

Forced Labor of prisoners in Burma.

May 2002.

Introduction

In Burma, the use of prisoners' labor began in June 1962, when prisoners were forced to work at the Pale-Gangaw road construction project. Since then, due to the fact that state development projects are usually carried out solely by manual labor, prison labor camps were set up and the state began employing prison labor extensively. In addition, in 1962 when the government launched its offensive against insurgent ethnic groups, prisoners as well as civilians began to be used as military porters. Since the 1962 military coup, Burma has been ruled by dictators who have oppressed the people and repeatedly violated their fundamental rights and freedoms. Prisoners have suffered greatly under the military regime, from arbitrary arrest, detention and incarceration, to brutal torture and appalling prison conditions.

By definition, a prisoner is a person judged by the court to have committed an offence. In Burma, there are regulations that stipulate that prisoners can be used for labor, however there are no laws allowing for the beating, torture, ill treatment or excessive periods of backbreaking labor that prisoners are subject to. Human rights groups have documented that prisoners in Burma are forced to labor in prisons, prison labor camps, and at the battlefield under inhuman conditions, and with cruel torture. The following report highlights the situation of these prisoners.

Prison Labor

Laws in Burma concerning the employment of prisoners state that: "when the Medical Officer is of the opinion that the health of any prisoner suffers from employment on any kind or class of labor, such prisoner shall not be employed on that labor ...". In Burma's prisons, there are tasks that do not involve hard labor, such as ward in-charge, assistance to branch sections of prison office etc. However, these are privileged positions, attainable only by bribing prison authorities. The majority of prisoners, who are incapable of paying bribes, have to do work like carpentry, pounding coconut fiber, carrying heavy barrels of water, gardening, and carrying prisoners' wastes. As prisoners are considered a cheap source of labor, some businesspeople contract with the prison authorities to produce their goods in prisons. By law the wages that the prisoners are paid for production in prisons is half of the normal local wage, but in actuality any wages paid to the prisoners are almost always requisitioned by the prison authorities. It has become common for prison authorities throughout Burma to earn extra income by obtaining outside business contracts for prison labor. Some businesses currently functioning in prisons include: making cheroots (Burmese traditional cigarettes), shelling lablab beans, peeling garlic and making joss sticks (sticks of incense). In some prisons, the authorities run their own businesses such as furniture making.

Labor Camp

The prison labor camps carry out operations such as construction of highways, dams, irrigation canals, special agricultural projects, and working in rock quarries. Some of these activities are referred to by the junta as "New Life Projects," meant to 'uplift the moral character' of the prisoners. Living conditions, food supplies and treatment of prisoners are worse at labor camps than prisons. Aware of these conditions, prisoners live in fear of being sent to the camps. The only way to avoid being sent is to give regular bribes to the prison authorities. Those who cannot afford to pay bribes are sent to the camps.

Torture in the work place

In most of the prisons and labor camps, prisoners have to bribe multiple authorities in order to avoid ill treatment and being assigned to the most difficult and dangerous work. Prison authorities intentionally ill-treat the prisoners in order to encourage them to pay as much bribe money as possible. In Pegu prison, prisoners are employed to wrap foiled plastic over Joe-Thane cheroots with a daily quota of 3500 cheroots each. Even elderly prisoners have to complete a 2500 daily cheroot quota. If someone is found to have made a mistake in production, or if they fail to finish in the allotted time, then they are given severe punishments such as being beaten by a gun pipe, left to burn under the sun, and given extra chores like hauling prisoners' wastes and carrying barrels of water.

Accounts given by escaped prisoners describe labor camps as places of inadequate food, lack of health treatment and extremely hard work. Prisoners report that worst of all is the torture. Beating is a customary practice, and sometimes occurs when sick prisoners request medicine from the authorities. National laws that prohibit the employment of a prisoner who is unfit for work and limit beating a prisoner except for punishment, are completely ignored.

The New Life Camps were constructed so that prisoners could contribute to state's agricultural and animal husbandry projects. In these camps far from being morally rehabilitated as the junta claims, men are used in place of oxen to plough in fields. There is no observance of prisoner's rights but only backbreaking labor, poor living conditions and irrational beatings. For these reasons these new life camps have been called 'ruined life camps' by the prisoners.

Prisoners who are taken to battlefronts as military porters have to carry extremely heavy loads, and suffer from frequent verbal abuse, beatings and are often shot and killed when they can no longer work. Many of these prisoners die in the jungle due to the rehabilitating work, harsh beatings and lack of food and medical treatment.

Army base for supervising porter services

Burma's army has been greatly expanded since the military regime seized power in 1962. In its offensive operations against armed ethnic groups, the army has often used civilians as porters. Currently while the junta has signed cease-fire agreements with many of the armed groups, it continues to mount offensives against other insurgent groups, frequently using porters in army operations and moving them frequently from place to place.

After 1988, the military increased their use of prisoners for pottering. In 2000, the International Labor Organization (ILO) decided to take action against the junta's practice of the using civilians as military porters and for forced labor. Due to the ILO resolution, and the accompanying international pressure, the junta has sought to decrease the use of civilians as

porters, replacing them with increased numbers of prisoners. Growing numbers of prisoners have been sent to military service camps and then on to army battalions at the frontlines.

Prisoners serving as military porters

The prisoners forced to serve as porters at the frontlines are made to wear blue uniforms, and have to shave their heads in a distinctive way, so that if they attempt to flee from the battlefronts they can easily be identified and recaptured. Soldiers threaten the prisoners that if they try to flee they will be killed by landmine or by the ethnic armed groups. These prisoners are used to carry the military's ammunitions and food supplies in troop movements and during operations against the ethnic armed groups. The porters are often swept into the fighting at the battlefront and are also killed by land mines as they are frequently used as human mine sweepers by the army. If a porter is wounded they receive no medical care, however if a soldier is wounded, the porters have to carry them on stretchers back to the army base camp.

Health

The authorities in Mandalay and Meikthila prisons have received outside contracts for shelling garlic. As a result of this work, many of the prisoners' fingertips have become rotten. Despite this, they receive no medical care from the authorities. Some receive medicine from their families, while others who have no contact with their families or whose families are too poor receive nothing. All prisoners suffer from skin diseases, as they are not allowed to shower regularly. Cholera is also very common among the prisoners. Some prisoners die because they rarely receive medical care, aside from painkiller tablets (Aspirin). Even these are frequently refused to prisoners who request them.

The health condition of prisoners in labor camps is worse than that of those in prisons. Their health deteriorates as a result of harsh work and torture. One of the main causes of disease and malnutrition is the low quality of food that prisoners receive. For example, the prisoners in No 6 New Life Camp in Kyaikmayaw Township, Mon State are hungry all the time as they received very little food. They eat raw snakes, crabs and rice from the paddy fields. As a result, they contract various diseases. Although they know it's bad for their health, they eat these things because they are very hungry. When they eat the uncut rice, they have to do it surreptitiously, because the authorities will beat them harshly if they see them eating this.

Death (prisons, labor camps and military field)

There are many deaths in prisons as a result of disease and because of the harsh working conditions. Cruel beating is also a main cause of death.

In labor camps, the death rate is very high, as prisoners have to work very hard without rest, in bad weather, and wearing iron chains. In the quarry camps, most deaths are caused by accidents caused when rocks are dynamited. On 23-11-1997 in Zinkyike camp, Mon State, camp in charge Thet Oo was killed by falling rocks.

In labor camps some prisoners commit suicide because they cannot bear the harsh work and brutal harassment. Some deaths are also caused by land mine accidents, wounds from beatings, and being shot while the junta battles the insurgent armies. The prisoners who escape from military pottering often do not look like human beings because of their terrible conditions. As the junta works to cover up these abuses, it is difficult to obtain accurate numbers of those prisoners who have died in labor camps and as military porters.

How authorities benefit from the work of the prisoners

Prison authorities receive benefits from prisoners' work. In Tharawaddy prison, the authorities get 600,000 Kyats monthly by running an incense business with prison labor. As in other prisons, all the money goes directly to authorities and staffs. The expenses can be kept very low when prisoners are used in labor camps and construction sites, and prison labor is the cheapest way to produce agriculture and livestock. Prison labor ignores the guidelines set out in Burmese law, and functions simply as a system of exploitation.

In military operations, using prisoners greatly benefits the army. The prisoners must work without pay, and the junta soldiers can more easily fight the enemy unburdened by having to carry military supplies and food. Prisoners are unaware of their rights under Burmese national or international law, and even those who escape are afraid to complain about their treatment.

How prisoners benefit from work

Prisoners receive almost no benefit from their labor. For example, in Thayet prison in middle Burma, the prisoners have to shell a basket of lablab beans every morning in addition to their other daily work. They have to start this job at 4 a.m. in order to complete it and start their other work. The money that local businesses pay for this work goes only to prison authorities. For the prisoners, the only benefit they get is a small piece of meat once a month.

Junta propaganda states that prisoners who works in prisons, labor camps or with the military can receive money and opportunities. This is patently untrue, as the only benefits accrue to the authorities who exploit the work of prisoners.

Using political prisoners in labor camps and military offensives

Some people are arrested because of their political activities. However, as they are imprisoned under criminal laws, they can also be sent to labor camps where they are tortured and made to perform hard labor.

Famous comedian Pa Pa Lay and three others activists were sent to labor at the construction site of the Myitkyina Airport and on a highway road in Sumprabum, both in Kachin State. As Burma has no group that monitors prisoners' rights, it is difficult to know how many political prisoners are sent to labor camps.

The only group in Burma that advocates for the rights of prisoners is the National League for Democracy (NLD), which won the majority vote in the 1990 election. The NLD has released statements saying that 18 NLD members were arrested on Feb 21, 1996 and sent to a military field as porters. The NLD also said that 4 of these people have died of fatigue. They are Saw Tun New (75 years), Min Thu, and Maung Maung San and Ko Lay leaders of Letpadan and Oaktwin Townships NLD branches.

The junta's reply to international condemnation of forced labor

International rights groups have repeatedly criticized the regime for its widespread use of forced labor and forced pottering. The junta denies that such abuses occur, and ignores the protests of the international community. More information needs to be gathered on the use of forced labor, torture and the inhuman treatment of prisoners, to draw more attention to this problem.

Improvements

Since May 1999, the junta has allowed the International Committee of the Red Cross (ICRC) to visit the labor camps. From May 1999 until Jan 2002, the ICRC made 27 visits to 22 labor camps and 83 visits to 36 prisons. The ICRC gave some basic medicines for the prisoners' care, to the authorities, however the prison authorities sold most of this on the black market.

Currently the prison department of Burma has a web page, which reports that prisoners are working in labor camps. On the web page, there are photos of military head Senior Gen Than Shwe and Lt. Gen Khin Nyunt visiting the camps.

The future prospects

It seems likely that prison authorities will continue to mistreat prisoners, that prisoners will be kept in poor conditions, and that they will continue to be forced to carry out exhausting labor in dangerous circumstances. The deaths of prisoners on the battlefields will also likely continue as long as the military continues its operations against the ethnic armed groups using prisoners as porters.

All of these abuses will continue until Burma institutes an elected government that respects human rights.

Conclusion

People throughout Burma demonstrated their desire for Democracy in 1988. When the military seized power again, people around the country were subjected to numerous types of forced labor. This was the junta's revenge on the people who had participated in the democracy movement. Currently within the notorious Insein prison in Rangoon, there are between 1200 and 1500 innocent persons incarcerated daily. The majority of these are poor people from Rangoon who were arrested under Articles 54 or 30 (d) of the Criminal Code. Article 54 permits the authorities to detain a person merely on the suspicion that they are committing a crime. Article 30 (d) allows for the detention of those who are caught walking outside at night. These people can be sentenced 6 months to 3 years imprisonment. Most are sent to construction sites, labor camps and military fields.

According to the former officials from Home (Interior) Ministry² many poor people are intentionally sent to these terrible camps. The junta assumes that the 1988 democracy movement was greatly supported by the poorest members of society, so many of these people have been forcibly relocated to the outskirts of Rangoon (in the so-called new townships). Moreover, as the junta wants to 'reeducate' them, they are arrested under the above-mentioned articles and sent far away to working.

To end the suffering of prisoners in prisons, labor camps and on the frontlines, Burma needs an elected government that respects human rights and cares about the welfare of all of its citizens.

Foot Notes

'poun-zan' - prison terminology, referring to the position of sitting cross-legged with arms straightened out and both fists on knees, holding the body absolutely vertical with the face downward. This position is for the counting of prisoners and for inspection by prison officials. We, AAPP members, believe this system was introduced at every prison in our country with the objective of mentally torturing, and eventually dehumanizing the prisoners.

Boiled Rice: Consists of only rice and water

Pea curry: Consists of only water and peas. We call it mirror colour soup because there is a lot of water and a small amount of pea. Sometimes it can be salty. Sometimes tasteless. Sometimes it is tasty on the days when ICRC or a Foreign Mission inspects prison.

Fish paste: Fish paste is a traditional Burmese sidedish made of pounded fish usually served mixed with chilies and other seasonings. The fish paste given to prisoners is the lowest quality available in Burma made of a little fish paste with salt, and sand. A prisoner gets only one teaspoon of fish paste for one meal.

Talapaw curry: We call it 'Wet Khaung Khar'. It means when you give any food to pig, the pig will eat all you gave but when you give Talapaw to the pig, after looking at it, the pig will refuse to eat it. Talapaw curry consists of a small amount of various unwashed vegetables and water. They are put together into a large urn, and then boiled. The soup always contains leeches, sand or some very tiny pieces of stone.

Meat: Beef or pork or fish or egg is given to a prisoner once a week. In the jail manual there is a 4 ounce allowance, yet each prisoner gets only a small piece of meat (about a one-inch cube). The authorities never cook the meat, instead they boil it.

Assistance Association for Political Prisoners (Burma)

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