



RESPONSES TO INFORMATION REQUESTS (RIRs)

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15 May 2007

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Myanmar: The procedures and documents required to obtain a (Burmese) Myanmar passport and to obtain a seaman's identity card. Whether an individual who fled or deserted the military and was wanted by the military would be able to obtain a passport or a seaman's identity card. Whether individuals who fled or deserted the military are restricted from becoming seamen or obtaining a passport.

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Myanmar issues various types of passports including a business passport, a short-visit business passport, an employment passport, a short-visit passport, and a passport for dependents (Myanmar n.d.). In all cases, applicants must provide their "national scrutinization card" and their "family members' registration list" (ibid.). Those applying for business passports must produce company documents and relevant licenses; those applying for an employment passport must produce an "appointment letter from abroad" (ibid.).

According to the Myanmar government Web site, to obtain a short-visit passport, applicants must provide an invitation letter from relatives working abroad, provide a copy of their tax assessment, list their next of kin and provide a copy of the passport belonging to the person who has invited them to visit (ibid.). If their letter of invitation has been written by someone who has renounced their Myanmar citizenship and become a citizen of another country, "the invitation letter must be endorsed by the Myanmar embassy concerned" (ibid.). If the applicant is a civil servant, he or she must provide proof of leave (ibid.).

Also according to the government Web site, all those seeking a passport must submit their application in person; however those who are "old" or ill can send a proxy (ibid.). Those who make errors in filling out their personal information, including any misspellings or incorrect dates, are subject to a fine and their application will be delayed (ibid.). Once the application is approved, according to the government Web site, the applicant must pay 5,000 kyats (ibid.), equivalent to CAD 881 at the official rate of exchange (XE.com 16 Apr. 2007). However, a representative from the Embassy of Myanmar in the United States said applicants must pay only USD 167 to renew their passport and USD 300 to obtain a new passport, whether they are in the country or abroad (10 Apr. 2007). Of note is the fact the official rate of exchange and the market rate of exchange for the kyat are significantly different (Travel Myanmar n.d.).

According to the government Web site, the passport application is then processed and subject to a security clearance (Myanmar n.d.). Further details on what sort of information is sought in a security clearance could not be found among the sources consulted by the Research Directorate within the time constraints of this Response. According to the Web site it takes 45 days to process a passport application (Myanmar n.d.). However, the Embassy representative said passports are issued more quickly, in a matter of days (Myanmar 10 Apr. 2007). The representative said anyone who cannot prove they have paid their taxes by providing the requisite documents will not be issued a passport (ibid.).

On the subject of identification for merchant seafarers, *The Irrawaddy* - a news magazine published by "Burmese citizens living in exile" (*The Irrawaddy* n.d.) - describes the process for applying for this identification as follows.

[S]eamen need an appointment letter from the Seamen Employment Control Division (SECD), a junta-controlled agency under the Department of Marine Administration (DMA) based in Rangoon. The SECD demands 1.5 million kyat (roughly \$1,500) for an appointment letter, which is necessary to apply for a passport and seaman's license, with constant discharge certificates (CDC). The entire application process can take anywhere between 6 and 12 months. (ibid., 1 Feb. 2003)

Moreover, the same source reports that seafarers must often pay extra charges - up to the equivalent of USD 1,500 to recruiting agents in Ragoon (*Irrawaddy* 1 Feb. 2003).

The Myanmar Times reports that the government has sought to "strengthen maritime security" by introducing electronic identity documents for seafarers (26 Apr. - 2 May 2004). The document includes a computer chip imbedded with the holders' personal information (*Myanmar Times* 26 Apr. - 2 May 2004).

An Asia regional officer from Rights and Democracy (RD) who has 12 years' experience working on Myanmar/Burma human rights issues commented on the subject of military deserters in a 16 April 2007 telephone interview with the Research Directorate. The Officer has undertaken field visits in which she met with organizations working with ex-soldiers who have escaped to Thailand (RD 16 Apr. 2007). The Officer said:

Those who desert the army are in danger if they return to Burma; they are in as much danger as human rights activists who return. It is a very serious thing to desert the army; you really get in trouble if you do so. Any soldier who deserts the army and then tries to get identity documents such as a passport or seafarer's identity is likely to be identified as a deserter by the military dictatorship. If the person is identified as a military deserter, they will then be in danger of losing their life or going to jail. (ibid.)

The Program Director of the non-governmental organization Canadian Friends of Burma (CFOB) also stated that to desert the military is a serious offence and as a result those who flee the army would "never dare to apply" for a passport or seafarer's identity documents (16 Apr. 2007). The Director said, in his view, it would be impossible for military deserters to obtain any official identity documents after leaving the army (CFOB 16 Apr. 2007). He stated that, because of their military training, ex-soldiers can be perceived as a greater threat to the government than pro-democracy activists because the government fears armed opposition (ibid.).

A consultant with the Irish Centre for Human Rights and the Hague-based International Institute for Criminal Investigation who is preparing an investigation and analysis of the violations inflicted in Burma commented on army deserters in correspondence with the Research Directorate (19 Apr. 2007). The consultant previously spent two years researching human rights in Myanmar/Burma, undertaking extended reconnaissance inside the eastern part of the country (UK 13 Apr. 2007). In addition, the consultant spent three years conducting "legally informed research" on human rights violations in Burma, producing a lengthy report which garnered worldwide coverage (ibid.). The consultant indicated that military deserters "exist in great danger" and if those who have escaped to Thailand return, "they would certainly be arrested [and] tortured" (19 Apr. 2007; See also KHRG 26 Apr. 2006; HRW Oct 2002, 162). In addition, the consultant noted the following:

Those [military deserters] I have interviewed have defected, not for economic gain, or for personal security, but because they refused to participate in violations and/or atrocities. One described to me how he was forced to shoot dead an old porter who could no longer walk. Another escaped rather than participate in a massacre. (19 Apr. 2007)

Human Rights Watch reports that, short of fleeing, it is "extremely difficult" for soldiers to leave the army, adding that most soldiers must remain in the forces until they reach old age (Oct. 2002). HRW also reports that soldiers who desert the Burmese army are arrested, imprisoned and conscripted back into the army if they are found (HRW Oct 2002, 162; KHRG 26 Apr. 2006). Deserters are sometimes executed, according to sources interviewed for a HRW report on child soldiers in Burma (HRW Oct. 2002, 162).

Similarly, various sources report cases in which deserters have been shot once caught by the army (Alternative ASEAN Feb. 2007, 2; *Narinjara* 12 July 2006; Burmanet 19 Oct. 2005). An independent report by the Karen Human Rights Group (KHRG) written by KHRG researchers in the field summarizes interviews with child soldiers who reportedly served in Myanmar's army (26 Apr. 2006, 3). According to the report, a child soldier made the following statement.

During training ten recruits tried to escape, but only four of them got away and six were

recaptured. They were tortured seriously, nearly to death. They were kept locked in leg stocks, handcuffed, tied with chains and beaten again and again every time the NCOs got drunk. The NCOs ordered them to lie down on their faces and then beat their backs in front of all the recruits.... (26 Apr. 2006)

The Coalition to Stop the Use of Child Soldiers -- a London-based registered charity -- says it was confidentially told by its sources that child soldiers who tried to escape the army were shackled, beaten, and taken to lock-ups (16 Jan. 2004).

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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