

The Use of Prisoners as Forced Porters and Labor by the Military Junta in Burma.

September 19, 2000.

Burma became a member of the International Labor Organization (ILO) in 1955. Members, who have ratified the convention, are required to obey the ILO "Convention on Forced Labor, Article No. 29," in which they agree to "suppress the use of forced labor or compulsory labor in all its forms within the shortest possible period." The Convention's definition of forced labor is "all work or service which is exacted from any person under the menace of any penalty and for which the said person has not offered himself (or herself) voluntarily."

Although the ILO Committee of Experts for the Application of Conventions and Recommendations has given attention to the issue of forced labor since 1964, Burma's military junta has failed to implement the Convention, despite having ratified it in 1955. In fact they have violated the convention numerous times.

The use of forced porters and labor is common in Burma among the prison, as well civilian, populations, but we, the Assistance Association for Political Prisoners (AAPP), would like to focus on the prisoners subject to this kind of persecution.

After the military coup in 1988, the number of prisoners has drastically increased. Before 1988, there were approximately 40,000 prisoners in Burmese prisons. After 1988, the number rose to about 60,000 with an additional 20,000 in labor camps for a total of 80,000. Of the entire prison population, over 2,500 are political prisoners.

There are 36 prisons in Burma and over 20 of them detain political prisoners. In all prisons, numerous violations of human dignity and brutal harassment occur. However, the worst situation for laborers is in labor camps and military bases where prisoners are forced to work.

There are over 21 labor camps, such as: Kabaw valley (Western Burma), Taungzun/ Motplin Quarry (Mon state), Tuntay camp (near Rangoon), Bokpyin camp(Tenasserim Division), and three won saung or military porter camps (according to the Human Rights Yearbook 1998-99 by the Human Rights Documentation Unit, there are six, but we only know the location of only three camps). The three won saung camps known to the AAPP are located in the southeastern military regional command: in Hpa-an, capital of the Karen State; Myaine Ka lay township, Karen State; and Loikaw, capital of the Kaya State.

The Use of Prisoners as Forced Porters by the Military In won saung camps, prisoners are held until they are needed as porters for military offensives. In Burmese, won saung means to carry heavy loads or weapons. In the past, the army used mules for this purpose. Presently, instead of using animals to carry supplies, the army forces prisoners to do it.

In Burma, the use of prisoner porters over civilian porters is preferred by the military government. The working conditions for imprisoned porters are more horrendous than those of civilian porters. Prisoners performing forced labor are generally treated much more brutally than conscripted civilians. They are routinely sent to perform very dangerous tasks, such as working as porters for the military during military operations, dynamiting rock faces, excavating rock, building roads and railroads and so on. In addition to this, porters coming from prison are in poor physical health because they are denied health care and proper nutrition while in prison. For this reason they are less likely to survive forced labor than their civilian counterparts.

It was recently reported that between April 27 and July 20, 2000 fourteen prisoners working as porters died from exhaustion, mistreatment and malnutrition while working under SPDC troops in the Karen State. The prisoners were among approximately 400 taken from Mandalay Jail on April 26 and handed over to the won saung camp in Myaing Ka Lay, Hlaing Bwe Township, Karen State. Two of the porters, Ko San Win, 28 and U Aye Oo Naing, 31, died from exhaustion after being forced to take amphetamine tablets by the soldiers of Light Infantry Battalion 81 under brigade 22 in order to boost their energy.

In a separate instance of prisoners being used as forced porters by the SPDC, Kyi Lwin, a prisoner who recently escaped from a military operations base, reported that on May 22, 2000, 400 convicts were taken to the won saung camps in the southeastern division. Of 400 convicts, there were 50 from Myingyan Prison, 50 from Meiktila, 30 from Pakkoku, 50 from Yemaething, and 220 from Mandalay. All prison terms were for under 10 years. Some prisoners were not fit enough to carry heavy loads. Before being transported to the porter camps, he reported that each prisoner was given two blue shirts with "Prisons Department" patches and longyis (sarong), a cap, slippers made of tire, a plastic bowl for eating and bathing, and a thin blanket. Kyi Lwin was chained together with another prisoner. It was very difficult for them to walk because two people were bound as one.

On May 24, 2000, the prisoners were dispersed to the three Won Saung camps, No.1 (Hpa-an), No.2 (Myaing Ka Lay), and No.3 (Loikaw), which are controlled by the military and not the prison authorities. Kyi Lwin was transferred to Myaing Ka Lay camp, which is located in the south of Myaing Ka Lay village near the well-known Cement Industry factory. When they arrived, the prison authorities handed them over to the army. Then, the commander ordered them to leave their possessions behind, including those which had been given to them by the prison authorities.

The next day, they were required to march over steep mountains, carrying heavy loads, including foodstuffs, mortar shells, artillery, cooking and general camp equipment for the troops. Each was forced to carry 35 to 45 kilogram loads. Two porters were needed for each section of the army (5 to 7 soldiers).

While carrying loads, prisoners suffered from sore feet and were unable to keep up with the soldiers. Many were kicked, prodded with bayonets, or beaten to keep them moving. When they collapsed, and could not continue, they were left behind, often after being beaten unconscious. They were given meager food rations, often just one or two handfuls of rice per day, which was inadequate to maintain their health. They were also forbidden to drink water because of water shortages. Therefore, they could only drink water from streams. Their health situations deteriorated because of torture, malnutrition and exhaustion.

Some prisoners who could not stand the situation any longer escaped and were re-captured. Some of them were then tortured and executed in front of the others as an example. Others committed suicide rather than continue on as porters any longer.

After Kyi Lwin saw four prisoners die as a result of their deteriorating health, he tried to escape. However, he was re-captured, tortured, and sent to Thingan Nyinaung Army Camp to carry weapons and foodstuffs.

During that period, he was forced to carry heavy loads. For the first three nights, his neck, hands and legs were tied with rope to prevent him from escaping. Nevertheless, he and four other prison porters successfully escaped. They now live on the Thai-Burma border.

As a result of his experiences, he suffers from pain in his spine, internal injuries and kidney injuries, which have caused his whole body to swell.

The Use of Prisoners in Military Offensives

Prisoners are regularly sent from prisons and labor camps across the country to be used by the army in major offensives. Prisoners with short sentences are preferred to those with long sentences because it is thought they will be less likely to attempt escape. One ex-political prisoner, who spent over one year in the notorious Insein prison from 1990 to the end of 1991, reported that in October 1991, prisoners sentenced to under two months were sent as porters to a military offensive against the Karen National Union (KNU) in U Thu Hta in the Karen state. Before they were sent to the won saung camps, they were asked the following questions : parent's name, marital status, whether they had children, amount of property and who their heirs were. After being asked those questions the prisoners wept. They believed that they had no hope for the future.

In a separate incident in 1992, prisoners from Mandalay, Myingyan, and Meitila prisons, located in central Burma, were sent to the offensive against the KNU headquarters at Mannerplaw. As reported by a former political prisoner who spent nearly 3 years in Mandalay prison, over 500 convicts, associated with a variety of crimes, participated. Nearly half of them were deserters who had run away from the army because they refused to participate in the Mannerplaw operation. Unfortunately, they were sent back to the place they had run away from. Before the convicts were sent there, they were told that they would be released if they were still alive when the operation was over. Nearly 300 prisoners' lives were lost in the military operation.

Prisoners in Labor

Camps In some cases political prisoners, including members of the National League for Democracy (NLD), are charged under a section of the criminal act that enables them to be sent to hard labor camps. This is intended to destroy their dignity. For example, comedians Par Par Lay, U Lu Zaw, U Htwe and U Aung were each sentenced to seven years with hard labor for performing at a NLD sponsored Independence Day Celebration on January 4, 1996 (Letters to a Dictator, 66). They were first sent to a labor camp in the Kachin State, which used prisoners to construct the Myitkyina Airport, and later another camp in Sumprabum to help build a road.

In 1997, the government forced 18 NLD political prisoners to serve as porters at the front line of military operations in Htantapin Township in Rangoon Division. Of the prisoners, U Saw Htun Nwe, 75, a Karen national died of fatigue as a result of his age. (From Letters to a Dictator). Many were severely wounded.

In some cases, even if convict's prison term is over, they continue to be held and used as porters in military operations. Two ethnic Mons, Maung Aye and Ba Khaing, of Kawkayet township of Kayin State were arrested on September 9, 1999 and sentenced to two years hard labor, under sections 370 and 511 of the penal code. They were then sent to Moulmein prison on September 17, 1999. While they were there, they saw that there were 700 prisoners including nearly 50 political prisoners.

During their time at Moulmein prison they, and the other prisoners, were not provided with adequate food and health care. The rice given to the prisoners was the lowest quality in Burma and was mixed with sand and grain. The curry had no taste, consisting of only water and morning glory. Despite insufficient food, they were ordered to work constantly from the morning to evening. As a result, the health of the majority of the prisoners deteriorated day by day. There was not sufficient medicine, and they were denied access to the prison clinic. Only when they bribed the jailer were they were allowed to visit the clinic and able to rest for two or three days.

As they could not bear such difficulties, they bribed a jailer named U Aung Kyaw Moe in order to get an easier assignment at the work site. However, after ten days they were returned to their previous work site. In addition to this, food, medicine and other necessities that their families had given them were robbed by the senior prisoners on behalf of the wardens.

The day before members from the ICRC inspected Moulmein prison, the prisoners were ordered to say that all was good. They were allowed to play volleyball, chinlon (a traditional Burmese sport with a ball made of rattan) and other activities. The day the ICRC inspected the prison, they were given good food and enough water. The authorities treated them well. But after that, the situation reverted to the status quo.

After some time, Maung Aye and Ba Khaing were sent to No.6, or "New Life" labor camp located in Mon State. As soon as they arrived at the labor camp, their possessions were confiscated and they were only allowed to have two white prison uniforms.

After the new prisoners arrived at the camp, the old prisoners were beaten heavily with a chain in front of the newcomers. The purpose of this was to scare the new prisoners into giving bribe money to the jailers.

The next day, under the hot sun and without water, they were forced to pound hardened earth into powder for use in the rice paddies. Normally oxen are used for this job. One hour later, their work supervisor told them that if they paid kyat 50,000 to the supreme prison officer, U Khin Soe, and kyat 60,000 to six jailers, they would be moved to a carpenter work site, which was more comfortable than the field site. Prisoners regularly died at the field site, sometimes two or three a day. Knowing this, Maung Aye and Ba Khaing agreed to pay the money.

The conditions in the labor camp were much harder than in the prison. Prisoners were forced to sleep covered in mud because they were unable to bathe. Because of the unsanitary conditions, scabies, for which there was no medicine available, were very common. Diarrhea and dysentery often led to death in the labor camp. Maung Aye and Ba Khaing reported that because of the conditions that they were forced to work under, each day felt like torture. According to Ba Khaing, "In our own village, cows are forced to plough the field but they were given enough food, water and health care. In the labor camp, prisoners are valued less than cows."

Meanwhile, some prisoners committed suicide because they could not bear the brutal harassment. Some convicts, when they saw a poisonous snake, instead of running away, held its tail so it would bite them and they died.

Twenty days after arriving in the camp, they made up their minds to run away because they could not afford to pay any more bribe money and they were afraid of being killed. Luckily, they escaped from No.6 "New Life" labor camp on December 22, 1999.

The following is a list of former prisoners from Myaing Ka Lay wong saung, who had similar experiences to Maung Aye and Ba Khaing. They escaped from military operation in the Karen state at the end of June 2000. They are now living on the Thai-Burma border.

1. Tin Aung (alias) Kayin Gyi, 42, sentenced to one year in Mandalay prison.
2. Myo Oo, 24, sentenced to one year and six months in Mandalay prison.
3. Myo Myint Htun, 34, sentenced to two years in Meiktila prison.
4. Maung San, 21, sentenced to two years in Meiktila prison.
5. Kyaw Thu Win, 19, sentenced to ten years in Meiktila prison.
6. Than Htun, 34, sentenced to three years in Mandalay prison.
7. Ko Barlee, 43, sentenced to eight years in Myaung Mya prison.
8. Zaw Ba Myint (alias) Myint Thein, 29, sentenced to one year in Meiktila prison.

SLORC's Response to International Pressure and the ILO Convention on Forced Labor, Article No. 29

In order to avert international pressure, in 1995, the State Law and Order Restoration Council (SLORC) issued two secret directives concerning the practice of forced labor on development projects. Directive No.125 instructed all State/Division Law and Order Restoration Councils to stop using unpaid labor contributions in national development projects. It requires that "in obtaining the necessary labor from the local people, they must be paid their due share." Directive No. 125 also instructed the local authorities to "avoid undesirable incidents," so as not to cause "misery and suffering to the people in rural areas." Directive No. 82 instructs the Rangoon Division Law and Order Chairman and the Ministry of Agriculture "to stop the practice of obtaining labor from the local people without monetary compensation" in the construction of dams in Rangoon Division. Despite issuing these orders, they were ignored and the use of civilian forced labor continues to this day. (Source: Human Rights Documentation Unit Yearbook 199X, Page XX.)

In June 2000, the military junta issued the another secret order as a remedy to ILO Resolution No. 29, which instructs "instead of using civilians as forced porters and laborers, use the prisoners because the ILO and other international organizations are unaware of their situation." They have set up won saung camps in each division to do so. This demonstrates the government's blatant disregard for international standards on the use of forced labor set by the ILO.

Therefore, we, the AAPP, would like to request the international community, including Amnesty International and the International Labor Organization (ILO), to focus their attention on the plight of prisoners being used as forced porter or labor by the military junta in Burma and labor camps.

Sources : AAPP, ABSSDF, HRDU, NLD(Inside), NLD(L.A)

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