers in Thailand. Some have been able to obtain legal work permits, but many have not, for lack of funds and other reasons. However, recent Thai regulations now require all migrants to go through a “national verification” process at the Burma border, to obtain a temporary passport that will enable them to continue working in Thailand.

Due to fear of revealing personal histories to Burmese authorities and confusion about the process, only about 70,000 migrant workers from Burma had completed the process and obtained the temporary passports by April 2010 (out of over 1 million registered workers from Burma). The original deadlines have thus been extended, but meanwhile raids and deportations have been carried out to pressure migrants to go through the process.

SWAN interviewed a Shan refugee woman who had obtained a temporary passport. She fled from Shan State seven years ago because of Burma Army abuses in her village. She is currently working on a farm near Chiang Mai, and has had a work permit since 2006. She is a single mother with a young son.

This national verification process has been very confusing. I heard people saying so many different things. Some had paid a lot of money to agents to get passports and then been cheated. Some people warned me the Burmese authorities would make trouble for my family inside Burma, and demand money from them. Even my employer told me not to bother. But I worried that I would not be able to travel around legally in Chiang Mai, so I decided to do it.

I made an application in July 2009 through some agents in Chiang Mai. I had to pay 4,800 baht. My employer advanced the money, and he deducted 1,000 baht each month from my salary. I then had to wait one year before hearing anything further. It made me worried, but fortunately I did not hear any bad news from my home in Shan State.

Finally a few months ago, the agents took me to the Tachilek-Mae Sai border. They arranged a translator for us, since I and many others didn't speak Burmese, (we were lucky, because some other brokers charged an extra 500 baht for translation) and then the Burmese authorities asked us about our family information. Those with no Burmese ID cards had to pay 300 baht, and had to wait longer. As for me, I had ID, so I had to pay 70 baht. Then we



Photo: MAP

were taken into Tachilek to be fingerprinted. I was really afraid because I didn't know what they would do to us. I remembered the brutal behaviour of Burmese soldiers in my village. Also I can't read or write. It took a long time. We had to go to different places. There were lots of people waiting in line. But finally I got my passport.

When I got back to Chiang Mai I had to report to the local immigration office. I had to go back to my brokers and pay 100 baht to get a form. My employer wrote it for me, and I took it myself to immigration. After 90 days I had to report again, so I took my young son to fill out the form for me. If you can't

fill it out, you have to pay 50 baht at the photocopy shop for them to fill it out for you.

After going to immigration, I had to go to the Labour Department to pay 1,450 baht to allow me to work for two years. I wanted to ask about getting a health check, but I saw them shouting at other people, so I didn't dare. Right now, I don't know what health care I am entitled to under this passport.

I'm glad I now have a legal document, but I worry for my young son who doesn't have any ID. I've tried many times to get him some documents, but was cheated each time. □

Hastening climate change in Shan State

People throughout Burma were shocked earlier this year by photos of Shan State's iconic Inle Lake reduced to vast expanses of parched mud. The images were broadcast widely until the regime banned all mention of the dried-up lake, presumably afraid of its impacts on the country's famed tourist destination.

While this year's drought has been attributed to a number of factors, many in Shan State are convinced that widespread logging in the Shan hills over the past few decades is largely to blame.

The people of Keng Tawng in southern Shan State have first hand experience of this. Their area, out of bounds to foreign tourists, used to be famed for its natural beauty. The fertile Keng Tawng valley is nourished by the Nam Teng River, which flows from Central Shan State through densely forested hills down to the Salween River. South of Keng Tawng, the river forms a massive waterfall, the largest and most famous in Shan State.

However, following a massive scorched earth campaign in 1996-1998, which uprooted most of the rural population of Keng Tawng and surrounding areas, the regime began moving in large numbers of troops, and securing the area for exploitation of the local resources.

Since 1999, the regime has granted concessions to seven main logging companies in the Keng Tawng area, including the infamous Asia World, run by notorious drug trafficker Law Hsing Han. New roads from Keng Tawng were also built to facilitate transport of logs from the area.

The result has been clear-felling of vast expanses of some of the last remaining teak forests in Shan State. Ironically, at the same time local people are being forbidden by forestry officials to cut



*Above: original beauty of Kengtawng falls
Right: in April 2010*



Photo: SYP

down even a single tree. Public signs are posted along the main highways saying: "Cut one tree: 3 years in prison."

Villagers along the Nam Teng River have started to feel the effects of the deforestation. The river has been falling to unprecedented low levels in the dry season, and in the rainy season are experiencing floods of far greater severity than ever before.

In September 2004, 6 villages in Larng Khur, south of Keng Tawng, were completely submerged for two weeks when the Nam Teng burst its banks. This had never before happened in living memory.

The situation has worsened since the building of a major hydropower plant just above the Keng Tawng waterfalls. The 54 megawatt project was started in 2001, and completed in December 2008, with Chinese investment. The power from the project goes mainly to a huge iron factory funded by Russian

and Italian investors near Taunggyi, and to the local Burma Army bases. Few local people have access to electricity.

This year, for the first time ever, the mighty Keng Tawng falls were reduced to a narrow cascade, causing deep sadness and resentment among the local population.

Dispossessed of their homes and fields for over ten years, and forced to suffer continual Burma Army expansion and abuses, the people of Keng Tawng are now facing the loss of even their natural environment. Sadly, this pattern is being repeated throughout Shan State.

With continued logging of the remaining forests, and with numerous giant hydropower dams planned on the Salween and other major rivers, the environmental crisis is set to worsen significantly. □

Pushed back - again

With civil war and oppression continuing in Shan State, thousands of refugees have continued to flow into Thailand each year. However, unlike Karen and Karenni refugees, the Shan are not recognized by the Thai government, and are denied access to refugee camps in Thailand. As a result, most refugees from Shan State have been forced to become migrant workers. About 6,000, including vulnerable populations of children, elderly and disabled, have ended up sheltering in five camps just inside the Shan border.

In May 2005, 68 families in the IDP camp of Loi Tai Laeng, on the northern Mae Hong Son border, were forced to dismantle their houses and pushed back across the border, directly into an area that had recently been heavily shelled by the regime's allies. In May 2007, 91 new refugee arrivals in Loi Sarm Sip camp, opposite Chiang Mai province, were ordered by the Thai military to move 500 meters deeper inside Shan State. The reason was not because they were on Thai soil, but their houses were "too easily seen"

from the Thai side of the border. They were given only 5 days to move, even though the rains had already started.

Thai and international media published critical reports of these push-backs, and the Thai Senate Foreign Affairs Committee urged more humane treatment of the Shan refugees. However, despite this, the push-backs have not ended.

At the end of December 2009, the Thai military once again ordered sections of Loi Tai Leng IDP camp to relocate into Shan State. They gave until the end of January 2010 as the deadline to move the nursery and primary schools, boys' orphan dormitory, clinic, temple and other houses off Thai soil. (In fact the exact demarcation of the boundary, as in other areas along the Thai-Burma border, is still in dispute.)

This meant that some of the most vulnerable members of the camp -- 300 primary students and 80 nursery students -- faced eviction from their school buildings, while 100 orphans lost their dormitory.



Temporary shelter for orphaned boys after relocation

The refugees in these "Internally Displaced Persons" (IDP) camps lead a precarious existence. The camps are located on remote mountain tops, under the protection of Shan resistance forces, which puts them directly in the firing line of periodic attacks by the Burma Army and its allies. Scarcity of water and agricultural land makes day-to-day survival difficult.

Sadly, the vulnerable situation of these IDPs has not warranted tolerance from Thai authorities, who have claimed that sections of these IDP camps are intruding on Thai soil, and ordered them to be relocated deeper into Shan State.



Children still attend primary school at old location

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Failed War on Drugs takes its toll on Shan youth

Recent UNODC reports show that opium cultivation and methamphetamine production are increasing in Shan State. The Burmese regime's failure to curb drug production is attributed by Shan analysts to the Burma Army's reliance on taxation from drugs, as well as its policy to allow numerous proxy local militia to deal in drugs in exchange for policing against resistance activity.

The increased availability of drugs has meant rising rates of addiction among local communities. A young woman from a village in Murg Ton, close to the Thai border, recounts a tragic incident arising from this increase in addiction.

Over the past 6-7 years, more and more people in my village have been taking *ya ba* (Thai slang for methamphetamines, meaning "crazy drug"). Our village is close to several refineries controlled by armed groups, and also near to trafficking routes to the Thai border. This means there is a lot of *ya ba* around, and it is quite cheap. The local Burma Army soldiers don't take any action against the traffickers or the addicts.

Taking drugs does not only affect the users, but also affects their whole family, especially children. There was one case I will never forget. It involved one of my relatives. He was only 14 years old. His name was Sai Wan.

Sai Wan's parents were both addicted to *ya ba*. They had been taking it for several years. They were poor wage-labourers, mainly working on other people's farms, or fishing and selling fish in the market. The little income they earned, they mostly spent on drugs.

more and more addicted to *ya ba*. Sai Wan had no money, and couldn't even afford toothpaste, so he used washing detergent to brush his teeth. In the end he could not bear the hardship any longer. His parents returned home late one night and found that Sai Wan had hung himself in his room.



Woman smoking methamphetamine through water in a plastic bottle

There was hardly any money to buy food, clothes, or other necessities for Sai Wan. Sometimes he had only one meal a day. Sometimes he had to beg for food from neighbors. He had spent only two years at school, because his parents couldn't afford to keep him there. He tried looking for work, but was not successful. He even went to Thailand with some friends when he was 11 to find work, but it was too difficult so he returned home.

As time went by, his parents became

The event shocked everyone in our village. The authorities finally took action against the father, blaming the suicide on his addiction. He was sentenced to 20 years in prison. But the mother was not arrested. She is still addicted to drugs.

There are many other incidents that have happened in our village because of addiction. There have been husbands killing their wives, and some addicts have gone mad. It is really destroying our community.

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Even though the camp committee and Shan community groups tried to lobby the Thai authorities, they were not successful. The dormitory and teachers' houses have already been moved, but as the new classrooms have not yet been finished for the nursery and primary students, they are

still being permitted to walk to their old school and use the old buildings. However, since the primary school kitchen was destroyed together with other houses, the cooks have to cook lunch at the secondary school, 1 kilometer away, and carry it on foot to the primary school every day. This

is especially difficult during the rainy season.

It is highly regrettable that the Thai authorities have chosen to inflict further suffering and hardship on this displaced community, instead of exercising greater tolerance in accordance with humanitarian principles. □

Campaigning with regional networks to protect shared natural resources



Left: SWAN members joined villagers from both sides of the border conducting a ceremony to protect the Salween River, on the International Day of Action for Rivers on March 14, 2010. The event was held on the river bank at the Thai-Karen State border. As a result of local opposition, the Thai Prime Minister has asked for a review of the plans to build the Hagi Dam on the Salween in Karen State.

Right: In early 2010 there were critically low levels of water in the Mekong River. Impacted communities, including SWAN, presented at a regional forum on the Mekong Water Crisis on April 1, 2010, at Chulalongkorn University in Bangkok. Dams on the Mekong in China have been blamed for the crisis.



Left: Members of the Campaign Action Coordination Team joined a seminar on “The impacts of overseas investment in large-scale resource extraction projects in Burma and the role of ASEAN” on September 18, 2010, in Bangkok. SWAN presented on Thai investment in the Murg Kok coal mine in eastern Shan State. The recommendations from the seminar were presented during the ASEAN People’s Forum in Hanoi the following week.



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