

Appendix to the ICBL 2010 UPR Submission on Myanmar

This appendix demonstrates a pattern of abuse spanning more than a decade. It contains specific information on instances of forced labor mine clearance that have been documented in annual Landmine Monitor reports from 1999 to 2008.¹

A Karen village woman told the Karen Human Rights Group (KHRG) in June 2008 how the Myanmar Army's LIB #343 forced her and others to carry supplies to the Gk'Hee Gkyo military camp in Hpapun township despite their initial refusal because of the mine danger. On 9 June 2008, one porter was injured by a landmine and died the same day after the military insisted on taking him to the camp instead of a hospital.²

The Free Burma Rangers (FBR) reported that in March 2008, villagers from Mawko village were forced to walk in front of Army road building equipment, by which one villager was injured after stepping on a mine and was sent to Tantabin Hospital.³ In January 2008 that villagers living near the road between the Busakee and Ler Mu Plaw Army camps (between Hpapun and Thandaung townships) faced almost daily Army demands for labor as minesweepers, road-clearers, and porters.⁴ Also in January, a man who was captured and forced to porter for the Army escaped and ran into the jungle only to step on a landmine. He was discovered and treated by Karen National Union (KNU) medics.⁵

The KHRG reported in February 2007 that the 66th Light Infantry Division forced 274 people from 13 villages to cut back vegetation and clear mines along the Kler La-Buh Hsa Kee road in Karen state.⁶ In June 2007, an Army unit allegedly forced people from a village near where a KNLA attack took place to guide them as they laid mines.⁷ In July 2007, a villager forced to serve as a guide for an Army unit escaped after a soldier stepped on a landmine.⁸ Also in July, two people were injured by landmines in the Kler La area of Toungoo district while being forced to carry rations for the Army. They were reported to be part of a contingent of 100 villagers from Kaw Thay Der and Klay Soe Kee villages who were forced to walk in front of soldiers from the Army's 566th Light Infantry Brigade while carrying rations to a new army camp at Po Baw Soe.⁹ In December 2007, eight people were injured while repairing a fence around what appears to have been a minefield laid by the military at the base of an electrical transmission pylon.¹⁰

The KNU has made the following allegations: On 5 January 2007, government troops forced villagers to clear landmines between Thapanchaung and Htee-lo in Toungoo district with bullock carts. One of the carts was destroyed and two people on it killed when it struck a landmine; On 16 January 2007, also in Toungoo, the Army's 68th and 69th Infantry Battalions forced villagers from Play-hsa-lo, Yeh-lo and Plaw-baw-doe to go in front as landmine sweepers; On 15 February 2007, two Kaw-thay-doe villagers were injured when their truck detonated a mine while clearing the road; On 13 March 2007, in Mergui district, a Kaungmon villager was injured by a landmine while on forced labor for the Koethehlu Army camp; On 16 April 2007, in Nyaunglaybin district, three villagers were injured when a porter stepped on a mine near the Army camp in Kweedeko.¹¹

The KHRG reported several instances in 2006 of the Army taking prisoners during counter-insurgency military operations and forcing them to clear mines.¹² In May-June 2006 the Army allegedly forced 850 people from 12 villages to walk ahead of troops as minesweepers along the Toungoo-Mawchi road in Karen state.¹³ In July the government's Military Operations Command 16 reportedly forced villagers from Muthey village in Karen state's Kyauk Kyi township, to check a local road for mines.¹⁴

A former porter for the Army in Shan state, interviewed in April 2006, said Army troops ordered porters to sweep the soldiers' sleeping places for landmines and that one porter detonated a landmine, losing a leg.¹⁵

On 5 February 2005, Light Infantry Brigade 439 was alleged to have conscripted two villagers to walk ahead to clear any mines on the Toungoo-Mawchi road. Another brigade operating further south on the same road allegedly conscripted villagers to carry loads ahead of them to clear mines on the road between Kaw Thay Der and Busakee, resulting in one 15-year-old casualty.¹⁶

In mid-November 2005, military authorities ordered labor from 20 villages on the Sittaung River plains to clear forest growth from both sides of a road between Shwegyin and Kyauk Kyi in Karen state. This 50 kilometer section of road was known to have mines placed along its berms by both the SPDC and KNLA in the past. To avoid the landmine hazard associated with clearing the brush, many of the villagers fled their homes.¹⁷

In three films released in 2005, former porters described how they were forced to clear mines for the army.¹⁸ A report by the Karen Human Rights Group in March 2005 alleged that SPDC patrols required members of the People's Militia (Pyitthu Sit) to "guide" them in areas suspected of being mined by the KNLA. It also reported that the Army asked villagers along the Kler Lah-Bu Sah road to clear the edges of the road and to harvest vegetables and wood from surrounding shrubbery, despite the presence of landmines in the area.¹⁹

On 5 February 2005, Army Light Infantry Brigade 439 is alleged to have conscripted two villagers to walk ahead to clear any mines on the Toungoo-Mawchi road. Another brigade on a southern extension of the same road allegedly conscripted villagers to carry loads ahead of them to clear mines on the road between Kaw Thay Der and Busakee, resulting in one 15-year-old casualty.²⁰

A report published by the Karen Human Rights Group in September 2004 revealed many cases, which took place in previous years but had not been reported, of people forced to sweep roads for landmines, or do military portering in mine-affected areas.²¹

In mid-2003, a community leader witnessed people dragging a tree trunk by ropes ahead of a unit of Army soldiers in order to detonate landmines on a path outside Papun town in northern Karen state.²² During a major offensive launched by the Army against the KNLA in August 2003, an increasing number of people fleeing forced portering and forced minesweeping entered Thailand. A prisoner taken for military portering stated, "On our trip from Mae Pleh to the Burmese Army base I saw many dead porters from stepping on landmines. This scared me and I did not want to end like this."²³ He fled in the night after being told he would be made to clear landmines the following day. Other porters who fled from the same military operation tell of numerous casualties both in the military and among the porters. Photographs of people killed by landmines, allegedly while portering, were provided to Landmine Monitor.

In an interview broadcast by BBC radio in September 2003, a man told his story of being forced to walk in front of Army units and being left for dead after he detonated a landmine. Cattle traders found him and smuggled him to Thailand, where he received treatment for his injury.²⁴ In the October 2003 military assault by the Army on the KNLA's 7th Brigade Headquarters, 300 prisoners were forced to serve as porters and human minesweepers, according to some who later escaped and fled to Thailand. They said at least three of the porters died from landmine blasts during the

assault.²⁵

In November 2002 in northern Karen state, villagers claimed they had to send two new people each morning to check puddles with their hands for landmines. They said that the military used villagers to sweep for mines rather than equipment because this would deter the rebels from laying them. In the same area in November and December 2002, villagers reported having to roll drums of tar for six to eight miles a day along a roadway to trigger any mines.²⁶

On 10 January 2002, 300 more prisoners from Mandalay, Pyay, Insein, Toungoo, and five other prisons were sent as porters to the SPDC military offensive in Karen state. Only 75 returned to the prison alive; 150 died outright, 50 were maimed and sent to hospital, the others escaped. Those who died are reported to have perished from either malaria, in battle or after being used as human minesweepers.²⁷

According to a survey of Burmese refugee camps in Thailand conducted by the International Rescue Committee and the US Centers for Disease Control in August 2001, more than 7% of interviewed refugees identified being "forced to walk on minefields" as a source of trauma in their lives.²⁸

On 21 April 2001 in Tennaserim division, three prisoner porters, Aung Hsan Nyunt (22-years-old), Maung Maung Than (26-years-old) and Ko Hsan (20-years-old), were allegedly forced to walk in front of the soldiers in suspected mined areas. They were later killed during a firefight between the Army and a guerrilla group.²⁹ In Papun and Nyanglebin districts of Karen state, civilians were reportedly seized during counterinsurgency operations by the Army and used as human minesweepers.³⁰

A former porter who escaped from Army service told Landmine Monitor that he was forced to seek mines using a long, sharpened bamboo prod, piercing the ground and removing any found mines by hand.³¹ In September 2001, during a military operation the Army allegedly seized 40 villagers in Thaton district and forced them to work clearing landmines in this manner.³²

In January 2001, villagers from 12 settlements near the Thai/Burma border crossed into Thailand seeking refuge, after having been ordered by a military commander to clear a jungle area for a bulldozer to make a road. The area was believed to have been heavily mined by the KNLA.³³

During the year 2000 incidents of atrocity demining were repeatedly documented by the KHRG.³⁴ In response to a US Labor Department report on forced labor, the SPDC replied, "The allegation that children are used as human minesweepers and shields is too absurd and ridiculous to dignify a response."³⁵ There were new reports of human minesweeping in late 1999 and early 2000: in Karen state in the Dooplaya district,³⁶ south of the Karen state capital Hpa-an,³⁷ during military assaults on Shan State Army positions near Tachilek in Shan state,³⁸ and during the operations against God's Army camps in the Tenasserim Division.³⁹ Danish doctors interviewing

Burmese refugees in Thailand in 1998 and 1999 received numerous reports of human minesweeping.⁴⁰ The Tatmadaw regularly seized people from villages and forced them to march ahead of the military in areas suspected of being mined by the ethnic armed forces.⁴¹ Amnesty International expressed concern about this practice as far back as 14 years ago.⁴² Burmese Nobel Laureate Daw Aung San Suu Kyi, has said that "in many cases it has been claimed that they are

used as human mine-sweepers, they go ahead of the troops so that if there are any landmines, those landmines will blow up under them and therefore they clear the way. So [forced] portering is one of the most feared things in Burma. People lose their health and even their lives if they are taken to do a stint of portering.”⁴³

The following international organizations or entities have also expressed concern over allegations of forced labor mine clearance:

The **International Labor Organization** in its March 2007 “Report of the Committee of Experts on the Application of Conventions and Recommendations: Observation Concerning Forced Labour Convention,” expressed concern over allegations of civilians in Myanmar being forced to carry or remove mines against their will, some of whom suffered “mutilations and violent deaths occurring during mine-clearing operations.”⁴⁴ In May-June 2005, the International Labor Conference 93rd Session, “Report of the Committee of Experts on the Application of Conventions and Recommendations,” noted with concern the number of people taken into forced labor, particularly by the military, who have suffered “mutilations and violent deaths occurring during mine-clearing operations.”⁴⁵ In July 1998, the International Labor Organization, “Forced Labor in Myanmar (Burma),” documented a large number of cases of forced laborer (porters) being used as human minesweepers.⁴⁶

In 2007, the **International Committee of the Red Cross (ICRC)** reported that “under the prison system set up by the government, every year thousands of detainees have been forced to support the armed forces by serving as porters. This institutionalized and widespread practice has frequently led to the abuse of detainees and exposed them to the dangers of armed conflict.”⁴⁷

In March 2010, the **UN Special Rapporteur on the situation of human rights in Myanmar** described “reports that civilians are forced by the military to clear brush in suspected mined areas or to serve as porters for the military in areas where there is a mine hazard. According to sources, civilians have been ordered to remove mines without training or protective equipment or to repair fences of mined areas, which have caused serious casualties.”⁴⁸ The previous year, the UN Special Rapporteur described as “particularly worrying” the “reported practice of human minesweepers, whereby civilians are forced by the military to clear brush in suspected mined areas or to serve as porters for the military in areas where there is a mine hazard. According to reports, civilians have been requested to remove mines without training or protective equipment, or to repair fences in mined areas; serious casualties have been reported.”⁴⁹

Landmine Monitor has also documented allegations of forced labor mine clearance by non-state armed groups in Myanmar.⁵⁰

¹ See: *Landmine Monitor Report 2009*, p. 1036; *Landmine Monitor Report 2008*, pp. 948–949; *Landmine Monitor Report 2007*, pp. 801–802; *Landmine Monitor Report 2006*, pp. 862–863; *Landmine Monitor Report 2005*, pp. 683–684; *Landmine Monitor Report 2004*, pp. 942–943; *Landmine Monitor Report 2003*, pp. 942–943; *Landmine Monitor Report 2002*, p. 630; *Landmine Monitor Report 2001*, pp. 942–943; *Landmine Monitor Report 2000*, pp. 942–943; *Landmine Monitor Report 1999*, p. 452. Multiple and sometimes contradictory spelling for place names exist in Myanmar, and Landmine Monitor has used the spelling as provided by its informants, which sometimes differ from those used by the ruling authorities.

² KHRG, “Mortar attacks, landmines and the destruction of schools in Papun District,” 22 August 2008, www.khrg.org.

³ FBR “As Thousands Suffer the Effects of Cyclone Nargis, Villagers Suffer Continued Brutality by the Burma Army

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- in Karen State,” 9 May 2008.
- ⁴ FBR, “Burma Army troops kill villagers and IDPs as they mass troops with over 90 battalions now in northern Karen State, Burma,” 10 January 2008, www.freeburmarangers.org.
 - ⁵ FBR, “Children on the Move, the Cost of Oppression,” 18 February 2008, www.freeburmarangers.org.
 - ⁶ KHRG, “Report from the Field: Bullets and Bulldozers: The SPDC offensive continues in Toungoo District,” 19 February 2007, p. 8.
 - ⁷ FBR, “Families Killed, Girls Raped: Burma Army Brutality in Karen State,” 13 July 2007.
 - ⁸ FBR, “Burma Army Kills 5 Villagers and Forces 223 More into Hiding,” 9 August 2007.
 - ⁹ FBR “Four Villagers Shot and Killed, Villagers Burned and People Forced to Act as Human Minesweepers as the Burma Army Attacks Villagers in Toungoo District,” 1 November 2007.
 - ¹⁰ Two conflicting reports of this incident are contained in: “Eight Villagers Injured in Mine Blast in Loikaw Tsp,” *New Light of Myanmar*, 13 December 2007; and FBR “Villagers Injured by Landmine in Karenni State,” 12 January 2008.
 - ¹¹ Press Release 1/07,” KNU, 30 April 2007.
 - ¹² KHRG, “Without Respite,” 13 June 2006, pp. 14, 19.
 - ¹³ FBR, “A Child Crippled, a Twin Dropped and Dies, Human Shields and Mine Sweepers,” 28 November 2006; FBR, “Burma Army Attacks Against the Karen People in Northern Karen state, Eastern Burma,” 12 December 2006.
 - ¹⁴ FBR, “Burma Army launches new attacks in Nyaunglebin and Toungoo Districts of Karen state, Burma, 19 July 2006.
 - ¹⁵ KHRG, “Without Respite,” 13 June 2006, p. 16.
 - ¹⁶ FBR, “Pictures from Karen State, Burma,” February 2005, by email, 9 March 2005.
 - ¹⁷ KHRG, “Report from the field,” 9 December 2005, p. 5.
 - ¹⁸ Images Asia Production, “Burma’s Hidden Killers,” Thailand, 2005; Burma Issues/FTUB, “Prison to Frontline: Portering for the SPDC’s Troops,” Thailand, 2004; Burma Issues/Witness Production, “Entrenched Abuse: Forced Labor in Burma,” Thailand, 2004. Interviews for the latter two films were conducted in late 2003 in Karen and Karenni states, and in border areas of Thailand.
 - ¹⁹ KHRG, “Report from the field,” 22 March 2005. Pyitthu Sit or “People’s Militia” are recruited from villages and given training and weapons by the military. Each village is required to make monthly payments to their Pyitthu Sit, who are expected to guard against insurgent entry to their villages.
 - ²⁰ Free Burma Rangers, “Pictures from Karen State, Burma,” February 2005. This report was sent to Landmine Monitor by email on 9 March 2005.
 - ²¹ Karen Human Rights Group Report, “Enduring Hunger and Repression: Food Scarcity, Internal Displacement, and the Continued Use of Forced Labor in Toungoo District,” 27 September 2004, pp. 30-46, www.ibiblio.org/freeburma/humanrights/khrg.
 - ²² Interview with community leader, Hpa-an, October 2003.
 - ²³ This incident of forced portering took place in mid-September when the person was picked out of Thayawaddy Prison, along with 50 other persons, by the military. After crossing into Thailand with four other escaped porters to seek refuge, they were interviewed by aid workers on 20 October 2003. Interviews were passed to Landmine Monitor.
 - ²⁴ “Outlook programme” *BBC World Service*, aired 21 September 2003.
 - ²⁵ Email communication with escaped porters, 20 October 2004.
 - ²⁶ Interview records provided by Earthrights International to the Landmine Monitor on 26 June 2003.
 - ²⁷ Landmine Monitor interview with former prisoners, Rangoon and border areas, September 2002.
 - ²⁸ International Rescue Committee and Centers for Disease Control and Prevention, “Mental Health Assessment among Karenni Refugees in 3 Camps in Mae Hong Son,” Thailand, August 2001.
 - ²⁹ Landmine Monitor interview with Burmese Army defector, 24 April 2001.
 - ³⁰ A Relief Team (FBR), “Burma Reports: Burma Army Attacks on Villages and IDPs in Northern Karen State”, March 2002, received by Landmine Monitor through email on 23 May 2002.
 - ³¹ Landmine Monitor interview with a former porter who served for SPDC military during February and March 2001. Interview was conducted on 21 April 2001.
 - ³² Karen National Union Press Release No 49/2001, September 27, 2001. Available at KNU website: www.tawmeipa.org.
 - ³³ Verbal report by international humanitarian aid worker at monthly refugee assistance coordination meeting in Bangkok. 15 February 2001. Also report ‘Forced Labor and forced mine clearance by SPDC army in Hlaing Bwe Township, Karen State’ Free Trade Union of Burma, 29 January 2001.
 - ³⁴ In April, porters were being used to ‘sweep’ for mines by Burmese Army units. Detention, Torture, Shooting and Killings KHRG 25 April 2000; also use of women and children not strong enough to carry loads as minesweepers Starving Them Out KHRG 31 March 2000.
 - ³⁵ Bangkok Post, ‘Rangoon Castigates US over report’, 15 March 2000.
 - ³⁶ Karen Human Rights Group, “Starving Them Out, Forced Relocations, Killings and the Systematic Starvation of Villagers in Doooplaya District,” March 2000, p. 34; William Barnes, “Karen flee army roundups of ‘human minesweepers,’” *South China Morning Post*, 2 September 1999.
 - ³⁷ Karen Human Rights Group, “Beyond all endurance,” 20 December 1999, pp. 22-27.

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- ³⁸ Shan Human Rights Foundation, Monthly Report, January 2000, pp. 1, 4.
- ³⁹ Interview with refugee living in border camp across from Tenasserim Division of Myanmar, 17 April 2000.
- ⁴⁰ Hans Draminsky Peterson, et al., “Results of Medical Examination of Refugees from Burma,” Danish Medical Bulletin, Vol. 45, No. 3, 3 June 1998, pp. 313-316; and Hans Draminsky Peterson, et al., “Human Rights Violations in Burma/Myanmar in 1999,” Report of Fact-finding Mission in December 1999, Danish Medical Group, Danchurch Aid and Amnesty International (Denmark), 14 March 2000.
- ⁴¹ International Labor Organization, Forced Labor In Myanmar (Burma), Geneva, 2 July 1998; KHRG, “Dooplaya Under the SPDC: Further Developments in the SPDC Occupation of South-Central Karen State,” November 1998; KHRG, “Uncertainty, Fear and Flight,” 18 November 1998; KHRG, “SLORC’s 1993 Offensive Against Karen Civilians,” 1993.
- ⁴² Amnesty International Annual Report 1985.
- ⁴³ Images Asia video “Forced Labor in Burma.”
- ⁴⁴ ILO, “Report of the Committee of Experts on the Application of Conventions and Recommendations: Observation Concerning Forced Labour Convention,” Myanmar, March 2007, Section II, point 6; and see also *Landmine Monitor Report 2006*, p. 862.
- ⁴⁵ International Labor Conference 93rd Session 2005, “Report of the Committee of Experts on the Application of Conventions and Recommendations, Report III (Part 1A),” 31 May-16 June 2005, International Labor Organization (ILO), Geneva, pp. 175-176; “ILO criticizes Myanmar for failing to tackle forced labour,” *Agence France-Presse* (Geneva), 25 May 2005.
- ⁴⁶ International Labor Organization, Forced Labor In Myanmar (Burma), Geneva, 2 July 1998.
- ⁴⁷ ICRC, “Myanmar: ICRC denounces major and repeated violations of international humanitarian law,” Press release, 29 June 2007.
- ⁴⁸ UN General Assembly, “Report of the Special Rapporteur on the situation of human rights in Myanmar,” A/HRC/13/48, 10 March 2010, para. 74, www.ohchr.org.
- ⁴⁹ UN General Assembly, “Report of the Special Rapporteur on the situation of human rights in Myanmar,” A/HRC/10/19, 11 March 2009, para. 63, www.ohchr.org.
- ⁵⁰ In southeast Hpapun Township a 32 year old Buddhist Karen from PoeThweki village states he was forced by the commander Pah Na De DKBA 666 and 999 units to lay land mine in the frontline with the DKBA soldiers for some time until escaping in May 2009. Information received by email from FBR on 16 March 2010.