



Pushed back into the flames

**The urgent need for protection of Shan refugees
as the Burmese military regime fans the flames of war
in Shan State**

The Shan Women's Action Network

September 2005

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Released by the Shan Women's Action Network

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SWAN is a network of Shan women active in Thailand and along the Thai-Burma border. Its mission is to work for gender equality and justice for Shan women in the struggle of social and political change in Burma through community based actions, research and advocacy. SWAN is a founding member of the Women's League of Burma (WLB), an umbrella women's organization comprising twelve women's groups from Burma.

For further information see website: www.shanwomen.org

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Background

In September 2003, SWAN issued a report entitled "Shan Refugees: Dispelling the Myths." The report identified common myths in Thailand and among the international community which were hindering efforts to gain recognition of Shan refugees in Thailand.

Regrettably, the situation for Shan refugees has not improved since the publication of the report. Shan refugees have continued to flow into Thailand, mainly from areas of Central and South Shan State where the Burmese military regime has carried out a massive forced relocation program since 1996. It is estimated that well over 200,000 Shan refugees have fled to Thailand during the past nine years.

Unlike the Karen and Karenni from Burma, the Shan continue not to be recognised as asylum seekers in Thailand and are not provided safe refuge and humanitarian assistance. Unable to seek refuge, they are forced to either live in hiding as illegal persons along the Thai-Burma border, or seek work as migrant workers, in low-paid, low-skilled jobs such as construction workers, farm workers or domestic workers. The absence of refuge and services particularly impacts on the more vulnerable Shan asylum seekers such as pregnant women, children, elderly and disabled persons who are unable to fend for themselves in the jungle or on work sites. The Shan asylum seekers in Thailand live in precarious situations as they live in constant fear of being arrested and deported to Thailand, where they face ongoing persecution in the forms of torture, rape and death on their return to Burma.

Meanwhile, various developments in Shan State and along the Thai-Shan border during 2005 have caused a worsening security situation for villagers inside Shan State as well as for refugees sheltering along the

Thai-Shan border. These necessitate an urgent review of the policy towards Shan refugees in Thailand.

Deteriorating security situation inside Shan State

Arrests of Shan political opposition leaders

In February 2005, the Burmese military regime arrested 30 Shan opposition leaders inside Burma who were peacefully advocating for political reform. Those arrested include Khun Htun Oo, the leader of the Shan Nationalities League for Democracy,⁴ which won the majority of seats in Shan State in the 1990 election, who remains in prison till today. These arrests are a clear sign that the regime has become increasingly intolerant of any political dissent, and is ruling out any possibility of a peaceful negotiated settlement with Shan political representatives.

Pressure on ceasefire organizations triggering renewed conflict

Ten main ethnic resistance groups in Shan State have had ceasefire agreements with the military regime, most of them since 1989. However, since April 2005, pressure by the regime has caused the surrender of the Palaung State Liberation Army⁵, and several battalions of the Shan State National Army (SSNA),⁶ both in Northern Shan State. However, the majority of the SSNA have chosen to resume active armed resistance rather than lay down arms without any political concessions. Other ceasefire groups are now facing similar pressure to surrender.⁷

⁴ United Nations Documents: 2005/... *Situation of human rights in Myanmar*, E/CN.4/2005/L.29 11 April 2005

⁵ Myanmar Information Committee, Yangon ; Information Sheet No. D-3312(I), April 30,2005

⁶ Myanmar Information Committee, Yangon ; Information Sheet No. D-3333(I), May 21,2005 & N0. D- 3334(I), May 22,2005

⁷ Declaration of the Shan State National Army, 0018/2005, May 21, 2005

It is thus evident that the regime is now embarking on a policy to neutralize or wipe out all the ethnic ceasefire groups in Shan State. As one group has already chosen to resume armed resistance as a result, there is an increasing likelihood that other areas of northern and south-western Shan State that have formerly been under ceasefires could become active war-zones again, with the regime employing similar scorched-earth tactics as in Central and Southern Shan State.

Increasingly aggressive divide-and-rule tactics

The regime has long sought to pit ethnic armies against each other in Shan State. In particular, it has authorized the expansion of territories of the United Wa State Army (UWSA), in southern Shan State to counteract the influence of the largest remaining resistance group, the Shan State Army – South (SSA-S). As a result of pressure from the regime, in April 2005 the UWSA launched a large-scale military offensive against the headquarters of the SSA-S, on the Thai-Shan border. The month-long offensive failed to dislodge the SSA-S, but resulted in heavy casualties, and bombardment of a nearby camp of over 1,800 displaced Shan at Loi Tai Laeng.⁸ Although no fighting has resumed at this site since April, further hostilities are expected in the coming months, after the end of the rainy season.

Purges as a result of the declaration of an independent Shan government

In April 2005 some Shan exiles declared the formation of an independent Shan government, namely, the Interim Shan Government (ISG) . This has led the regime to force people throughout Shan State to rally against the ISG, and to harass and arrest people it suspects of supporting the ISG.⁹ This led to about 500 refugees fleeing from the township of Laikha alone in May 2005.

Increased intolerance of Shan refugees along the Thai-Shan border

In May 2005, the Thai military ordered the pushback of over 400 Shan refugees, including 208 orphans, sheltering just inside the Thai border at

⁸ <http://hrw.org/english/docs/2005/05/27/burma11034.htm>

⁹ Myanmar Information Committee, Yangon, Information Sheet No. D- 3328(I) May 16, 2005

Loi Tai Laeng, northern Mae Hong Son province. These refugees formed part of a camp of over 1,800 refugees who had been sheltering in this location since 2000. The area into which they were ordered back had only recently been heavily bombarded in April 2005 by the UWSA, and was therefore clearly unsafe. Despite appeals from Shan civil society groups and the international community, 68 refugee families were forced to relocate back across the border in early June 2005. They, together with the other refugees at this location, remain in a position of extreme vulnerability.

Urgent need for recognition of Shan refugees in Thailand

These recent developments necessitate an urgent review of the policy towards Shan refugees in Thailand. As the situation continues to deteriorate inside Shan State, it is certain that more refugees will be fleeing to Thailand. However, the recent pushback at Loi Tai Laeng indicates increased intolerance on the part of the Thai authorities towards Shan refugees. Crackdowns and deportations of undocumented migrant workers have also escalated since the beginning of September 2005, following the deadline for registration of migrant labourers in Thailand. Thus, we urgently appeal for a review of the Thai policy towards Shan refugees.

We reiterate our earlier demands to the Thai government

- To give protection to Shan civilians along the Thai-Shan border by allowing them to cross the border in to Thailand, provide adequate documents for Shan asylum seeker and access to refugee camps and the UNHCR.
- To allow Shan asylum seekers access to humanitarian aid agencies based in Thailand.
- Not to deport Shan asylum seekers, particularly women, into the hands of the Burmese military. ■

