



Burma

Country Reports on Human Rights Practices - [2000](#)

Released by the Bureau of Democracy, Human Rights, and Labor

February 23, 2001

Burma continued to be ruled by a highly authoritarian military regime. Repressive military governments dominated by members of the majority Burman ethnic group have ruled the ethnically Burman central regions and some ethnic-minority areas continuously since 1962, when a coup led by General Ne Win overthrew an elected civilian government. Since September 1988, when the armed forces brutally suppressed massive prodemocracy demonstrations, a junta composed of senior military officers has ruled by decree, without a constitution or legislature. Originally called the State Law and Order Restoration Council (SLORC), the junta reorganized itself and changed its name to the State Peace and Development Council (SPDC) in 1997. The Government is headed by armed forces commander Senior General Than Shwe, although Ne Win, who retired from public office during the 1988 prodemocracy demonstrations, may continue to wield informal influence. In 1990 the junta permitted a relatively free election for a parliament to which it had promised to transfer power. Voters overwhelmingly supported antigovernment parties with the National League for Democracy (NLD), winning more than 60 percent of the popular vote and 80 percent of the parliamentary seats. Throughout the 1990's, the junta systematically violated human rights in the country to suppress the prodemocracy movement, including the NLD, and to thwart repeated efforts by the representatives elected in 1990 to convene. Instead, the junta convened a government-controlled "National Convention" intended to approve a constitution that would ensure a dominant role for the armed forces. Since 1995 the NLD has declined to participate in this National Convention, perceiving both its composition and its agenda to be tightly controlled by the junta. More than a dozen armed ethnic groups continued to rule or to exercise some governmental functions in peripheral ethnic minority areas under various cease-fire agreements negotiated with the junta between 1989 and 1995. The judiciary is not independent of the junta.

Since 1988 the junta has more than doubled the size of the armed forces, from about 175,000 to more than 400,000 men, and has increased the Government's military presence throughout the country, especially in ethnic minority areas. The Government reinforces its firm military rule with a pervasive security apparatus led by the military intelligence organization, the Directorate of Defense Services Intelligence (DDSI). Control is buttressed by arbitrary restrictions on citizens' contacts with foreigners, surveillance of government employees and private citizens, harassment of political activists, intimidation, arrest, detention, and physical abuse. The Government justifies its security measures as necessary to maintain order and national unity. Members of the security forces committed numerous, serious human rights abuses.

Burma is a poor country with a population said by its Government to number about 50 million. Average annual per capita income is estimated to be about \$300. More than 3 decades of military rule and mismanagement have resulted in widespread poverty. Primarily an agricultural economy, the country also has substantial mineral, fishing, and timber resources. From 1988 to 1995, the Government partly liberalized the economy, reversing the economic contraction of the 1980's. However, economic growth has slowed since the mid-1990's, as the junta has retreated from economic liberalization. Extensive state influence over the economy, corruption, and poor infrastructure remain problems.

The Government's extremely poor human rights record and longstanding severe repression of its citizens continued during the year. Citizens continued to live subject at any time and without appeal to the arbitrary and sometimes brutal dictates of the military regime. Citizens did not have the right to change their government. There continued to be credible reports, particularly in ethnic minority areas, that security forces committed serious human rights abuses, including extrajudicial killings and rape. Disappearances continued, and members of the security forces tortured, beat, and otherwise abused prisoners and detainees. Prison conditions remained harsh and life threatening, but have improved slightly in some prisons after the International Committee of the Red Cross (ICRC) was allowed access to prisons in May 1999. Arbitrary arrest and detention for expression of dissenting political views continued to be a common practice. The

Government held Aung San Suu Kyi incommunicado twice in September, following attempts to travel beyond the bounds of Rangoon City and to Mandalay. At year's end, the Government continued to hold Aung San Suu Kyi in detention; it also held 48 members-elect of parliament and more than 1,000 NLD supporters under detention, all as part of a government effort to prevent the parliament elected in 1990 from convening. Since 1962 thousands of persons have been arrested, detained, or imprisoned for political reasons; more than 1,800 political prisoners remained imprisoned at year's end. The judiciary is not independent, and there is no effective rule of law. During the year, the Government intensified its campaign to eliminate independent lawyers by arbitrarily arresting and sentencing them on fabricated charges. The Government continued to infringe on citizens' privacy rights, and security forces continued to monitor citizens' movements and communications systematically, to search homes without warrants, and to relocate persons forcibly without just compensation or due process. During the year, those persons suspected of or charged with prodemocratic political activity were subjected to regular surveillance and harassment. Security forces continued to use excessive force to violate international humanitarian law in internal conflicts against ethnic insurgencies. The regime forcibly relocated large ethnic minority populations in order to deprive armed ethnic groups of civilian bases of support.

The SPDC continued to restrict severely freedom of speech, press, assembly, and association. It has pressured many thousands of members to resign from the NLD and closed party offices nationwide. Since 1990 the junta frequently prevented the NLD and other prodemocracy parties from conducting normal political activities. The junta recognizes the NLD as a legal entity; however, it refuses to accept the legal political status of key NLD party leaders, particularly the party's general secretary and 1991 Nobel laureate, Aung San Suu Kyi, and restricts her activities severely through security measures and threats. The Government imposed some restrictions on certain religious minorities. The junta continued to restrict freedom of movement and, in particular, foreign travel by female citizens; the junta also continued to restrict Aung San Suu Kyi's freedom to leave her residence or to receive visitors. In September Aung San Suu Kyi, actions that placed under house arrest when she attempted to visit an NLD party office on the outskirts of Rangoon, and again when she attempted to travel by train to Mandalay.

During the year, the SPDC intensified its systematic use of coercion and intimidation to deny citizens the right to change their government. In September 1998, the NLD leadership organized a 10-member Committee Representing the People's Parliament (CRPP) to act on behalf of the parliament. The junta responded by forcing several elected representatives to resign from the parliament, by detaining dozens of other elected representatives, and by pressuring constituents to sign statements of no confidence. One member of the CRPP also was jailed, and the other members of the committee were placed in detention during the latter part of the year. However, late in the year, with encouragement from U.N. Special Representative Ismail Razali, the Government opened contacts with Aung San Suu Kyi, which appeared to produce some relaxation in the restrictions on the NLD. Six of the NLD's 9 central committee members and 80 NLD supporters were released from detention, and press attacks on the NLD and Aung San Suu Kyi ceased. In addition the NLD was able to resume some normal activities of a political party.

The junta restricted freedom of religion; it maintained its institutionalized control over Buddhist clergy and restricted efforts by some Buddhist clergy to promote human rights and political freedom. The Government also coercively promoted Buddhism over other religions in some ethnic minority areas and imposed restrictions on certain religious minorities.

The Government did not allow domestic human rights organizations to exist and remained generally hostile to outside scrutiny of its human rights record. Violence and societal discrimination against women remained problems, as did discrimination against religious and ethnic minorities. The Government continued to restrict worker rights, ban unions, and use forced labor for public works and for the support of military garrisons. Forced labor, including forced child labor, remains a serious problem. The forced use of citizens as porters by the army--with attendant mistreatment, illness, and sometimes death--remained a common practice. In November the International Labor Organization (ILO) Governing Body judged that the Government had not taken effective action to deal with the "widespread and systematic" use of forced labor in the country and, for the first time in its history, called on all ILO members to apply sanctions to Burma. Child labor also is a problem and varies in severity depending on the country's region. Trafficking in persons, particularly in women and girls to Thailand and China, mostly for the purposes of prostitution, remained widespread.

Ethnic insurgent forces committed numerous abuses, including killings, rapes, forced labor, and the forced use of civilians as porters.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killings

There continued to be many credible reports of extrajudicial killings by soldiers of noncombatant civilians, particularly in areas of ethnic insurgencies (see Section 1.g.).

There were credible reports that army soldiers shot and killed at least 73 unarmed ethnic Shan villagers in several repeated incidents in Kun-Hing township, Shan State (see Section 1.g.). There were reports that soldiers raped and killed women and killed persons who sought to prevent such rapes. For example, according to local reports, on January 11, a patrol of approximately 85 SPDC troops from the 102nd Infantry Battalion led by Captain Saw Hpyu beat to death 3 men and gang raped, then shot and killed, 2 women along the banks of the Nam Paang river, a tributary of the Salween river, in Kun-Hing township. On January 17, SPDC troops from Kun-Hing town, from the 246th Infantry Battalion led by Commander Than Oo, shot and killed four displaced farmers who were returning from their farm. In both the January 11 and 17 incidents, the victims were farmers whom the SLORC had relocated forcibly to the area, and reportedly were being interrogated about the whereabouts of nearby Shan soldiers. In addition there were numerous other reports of SPDC soldiers killing forcibly displaced persons who were unable to help locate Shan soldiers. There were reports in February that troops raped and killed three women in Shan State, and in June that soldiers in Shan State killed a man who tried to intervene when the soldiers raped his sister (see Section 1.c.). On April 2, troops from the army's 246th Light Infantry Division reportedly shot and killed four farmers, and on April 7 troops from the 72nd Infantry Battalion shot and killed three farmers; both incidents occurred in Kun-Hing township, Shan State.

Brutal treatment by soldiers also caused deaths among those impressed as military porters. According to reports, porters who no longer can work often either are abandoned without medical care or assistance, or executed. Credible reports indicate that 14 porters recruited to work for the military forces in Karen State died between April and June, as a result of mistreatment, exhaustion, and malnutrition (see Sections 1.c. and 6.c.). There was one unconfirmed report of extrajudicial killing by police and fire brigade officials who reportedly marched a group of drug addicts out of Hpakant in Sagaing Division in mid-1999, causing some to die on the road. However, no eyewitness evidence regarding this alleged incident ever has appeared.

As in previous years, some inmates died in prisons and labor camps, or shortly after being released from them, due to torture or to denial of adequate medical care and harsh conditions (see Section 1.c.).

The military Government also killed persons for political reasons. For example, according to the Chin Human Rights Organization, a local nongovernmental organization (NGO), on June 26, the Commander of the 266th Light Infantry Battalion killed Zo Thang, a monitor for the NGO, as well as two associates, in Bung Khua village, Chin State (see Section 4). This alleged incident could not be confirmed.

During the year, the Karen National Union (KNU) killed a group of three soldiers when they returned to their homes for leave in Karen State, where such soldiers apparently are vulnerable. The local army contingent retaliated against another nearby village by killing a handful of persons, including women and children.

Some insurgent groups also committed killings. In 1999, near Three Pagoda's Pass in the eastern part of the country, soldiers of the KNU reportedly captured and killed 10 immigration officials. During the year, in Kayah State, elements of the Karenni National Progressive Party (KNPP), an insurgent group, reportedly killed several persons, including a monk and a mother of five (see Sections 1.g. and 5).

b. Disappearance

Throughout the country, as in previous years, private citizens and political activists continued to "disappear" for periods ranging from several hours to several weeks or more; many persons never have reappeared. DDSI officials usually apprehend individuals for questioning without the knowledge of their family members. In many, although not all cases, the DDSI releases them soon afterward. Such action usually is intended to prevent free political expression or assembly (see Section 2.a.). The army also continued to seize numerous persons for portage or related duties, often without the knowledge of their family members (see Sections 1.c. and 6.c.). The whereabouts of those persons seized by army units to serve as porters, as well as of prisoners transferred for labor or portage duties, often remained unknown.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Members of the security forces tortured, beat, and otherwise abused prisoners and detainees. The Government routinely subjected detainees to harsh interrogation techniques designed to intimidate and disorient. The most common forms of mistreatment were sleep and food deprivation coupled with around-the-

clock questioning under bright lights; some detainees also were kicked and beaten. During the year, there were credible firsthand reports that, during interrogations, officials place metal rods between prisoners' fingers and squeeze them in an attempt to injure the prisoners' hands; hot wax also is poured on the prisoners' backs. There continued to be credible reports that prisoners were forced to squat or assume stressful, uncomfortable, or painful positions for lengthy periods. In August 1999, a military intelligence team placed NLD youth member Thein Lwin in detention. Authorities subsequently tortured Thein Lwin for 9 months without ever charging him with a crime.

In late August, during the first 2 days of a 9-day political standoff, security forces refused to permit local residents to distribute food, water, or medicine to Aung San Suu Kyi and a number of her NLD colleagues; they also interfered with several subsequent provision deliveries and did not allow Aung San Suu Kyi access to her doctor. Aung San Suu Kyi later was placed under house arrest (see Sections 1.d., 2.d., and 3). Police sometimes beat NLD members during confrontations.

In September five prison guards and a trustee inmate beat James Mawdsley with sticks; Mawdsley, a British political prisoner who was confined in Keng Tung until October, suffered a broken nose and two black eyes (see Section 1.e.).

According to the Chin Human Rights Organization, on June 26, the 266th Light Infantry Battalion reportedly forced a 29-year-old Chin farmer, a woman named Pi Sai Sung, to walk 28 miles with rags stuffed in her mouth and wearing only a bra and underwear. The army reportedly abused her in this manner because Pi Sai allegedly had had a relationship with a human rights field monitor whom the battalion killed that same day (see Section 4). However, the events of this alleged incident could not be confirmed.

There continued to be many credible reports that security forces subjected ordinary citizens to harassment and physical abuse. The military forces routinely confiscate property, cash, and food, and use coercive and abusive recruitment methods to procure porters. Those persons forced into portage or other labor faced extremely difficult conditions, and beatings and mistreatment that sometimes resulted in death (see Sections 1.a., 1.g., and 6.c.). For example, the military requires all Rohingya farmers from a village in Northern Rakhine State to provide 10 days of labor a month to the military. If they arrive late for their duty, the local major makes them roll down a bramble-covered hill as punishment. Numerous other Rohingya men say that all of the men from their village must work every 2 weeks as porters to carry food and ammunition to military camps near Bangladesh. The men describe the trek as quite dangerous, particularly when the soldiers beat them with bamboo canes (see Sections 5 and 6.c.).

For decades successive military regimes have applied a strategy of forced relocation against ethnic minority groups seeking autonomy; these forcible relocations continue, particularly alongside the Thai border. Thousands of villagers continue to flee or be driven from their homes, where they come to struggle in makeshift forest shelters without adequate food, security, or basic medical care—frequently in heavily mined areas. In a December 1999 Karen Human Rights Group report, Karen villagers said that the army and the Democratic Karen Buddhist Army (DKBA), an armed ethnic group allied with the Government, frequently enter villages together, demanding money, food, and other favors. Those persons unable to deliver may be killed, beaten, subjected to forced labor, or raped (see Sections 1.a., 1.g., 2.d., and 6.c.). There are numerous reports that SPDC troops loot and confiscate property and possessions from forcibly relocated persons, or persons who are away from their homes; these materials often are used for military construction.

Throughout the year, the NLD reported numerous complaints of extensive government mistreatment and exploitation of Kun Gyan Kone farmers, particularly those unable to meet government quotas (due to low rice yields). According to the NLD, many farmers were forced to sell their crops, land, and cattle for less than the market rate; some persons were detained, and the Government seized the property of others (see Section 1.d.).

There were frequent reports that army soldiers and other army personnel raped women who were members of ethnic minorities, especially in Shan, Karenni, and Karen States. For example, according to www.shanland.org, a web site organized by Shan human rights and news organizations, on February 23, three SPDC soldiers raped two women who were catching fish in a stream near Ta Khoi village. On March 13, SPDC troops allegedly gang raped and beat to death three women who were collecting firewood in the forest near the road from Murng-Ton to Murng-Sart township, Shan State. On March 29, a Light Infantry Battalion captain reportedly raped a displaced Shan woman at Naa Kawng Mu village, Murng Harn tract, Murng-Ton township, and threatened to imprison the village leaders who came to complain about it. On June 29, another Light Infantry Division captain allegedly raped a woman and shot and killed her brother who tried to intervene, at a rice farm in Lai-Kha township, Shan State. None of the incidents in these www.shanland.org reports could be confirmed. There were many similar reports throughout the year.

Members of insurgent forces also reportedly raped civilians.

Prison conditions generally remained harsh and life threatening. The Government's Department of Prisons operates many facilities, including several labor camps. Prisoners are permitted to receive medicine and food from their families during 15-minute visits once every 2 weeks. Throughout the year, the Government transferred many prisoners--including NLD members--from Insein prison to prisons and labor camps far from Rangoon, where conditions are much harsher. There also were credible reports that at least a few prisoners long have been denied adequate medical care. Some of these prisoners died as a result. In July 1999, NLD member-elect of parliament Kyaw Min died of hepatitis contracted in prison. He had been detained from 1996 to 1998 without trial and was released to his family just prior to his death. Tun Zaw Zaw, a NLD youth leader who was released on December 31, 1999, also lost his sight while under detention and was detained again on September 14 and, again, on September 21. At year's end, he remained in detention in Insein Prison. In Thauntha township of Mandalay Division, the authorities arrested U Aung Kyaw, U Maung Nyo, U Nyo Hla, and U Htay Gyi for sending a letter of appeal regarding the Government's commandeering of private vehicles. U Aung Kyaw's request for medical attention was denied, and on April 30, he died of hypertension after 5 days in jail.

International monitoring of prisons began in May 1999, when the ICRC was allowed unrestricted access to all prisoners in all prisons, detention centers, and labor camps. Visits by the ICRC to labor camps began in March, and it visited six labor camps by year's end. In response to ICRC recommendations, the Government provided some prisoners with an opportunity for exercise, better food, reading material, and improved medical care. As of September, the ICRC had visited more than 35,000 prisoners in at least 30 prisons, including more than 1,800 political prisoners (see Section 1.e.). The ICRC also has begun tackling the problem of the roughly 36,000 persons in forced labor camps. The Government allowed the ICRC to perform its traditional services, such as providing medications, delivering letters to and from prisoners, and providing support for family visits to prisoners.

d. Arbitrary Arrest, Detention, or Exile

There is no provision in the law for judicial determination of the legality of detention, and the SPDC routinely used arbitrary arrest and incommunicado detention. For example, Aung San Suu Kyi was held incommunicado twice in September, following her attempt to visit NLD party workers on the outskirts of Rangoon and her attempt to travel by train to Mandalay (see Sections 2.b., 2.d., and 3). Prior to being charged, detainees rarely have access to legal counsel or their families and political detainees have no opportunity to obtain release on bail. Even after being charged, detainees rarely have the benefit of counsel. Some political detainees are held incommunicado for long periods. Moreover, Section 10a of the Penal Code allows the authorities to extend sentences arbitrarily, and some political prisoners were not released after completing their sentences. In Mandalay 11 prisoners sentenced for political reasons--including Zaw Min, Ne Win, U Tin Aye Yu, U Tin Myint, U Tin Aye, U Khin Maung Thant, U Zarni Aung, U Thein Than Oo, U Kyaw Sein Maung, U Naing Myint, U Htay Nyunt--have completed their terms, but have not been released. Countrywide, at least 30 prisoners in 7 different prisons are held in similar circumstances.

Authorities continued to detain some private citizens and political activists continued to "disappear" temporarily at the hands of security forces (see Section 1.b.).

The Government repeatedly detained and deported foreign journalists (see Section 2.a.).

Throughout the year, the Government continued its campaign of detention and intimidation against the NLD. Between April and May the authorities arrested scores of NLD members-elect of parliament and sentenced four of them to periods of between 2 and 15 years in prison. Than Lwin, Kyaw Shwe, Nyein Maung, and Tin Aung Lay, the four elected members who were held, were detained for fabricating accusations against township organizations, instigating threats to peace and stability by spreading rumors to mislead the public, and illegally organizing villagers. In addition U Aye Tha Aung, who represented four large ethnic groups in the CRPP, was arrested in April and sentenced, in secret, to 21 years in prison for "trying to destroy the unity of the nationalities." Following local party elections for the NLD's youth and women's organizations in April, all 38 of the newly elected party officials were arrested and sentenced to periods in prison ranging from 6 months to 40 years. In addition on May 27, the NLD headquarter's two elderly landladies, Daw Khin Nu and Daw Chaw, were arrested for disturbing the peace and spent several weeks in Insein prison. Also in May in Taung-Dwin-Gyi township, Magwe Division, police detained 25 NLD youth members and transferred them to Thayet prison without their families' knowledge. These youth members were released, but only after their parents agreed to prevent their children from communicating with the NLD offices. On September 27, police detained 83-year-old member-elect U Maung Maung Gyi, the senior leader at NLD headquarters, for 12 hours in order to ensure that he did not organize any celebration of the NLD's 12th anniversary.

At year's end, the Government continued to detain without charge 48 members-elect of parliament in 1990. Most were NLD members and most had been detained since September 1998, just before the NLD formed the CRPP. Other members-elect of parliament were released during the year. However, there were credible reports that many of these members-elect were released only after they agreed to resign from parliament, to withdraw their support from the CRPP, or otherwise to restrict their political activities.

Throughout the year, the NLD brought complaints about extensive government mistreatment and exploitation of Kun Gyan Kone farmers; numerous farmers were held in custody for failing to meet rice quotas (see Section 1.c.). For example, in Karen State, armed KNPP units threaten farmers with death for nonpayment of taxes. If the farmer pays, the army then imprisons him for 3 years for "unlawful association." According to the Karen Human Rights Group, in March army troops burned at least nine villages in Dweh Loh township, just southwest of the town of Papun, and then planted landmines in them.

Since 1988, when the SPDC refused to recognize the results of the elections and pressured successful candidates to resign, some candidates, as well as thousands of political activists, went into forced exile rather than face threats.

e. Denial of Fair Public Trial

The judiciary is not independent of the military junta. The junta appoints justices to the Supreme Court which, in turn, appoints lower court judges with the approval of the junta. These courts then adjudicate cases under decrees promulgated by the junta that effectively have the force of law.

The court system, as inherited from the United Kingdom and subsequently restructured, comprises courts at the township, district, state, and national levels.

Throughout the year, the Government continued to rule by decree and was not bound by any constitutional provisions providing for fair public trials or any other rights. Although remnants of the British-era legal system formally were in place, the court system and its operation remained seriously flawed, particularly in the handling of political cases. Unprofessional behavior by some court officials, the misuse of overly broad laws--including the Emergency Provisions Act of 1950, the Unlawful Associations Act, the Habitual Offenders Act, and the Law on Safeguarding the State from the Danger of Destructionists--and the manipulation of the courts for political ends continued to deprive citizens of the right to a fair trial and the rule of law. Pervasive corruption further serves to undermine the impartiality of the justice system.

Some basic due process rights, including the right to a public trial and to be represented by a defense attorney, generally were respected in criminal cases, but not in political cases that the Government deemed especially sensitive. In criminal cases, defense attorneys generally are permitted to call and cross-examine witnesses; however, their primary purpose is to bargain with the judge to obtain the shortest possible sentence for their clients. Most court proceedings are open to the public. However, in political cases, trials are not open to the public. In political cases, defense attorneys appear to serve no purpose other than to perpetuate the pretense of a fair trial, since reliable reports indicate that senior military authorities dictate verdicts, regardless of the evidence or the law. In one case, Chein Poh, a 77-year-old highly respected and nonpolitical lawyer, was sentenced to 14 years in prison for allegedly distributing articles from foreign newspapers and magazines with antigovernment annotations (see Section 2.a.). Although the Government was not able to prove its case against him, he was given two consecutive 7-year sentences for the same activity. However, his actual offense was the fact that he is a neighbor of U Tin Oo, the vicechairman of the NLD. In October, following an appeal by U.N. Special Representative Razali, authorities released from prison U Chein Poh and five other elderly prisoners.

U Chein Poh's arrest and conviction may have been part of an extensive government campaign to eliminate the remaining independent lawyers in the country who might provide advice and counsel to the NLD. During the year, the Government arrested and sentenced under fabricated charges nearly every lawyer with any perceived connection with the NLD. Cases include that of U Soe Han, a prominent NLD lawyer who was charged with having failed to inform the Government that he planned to stay overnight at his mother's house (see Section 1.f.). Authorities released U Soe Han following his wife's death. However, they rearrested U Soe Han in September and sentenced him, along with several other prominent individuals, to 21 years in prison for sending a letter to Senior General Than Shwe and Secretary One Khin Nyunt that urged the Government to release political prisoners and start a dialog with the NLD. Altogether, the Government jailed more than 40 lawyers during the year. In 1999 two prodemocracy activists were sentenced to long prison terms for actions that elsewhere would have been deemed innocuous. After two arrests in 1997 and 1998, and imprisonment for 90 days of a 5-year prison sentence for illegal entry, a British citizen, James Mawdsley, was arrested for a third time in August 1999, and sentenced to a total of 17 years in Keng Tung prison. On October 19, he was released, shortly after the U.N. Working Group on Arbitrary Detention informed the Government that

Mawdsley's detention violated international standards of human rights (see Section 1.c.). In September 1999, Rachel Goldwyn, a foreign citizen, was arrested after chaining herself to a lamppost in downtown Rangoon and singing a prodemocracy song. She was convicted of sedition and sentenced to 7 years' imprisonment, but was released on appeal and left the country in November 1999.

During the year, the Government allowed two visits by U.N. Special Envoy to Burma, Ismail Razali (see Section 4). In late December, shortly before an expected return Razali (scheduled for January 2001), the Government released several political prisoners from the list of aged prisoners presented by Razali during his first and second visit. Late in the year, the Government released 6 of the NLD's 9 central committee members and 80 NLD supporters from detention.

Opposition political parties have attempted to use the courts to enforce their political rights, thus far without success. In 1999 the Supreme Court dismissed suits brought by members of the NLD's central executive committee (CEC) against SPDC Secretary One, and Lt. Gen. Khin Nyunt, the chief of military intelligence. The suits alleged that the military intelligence apparatus violated the rights of private individuals in connection with the detention of NLD members elected to parliament in 1990. The NLD CEC members also filed suit against other senior government officials for libel, fraud, and intimidation in connection with government-organized petitions of "no confidence" in NLD members-elect of parliament (see Sections 1.d. and 3). The hearing on these cases was closed to the public and, in both cases, the Supreme Court's verdict went against the NLD. On April 27, the Supreme Court dismissed an appeal by the NLD against the SPDC for illegally detaining and libeling members-elect of parliament. The Supreme Court ruled that a case could not proceed against a government official--in this case head of military intelligence Lt. General Khin Nyunt--if the Head of State did not grant permission. In September lawyers for the NLD began a suit against General Than Shwe and the Chairman of the Election Commission for failing to fulfill commitments made in regard to the transition to democracy.

The ICRC estimated that there were 1,800 political prisoners in the country as of July, and during the year the ICRC completed visits to almost all of them. In addition some political prisoners remained in custody despite having completed their sentences (see Section 1.d.).

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The military Government continued to interfere extensively and arbitrarily in the lives of citizens. Through its pervasive intelligence network and administrative procedures, the Government systematically monitored the travel of all citizens and closely monitored the activities of many citizens, particularly those known to be active politically. The law requires that any person who spends the night at a place other than his registered domicile inform the police in advance, and that any household that hosts a person not domiciled there maintain and submit to the police a guest list. Moreover, police routinely enter and search homes at night without warrants to enforce compliance with this requirement.

In May U Soe Han, a lawyer for the NLD, was detained under this law, as a result of having spent the night of May 27 (the tenth anniversary of the 1990 general election) at his mother's house (see Section 1.e.). Security personnel also commonly searched private premises and other property without warrants in other contexts.

Government employees generally are required to obtain advance permission before meeting with foreigners.

Government employees generally are prohibited from joining or supporting political parties; however, this proscription is applied selectively. In the case of the Government's own mass mobilization organization, the Union Solidarity and Development Association, the Government has used coercion and intimidation to induce many persons, including nearly all public sector employees, both to join the union and to attend meetings called to criticize the NLD and NLD members-elect of parliament (see Sections 1.d., 2.b., and 3).

Government officials, including senior officials, continued repeatedly to make statements in the state-monopolized domestic media warning parents that authorities could hold them responsible for any political offenses committed by their children. The Government's intelligence services also monitor the movements of foreigners and question citizens about conversations with foreigners. In addition, in July 1998, the Government officially banned marriages between female citizens and foreigners; however, this ban has not been enforced.

Telephone service also is controlled tightly. Security personnel regularly screen private correspondence and telephone calls. Government authorities continued generally to prevent citizens from subscribing directly to foreign publications or satellite television (see Section 2.a.). In addition the Government licenses and rations all electronic communication devices, which are monitored closely. A decree promulgated by the junta in 1996

has made possession of an unregistered telephone, facsimile machine, or computer modem punishable by imprisonment (see Section 2.a.). In April an Indonesian citizen, Irawan Sidaria, and two local technicians were arrested under this statute for having installed an Inmarsat satellite telephone unit at the Asia Plaza Hotel in Rangoon. The communication equipment, which provided 10 telephone lines for oversea calls, had not been licensed by the state-owned Myanmar Posts and Telecommunications. In June Myanmar Posts and Telecommunications also announced that users of nonregistered cordless telephones in the country would face up to 3 years imprisonment or a fine of about \$75 (30,000 Kyat), or both.

During late 1998 and early 1999, the Government refused to allow Aung San Suu Kyi's terminally ill husband, Michael Aris, to travel from Britain to visit his wife in Rangoon. The Government stated that if Aung San Suu Kyi wanted to see her British husband, she could leave the country to visit him in the United Kingdom. The Government also announced that it would allow the prodemocracy leader to reenter the country only if it judged her visit to be nonpolitical. At about the same time, state-owned media and billboards and government-organized mass rallies called for Aung San Suu Kyi to be expelled.

Weak private property rights and poor land ownership records facilitate involuntary relocations of persons by the State. The law does not permit private ownership of land; it recognizes only different categories of land use rights, many of which are not freely transferable. Postcolonial land laws also have revived the precolonial tradition that private rights to land are contingent upon the land being put to productive use.

To make way for commercial or public construction and, in some cases, for reasons of internal security and political control, the SPDC has relocated forcibly citizens to "new towns." Prevalent during the early 1990's, this practice has become much more restrictive. Persons relocated to new towns generally suffer from greatly reduced infrastructure support, and residents targeted for displacement generally are given no option but to move, usually on short notice (see Section 2.d.).

In rural areas the military Government frequently forcibly relocated ethnic minority villages. This practice was particularly widespread in the Shan, Kayah, and Karen States and in areas of Mon State and Pegu Division. In these areas, thousands of villagers were displaced from their traditional villages and herded into secure settlements in strategic areas. These forced relocations often are accompanied by demands for forced labor to build infrastructure for both villagers and army units and often have generated large refugee flows to neighboring countries and/or to parts of the country not controlled by the Government (see Sections 1.c., 2.c., 2.d., 5, and 6.c.). In some areas, the junta has replaced the original ethnic settlements with settlements of Burmans. This was the case in Arakan State in 1999 and during the year, where the Government forcibly relocated several largely Muslim villages, and resettled the area with Buddhist Burmans, who were forced to move from Dagon Township in Rangoon Division. In other areas, army units forced or attempted to force ethnic Karen to relocate to areas controlled by the DKBA (see Section 5).

Military units also have routinely confiscated livestock, fuel, food supplies, alcoholic drinks, or money. This abuse has become widespread since 1997, when the junta, intent upon continuing its military buildup despite mounting financial problems, ordered its regional commanders to meet their logistical needs locally rather than rely on the central authorities. As a result, regional commanders have increased their use of forced contributions of food, labor, and building materials throughout the country (see Sections 1.c., 5, and 6.c.).

Both army and insurgent units have used forced conscription.

g. Use of Excessive Force and Violations of Humanitarian Law in Internal Conflicts

Since independence in 1948, the army has battled a series of diverse ethnic insurgencies. These ethnic insurgent groups have sought to gain greater autonomy or, in some cases, independence from the ethnic Burman-dominated State. Since 1989 15 such groups have concluded cease-fire agreements with the Government. Under these agreements, these groups have retained their own armed forces and perform some governmental functions within specified territories inhabited chiefly by members of their ethnic groups. However, other groups remain in active revolt. The KNU has continued to conduct insurgent operations in areas with significant Karen populations in the eastern and southern regions of the country, including not only Karen State, but also Mon State, Tenasserim Division, and Pegu Division. In Kayah State, the KNPP has resumed fighting against the Government since the breakdown of a cease-fire negotiated in 1995.

In central and southern Shan State, military forces continued to engage the Shan State Army (SSA). The military maintained a program of forced relocation of villagers in that region and there were credible reports of army killings, rapes, and other atrocities.

On January 30, in Kaeng-Kham village, Kun-Hing township, Shan State, SPDC troops reportedly shot and

killed 19 unarmed villagers aged 15 to 57 years. The villagers previously had been resettled forcibly, but on January 18, Lieutenant Colonel Kyaw Aye, Commander of the army's 246th Infantry Battalion, reportedly told the villagers that the Government had decided that for a fee they would be permitted to resettle in their old village. The 66th army Infantry Battalion led by Captain Zaw Thein, which later encountered the villagers, confronted them later shot and killed the 19 persons who chose to pay a fee. The villagers reportedly were killed because they were found in a "free-fire" zone; the safe-conduct passes were not recognized. On February 12, 80 to 90 SPDC troops led by Captain Hla Khin, again from the 246th Infantry Battalion, reportedly killed 20 villagers in Kun Pu tract, Kun-Hing township and 5 other villagers, at a different place. The villagers also were among those who the SLORC had displaced forcibly in 1996 and 1997. It is believed that these massacres were intended to terrorize and intimidate the villagers so that they would either go to relocation sites or flee to Thailand.

According to an April report available at www.Shanland.org, on March 27, in Murng-Kerng town, Shan State, a group of SPDC troops from the 514th Light Infantry Battalion reportedly shot and killed 13 relocated farmers (8 men and 5 women) who were clearing a plot of land for growing rice. The same battalion reportedly raped and killed three women in Kai-See township, Shan State. Neither incident could be independently verified or confirmed.

In May the army's 246th Light Infantry Division and its 524th Light Infantry Division reportedly killed a total of 73 Shan villagers, including women and children, in 2 separate incidents in Kun-Hing township, Shan State (see Sections 1.a. and 2.d.). On August 2, the army's 520th Light Infantry Battalion shot and killed a family of six at their rice farm in Murng-Pan township, Shan State. Numerous similar army killings of civilians occurred throughout the year.

Other active insurgent groups include the Chin National Front, the Naga National Council, the Rohingya Solidarity Organization, and the Arakan National Organization.

Some antigovernment insurgent groups also committed serious abuses. Some KNU units killed civilians, in one case by blowing up a passenger bus with a landmine. During the year, KNPP elements reportedly killed a Buddhist monk, Sayador U Bandarkawthala, in Demawso township, Kayah State. They also were accused of gang raping and killing Ma Nyunt Tin, a mother of five children, in the vicinity of Soe Hlar village, Kayah State. SSA insurgents reportedly committed retaliatory killings, rapes, and other atrocities against civilians. There were credible reports that some insurgents used women and children as porters (see Sections 6.c. and 6.d.). According to an unconfirmed August report available at www.Shanland.org, on June 2, five displaced persons from Loi-Lem township reportedly were killed by a landmine blast, planted by members of the United Wa State Army in Murng-Ton township, Shan State. At least one Karen insurgent group calling itself God's Army, which has split from the KNU and operated from a base inside the country near the border with Thailand, was led by child soldiers (see Sections 6.c. and 6.d.).

On January 24, 10 armed God's Army members seized the provincial hospital in Ratchaburi, Thailand, taking several hundred persons hostage; the next day, Thai security forces killed all 10 terrorists while retaking the hospital. In September 1999, five young armed Karen (of the same group) seized the Burmese embassy in Thailand and held persons of several nationalities hostage.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The law allows the Government to restrict freedom of speech and of the press and, in practice, the junta continued to restrict these freedoms severely and systematically. The Government continued to arrest, detain, convict, and imprison many persons for expressing political opinions critical of the junta, and for distributing or possessing publications in which such opinions were expressed (see Sections 1.c., 1.d., and 1.e.). Security services also monitored and harassed persons believed to hold such political opinions. Many more persons refrained from speaking out due to fear of arrest, interrogation, and other forms of intimidation.

Legal restrictions on freedom of speech, already severe since the early 1960's, have intensified since 1996, when the junta issued a decree prohibiting speeches or statements that "undermine national stability," as well as with the drafting of alternative constitutions. In all regions of the country, the military Government continued to use force to prohibit virtually all public speech critical of it by all persons, including persons elected to parliament in 1990, and by leaders of political parties. The Government has pursued this policy consistently since 1990, with one exception--from late 1995 to December 1996, the Government allowed weekly speeches by NLD leaders in front of Aung San Suu Kyi's residence in Rangoon.

Many prominent writers and journalists remain in prison. In 1999 novelist Maung Tha Ya fled the country and identified 20 prominent writers who then were in prison. These included novelist and journalist San San Nweh, who was imprisoned in 1994 for a 10-year-term for passing information about human rights violations to international reporters and U.N. observers. Government censorship boards forbade publication or distribution of works authored by those in prison, although the Government allowed former political prisoners, Ma Thida, and U Sein Myint (also known as U Moe Thu), to write several magazine articles following their release from prison.

On May 26, the junta announced that security forces had seized "inflammatory" leaflets, stickers, and calendars bearing the monk association's seal, and arrested Zaw Min Oo in the Bago Division. These published sheets allegedly were to be distributed within religious associations. In September the junta also sentenced Chein Poh, a highly respected, 77-year-old lawyer in Rangoon for allegedly distributing foreign publications with antiregime annotations written on the back. Although the regime presented no credible evidence to prove the charge, Chein Poh was sentenced to 14 years in prison (see Section 1.e.). Between April and June, the junta arrested an additional 11 persons for distributing antijunta leaflets and allegedly planning attacks on government buildings.

The Government did not permit Aung San Suu Kyi to communicate with the outside world during the initial period of her house arrest. However, after November she was permitted to meet with selected members of the NLD's Central Executive Committee, U.N. Special Representative Ismail Razali, and representatives of the European Union, among others (see Sections 1.d., 2.b., 2.d., and 3).

The Government owns and controls all daily newspapers and domestic radio and television broadcasting facilities. These official media remained propaganda organs of the junta and normally did not report opposing views except to criticize them. The one, partial exception was the Myanmar Times, an expensive English-language weekly newspaper targeted at the foreign community in Rangoon that was launched in February, and which occasionally reported on criticism of the Government's policies by the U.N. and other organizations.

All privately owned publications remained subject to prepublication censorship by state censorship boards. Due in part to the time required to obtain the approval of the censors, private news periodicals generally are published monthly or less often. However, since 1996, the Government has given transferable waivers of prepublication censorship for weekly periodicals. As a result, weekly tabloids have proliferated; however, they remain subject in principle to censorship and generally do not report domestic political news. Most in fact are published by government departments. Government control encourages self-censorship.

Imported publications remained subject in principle to predistribution censorship by state censorship boards, and possession of publications not approved by the state censorship boards remained a serious offense. Cases involving prodemocracy literature were punished regularly by imprisonment. The Government also restricted the legal importation of foreign news periodicals and discouraged subscriptions to foreign periodicals. However, a limited selection of foreign newspapers could be purchased at hotels and bookstores in Rangoon (see Section 1.f.). Prior to August these foreign newspapers and magazines also were censored regularly at the airport on arrival; subsequently, the Government's policy ceased to be enforced.

Since 1997 the Government has issued few visas to foreign journalists and has held fewer than a handful of press conferences on political subjects. Several journalists who entered the country as tourists were detained and deported by the Government.

Due to widespread poverty, limited literacy, and poor infrastructure, radio remained the most important medium of mass communication. News periodicals rarely circulated outside urban areas, and most villages lacked access to electrical power, except from generators or batteries. The junta continued to monopolize and to control the content of all domestic radio broadcasting tightly. Foreign radio broadcasts, such as those of the British Broadcasting Corporation, Voice of America, Radio Free Asia, and the Norway-based Democratic Voice of Burma, remained the principal sources of uncensored information; however, individuals were arrested for listening to these services. In December 1999, U Than Chaun, the owner of a coffee shop in Shwe-Goo Township of Kachin State was arrested and sentenced to 2 years' imprisonment with hard labor for having the radio in his coffee shop tuned to Voice of America.

The Government also continued to monopolize and to control tightly all domestic television broadcasting, offering only a government channel and an armed forces channel. In addition the Government continued to restrict the reception of foreign satellite television broadcasts through laws that made the operation of an unlicensed satellite television receiver a crime punishable by up to 3 years in prison (see Section 1.f.). The Television and Video Law makes it a criminal offense to publish, distribute, or possess a videotape not approved by a state censorship board. In 1996 the junta issued an amendment to that law that stiffened the penalties for distributing uncensored videos.

The junta continued to restrict access to electronic media severely and systematically. Under a decree promulgated by the junta in 1996, all computers, software, and associated telecommunications devices are subject to government registration, and possession of unregistered equipment is punishable by imprisonment (see Section 1.f.).

The Ministry of Defense continued to operate the country's only known Internet server and has begun to offer Internet services selectively to a small number of customers. However, in December 1999, military intelligence arrested Col. Khin Maung Lwin, who managed the Defense Ministry's Internet operations, and charged him with violating the Official Secrets Act. One e-mail service, which is government-owned, is available. In December 1999, military intelligence officials closed down several private e-mail services and computer training schools. The country's first cybercafe opened in Rangoon in 1999 but did not offer patrons direct access to the Internet.

The Government continued to restrict academic freedom severely. University teachers and professors remain subject to the same restrictions on freedom of speech, political activities, and publications as other government employees. The Ministry of Higher Education routinely warns teachers against criticism of the Government. It also instructs them not to discuss politics while at work; prohibits them from joining or supporting political parties or engaging in political activity; and requires them to obtain advance ministerial approval for meetings with foreigners. Like all government employees, professors and teachers have been coerced into joining and participating in the activities of the Union Solidarity and Development Association (USDA), the Government's mass mobilization organization. Teachers at all levels also continued to be held responsible for the political activities of their students.

In June and July, the Government reopened the remainder of the institutions of higher education that were closed in 1996, following widespread student demonstrations. This completed a process that began in August 1997, when primary and secondary schools reopened. With this latest action, all graduate and undergraduate schools have reopened. However, the Government has taken a number of special measures to limit the possibility of student unrest. Campuses have been moved to relatively remote areas, teachers and students have been warned that disturbances would be dealt with severely, and on-campus dormitories have been closed. This has disrupted university life severely. There is evidence that many students have decided to continue with self-study, because the universities have deteriorated to such an extent during the time that they were closed and have become so inaccessible.

b. Freedom of Peaceful Assembly and Association

The Government restricts freedom of assembly severely. It officially prohibits unauthorized outdoor assemblies of more than five persons; however, that ordinance is not enforced consistently. The 10 existing political parties also are required legally to request permission from the Government to hold meetings of their members; nevertheless, meetings occurred without government permission.

The military junta continued its systematic decade-long use of coercion and intimidation to prevent the parliament elected in 1990 from convening (see Sections 1.c., 1.d., 1.e., and 3).

The Government severely restricts freedom of association, particularly in regard to members of the main opposition political party, the NLD. While the Government has allowed the NLD to celebrate certain key party events with public gatherings at Aung San Suu Kyi's residence or the national NLD party headquarters in Rangoon, it has restricted the size of the gatherings and the individuals who were allowed to attend. For example on September 26, the NLD's 12th anniversary, junta forces blocked all traffic from roads surrounding NLD headquarters, with a heavy military intelligence and riot police presence for two blocks on either side of the building. It also has prevented NLD General Secretary Aung San Suu Kyi from traveling to party meetings outside of Rangoon, stopping her four times in 1998 and once during the year.

As in previous years, there were incidents during which security forces publicly beat NLD members as they attempted peaceably to assemble or attend meetings. On April 30, the security forces also detained 37 NLD members from Taun-Dwin-Gyi township, Magwe Division, for holding a party meeting.

Throughout the year, government authorities in various parts of the country used force to prevent prodemocracy demonstrations or punish participants in them. Authorities detained or arrested and in many cases convicted and imprisoned persons suspected of planning such demonstrations (see Sections 1.d. and 1.e.). On September 21, NLD members gathered at Rangoon train station to see Aung San Suu Kyi off on her proposed trip to Mandalay; however, police arrested them and at year's end, they still were in custody. Approximately 100 NLD members were arrested at the time (see Sections 2.d. and 3).

In 1999 the Government sometimes interfered with religious groups' assemblies or other outdoor gatherings; however, there were no credible reports of such activity during the year (see Section 2.c.).

Since 1998, when the NLD's national leadership first organized the CRPP, the Government's campaign against the NLD has intensified. This campaign initially involved mass rallies and government-organized "recall" movements against members-elect of parliament. This was followed by direct pressure on individual NLD members. Throughout the year, government media published hundreds of reports from localities across the country that stated that NLD members had "voluntarily resigned" from the party in groups ranging in size from fewer than 10 to more than 1,000 persons. By year's end, the reported number of NLD members who voluntarily resigned numbered in the tens of thousands.

These resignations from the NLD generally were coerced, according to the persons concerned. In some townships, authorities pressured NLD officers to resign, and then declared the local party organizations defunct due to a lack of recognized officers. In other localities, NLD officials who refused to resign from the party were arrested or imprisoned on fabricated charges, and/or recall motions were mounted against them. For example, U Tun Win, member-elect from Min Don township of Magwe Division, was forced to resign as a member of the NLD, and was sent to prison for 3 years for illegally possessing foreign videotapes found at his son's video rental store (see Section 2.a.).

Outside the capital, government pressure was particularly intense. In some cases, members-elect of parliament were required to register at police stations twice per day. In general the right of association existed only for organizations, including trade associations and professional bodies, permitted by law and duly registered with the Government, such as the Forest Reserve Environment Development and Conservation Association. The one exception to this general rule was the USDA, which the Government has attempted to develop as a nationwide political organization. Few secular nonprofit organizations exist, and those that do exist take special care to act in accordance with government policy. This group included nominally apolitical organizations such as the Myanmar Red Cross and the Myanmar Medical Association. Only 10 political parties are legally in existence, and most of those are moribund.

c. Freedom of Religion

Most adherents of all religions duly registered with the authorities generally enjoyed freedom to worship as they chose; however, the Government imposed some restrictions on certain religious minorities. In addition in practice the Government systematically restricted efforts by Buddhist clergy to promote human rights and political freedom, and coercively promoted Buddhism over other religions in some ethnic minority areas.

The most recent constitution, promulgated in 1974, permitted both legislative and administrative restrictions on religious freedom, stating that "the national races shall enjoy the freedom to profess their religion ... provided that the enjoyment of any such freedom does not offend the laws or the public interest." The Government requires religious organizations, like all organizations, to register with it. Although there is a government directive exempting "genuine" religious organizations from registration, in practice only registered organizations can buy or sell property or open bank accounts, which induces most religious organizations to register. Religious organizations register with the Ministry of Home Affairs with the endorsement of the Ministry for Religious Affairs. The State also provides some utilities, such as electricity, at preferential rates to recognized organizations.

The Government routinely monitored religious meetings, like all assemblies; and it subjected religious publications, like all publications, to censorship and control.

There is no official state religion; however, the Government continued to show preference for Theravada Buddhism, the majority religion. State-controlled news media frequently depict junta members paying homage to Buddhist monks, making donations at pagodas throughout the country, officiating at ceremonies to open, improve, restore, or maintain pagodas, and organizing ostensibly voluntary "people's donations" of money, food, and uncompensated labor to build or refurbish Buddhist religious shrines throughout the country. State-owned newspapers routinely featured, as front-page banner slogans, quotations from the Buddhist scriptures. Buddhist doctrine remained part of the state-mandated curriculum in all elementary schools; however, individual children could opt out of instruction in Buddhism. The Government also funded the construction of the International Theravada Buddhist Missionary University in Rangoon, which opened in December 1998; its stated purpose is "to share Myanmar's knowledge of Buddhism with the people of the world."

The Government also has attempted to control the Buddhist clergy, although the clergy have resisted this control. In October 1990, the military junta promulgated Order 6/90, which prohibits any organization of Buddhist clergy other than nine state-recognized monastic orders, which submit to the authority of a state-sponsored State Clergy Coordination Committee ("Sangha Maha Nayaka Committee"--SMNC). It also issued

Order 7/90, which authorizes military commanders to try Buddhist clergy before military tribunals for "activities inconsistent with and detrimental to Buddhism," and Order 20/90 which imposes on Buddhist clergy a code of conduct that is enforced by criminal penalties. These edicts remain in effect. The junta also has subjected the Buddhist clergy ("sangha") to special restrictions on freedom of expression and association and, since 1995, has prohibited the ordination as clergy of any member of a political party.

In 1999 the senior abbots of five monasteries around Mandalay protested a new order by the regional military command that forbade Buddhist clergy to leave their township of residence without first surrendering their identity cards and obtaining written permission from local authorities. Persons other than Buddhist clergy generally were not subject to such severe restrictions on movement (see Section 2.d.). In addition more than 100 monks have been imprisoned during the 1990's for supporting democracy and human rights; however, about half of these have been released, while others have died in prison.

Christian and Islamic groups continued to have difficulties in obtaining permission to build new churches and mosques, particularly on prominent sites. In parts of Chin State, authorities reportedly have not authorized the construction of any new churches since 1997. The Government reportedly also has denied permission for churches to be built along main roads in cities such as Myitkina, the capital of Kachin State. In Arakan State in April, authorities reportedly detained 12 Muslim elders for failing to demolish 3 mosques in Dodine village. In other areas of the country, Christian and Muslim groups that have sought to build small churches or mosques on side streets or in other inconspicuous locations usually have been able to gain official approval, despite a time-consuming bureaucracy.

There also were credible reports that government officials and security forces compelled both Buddhists and non-Buddhists to contribute money, food, and uncompensated labor to build, renovate, or maintain Buddhist shrines or monuments. The Government calls these contributions voluntary donations (see Section 6.c.). There also were reports of forced labor being used to dismantle temples and monasteries. For example, on July 27, army troops from the 246th Infantry Division reportedly forced 54 men to dismantle several temples and monasteries in the forced relocation areas in Kun-Hing township; on August 10, the same troops again conscripted 87 workers from the same town, and forced them to build a shelter for the lumber and tin sheets taken from the dismantled monasteries.

Since 1990 government authorities and security forces have promoted Buddhism over Christianity among the Chin ethnic minority of the western part of the country. Since 1990 government authorities and security forces, with assistance from monks of the Hill Regions Buddhist Missions, coercively have sought to induce Chins to convert to Theravada Buddhism and to prevent Christian Chins from proselytizing. This campaign, reportedly accompanied by other efforts to "Burmanize" the Chin, has involved a large increase in military units stationed in Chin State and other predominately Chin areas, state-sponsored immigration of Buddhist Burman monks from other regions, and construction of Buddhist monasteries and shrines in Chin communities with few or no Buddhists, often by means of forced "donations" of money or labor (see Section 6.c.). Government authorities repeatedly prohibited Christian clergy from proselytizing and beat those who refused to stop preaching. There also were reports of forced conversion.

Since the early 1990's, security forces have torn down or forced villagers to tear down crosses that had been erected outside Chin Christian villages; these crosses often have been replaced with pagodas, sometimes built with forced labor. In parts of Chin State, authorities reportedly have not authorized the construction of any new churches since 1997.

For several years, there have been reports that the Government sought to induce members of the Naga ethnic group in Sagaing Division to convert from Christianity to Buddhism by means similar to those used to convert members of the Chin to Buddhism. In August 1999, the first mass exodus of Naga religious refugees from the country occurred, as more than 1,000 Christians of the Naga ethnic group, from 8 different villages, fled the country to India. These Naga claimed that the army and Buddhist monks tried to convert them forcibly to Buddhism and closed and desecrated churches in their villages.

Religious groups of all faiths were able to establish and maintain links with coreligionists in other countries and travel abroad for religious purposes. However, the Government closely monitored these activities. Foreign religious representatives usually were allowed visas only for short stays but in some cases were permitted to preach to congregations.

The Government has not permitted permanent foreign missionary establishments since the mid-1960's, when it expelled nearly all foreign missionaries and nationalized all private schools and hospitals. However, some elderly nuns and priests working in the country since before independence in 1948 have been allowed to continue their work.

Religious publications, like secular ones, remained subject to censorship. Translations of the Bible and the Koran into indigenous languages could not be imported or printed legally, although this ban is not enforced in many areas. According to the Chin Freedom Coalition, in early 1999, in Tamu township, Sagaing Division, military authorities confiscated 16,000 copies of the Bible printed outside the country in the Chin, Kachin, and Karen languages; these Bibles reportedly remained confiscated at year's end.

Religious affiliation sometimes is indicated on government-issued identification cards that citizens and permanent residents of the country are required to carry at all times. There appear to be no consistent criteria governing whether a person's religion is indicated on his or her identification card. Nationals also are required to indicate their religions on some official application forms, such as passports.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Government restricts freedom of movement. Except for limitations in areas of insurgent activity, most citizens could travel freely within the country, but were required to notify their local government of their whereabouts (see Section 1.f.). Urban and rural residents also are subject to arbitrary relocation.

The freedom of movement of opposition political leaders also has been curtailed strictly. Since ostensibly freeing NLD general secretary Aung San Suu Kyi from house arrest in 1995, the junta has allowed her to travel outside the capital only once, on a visit to a monastery. On August 24, she was prevented from traveling to an NLD party meeting in Kungyangon, in the near vicinity of Rangoon, resulting in a 9-day roadside standoff, during which time she was denied access to her political followers. The standoff ended on September 2, when police took Aung San Suu Kyi and her companions into custody and detained them incommunicado at Aung San Suu Kyi's Rangoon residence until September 14. On September 21, the military Government again prevented her from traveling by train to Mandalay and again detained her incommunicado in her house (see Sections 2.b. and 3). The SPDC similarly detained on both occasions other leaders of the NLD, including the Vice Chairman of the NLD, U Tin Oo. Since 1996 security forces also have restricted public movement along the street in front of Daw Aung San Suu Kyi's residence.

The Government carefully scrutinizes prospective travel abroad. This facilitates rampant corruption, as many applicants are forced to pay large bribes (sometimes as high as \$3,000, about 1.2 million Kyat; the equivalent of 10 years' salary for the average citizen) to obtain passports. The official board that reviews passport applications has denied passports on political grounds. All college graduates who obtained a passport (except for certain government employees) are required to pay a special education clearance fee to reimburse the Government for the cost of their education. In February the Government issued new regulations on overseas employment passports that ultimately made it harder for citizens to travel overseas. Citizens who had emigrated legally generally were allowed to return to visit relatives. Some who had lived abroad illegally and had acquired foreign citizenship also were able to return.

Those residents unable to meet the restrictive provisions of the citizenship law, such as ethnic Chinese, Arakanese, Muslims, and others, must obtain prior permission to travel. Since the mid-1990's, the Government also has restricted the issuance of passports to female citizens (see Section 5). In addition the Government prohibits foreign diplomats and foreign employees of U.N. agencies based in Rangoon from traveling outside the capital without advance permission.

Restrictions on foreign travelers have been eased as part of an effort to promote tourism. Burmese embassies now issue tourist visas, valid for 1 month, within 24 hours of application. However, select categories of applicants, such as foreign human rights advocates, journalists, and political figures are denied entry visas regularly unless traveling under the aegis of a sponsor acceptable to the Government and for purposes approved by the Government. The Government also has detained and deported several journalists.

There is a large number of internally displaced persons (IDP's) in the country. NGO's estimate that there could be as many as 1 million minority group members who the SPDC has moved forcibly from their villages and districts and who now live near or along the Thai border. NGO's also estimate that an additional 1 million IDP's also might exist in various other locations throughout the country; however, it is very difficult to confirm specific numbers of IDP's.

For decades successive military regimes have applied a strategy of forced relocation against ethnic minority groups seeking autonomy; these forcible relocations continue, particularly alongside the Thai border. Thousands of villagers continue to flee or be driven from their homes and face numerous abuses (see Sections 1.a., 1.c., 1.g., 2.d., and 6.d.). For example, according to a March www.Shanland.org report and other secondary sources, on January 27, SPDC troops from the 520th Light Infantry Battalion led by Captain Than Maung, reportedly forced 120 households in Ho Phaa Long village, Ho Phaa Long tract, Murng-Pan township, Shan State, to relocate; in the process, troops arrested many villagers, looted houses, and raped

numerous women. However, this incident could not be independently confirmed.

Repressive government policies and the military's brutal treatment of ethnic insurgencies has produced hundreds of thousands of refugees who now primarily reside in Thailand, India, and Bangladesh. There are about 150,000 persons in refugee camps on Burma's borders. Of these, at least 122,000 Karen, Mon, and Karenni resided in refugee camps in Thailand. In addition there were tens of thousands of Shan refugees whom the Thai Government did not confine to camps. On the country's western border, 20,000 Rohingya Muslims remained in refugee camps in Bangladesh (see Section 5).

The Government does not allow refugees or displaced persons from abroad to resettle or seek safe haven and has no policy to grant asylum. There were no reports that persons formally sought asylum in the country during the year. There also were no reports of the forced return of persons to a country where they feared persecution.

Section 3 Respect for Political Rights: The Right of Citizens to Change their Government

Despite the overwhelming desire that citizens demonstrated in the 1990 elections for a return to democracy, the regime continued to deny them the right to change their government.

The military junta has waged a decade-long campaign of coercion and intimidation to prevent the parliament elected in 1990 from convening (see Sections 1.c., 1.d., 1.e., and 3.). Measures included detaining over 200 members-elect as "state guests" in 1998. Of these, at least 45 remained in detention at year's end (see Section 1.d.).

Since 1962 active duty military officers have occupied most important positions in both the central Government and in local governments. Since 1988 all state power has been held by a military junta. All members of the junta have been military officers on active duty, and the junta has placed military or recently retired military officers in most key senior level positions in all ministries. By year's end, only 13 of the 41 government Ministers were civilians.

Following the NLD's victory in the 1990 elections, the military junta refused to implement the election results and disqualified, detained, or imprisoned many successful candidates. Many other members-elect of parliament fled the country (see Sections 1.d. and 1.e.).

Rather than accept the will of citizenry as expressed in the 1990 election, the junta convened a national convention in 1993 to draw up principles for a new constitution. The junta handpicked most delegates, and carefully orchestrated the proceedings; even limited opposition views were ignored. The junta tasked the convention with drafting a new constitution designed to provide a dominant role for the military services in the country's future political structure. In 1995 the NLD withdrew from the convention and demanded a revision in working procedures so as to allow debate and meaningful participation by all parties in formulation of a new constitution. Two days after its withdrawal, the NLD was expelled formally. In March 1996, the national convention adjourned. It has not reconvened.

A final draft constitution never has emerged from the national convention. However, at the instigation of the Government, the convention has adopted several provisions that, if incorporated in the constitution, would ensure the large-scale involvement of the military services in all levels of government. These provisions include reserving 25 percent of seats in the parliament for members appointed by the military services and reserving key government posts for military personnel as well. Other provisions prohibited, among other things, anyone who has received any type of assistance from a foreign source or who is "under acknowledgment of allegiance" to a foreigner from participating in the Government. These provisions apparently were designed to exclude Aung San Suu Kyi, who was married to a British citizen.

During the year, the military junta intensified its systematic use of coercion and intimidation to deny citizens the right to change their government. In September 1998, the NLD leadership organized a CRPP on the basis of written delegations of authority from a majority of the surviving members-elect of the 1990 parliament, in view of the junta's continued use of force to prevent the whole parliament from convening. That committee was empowered by those members-elect to act on behalf of the parliament until the parliament was convened. In retaliation the junta has launched a sustained and systematic campaign to destroy the NLD without formally banning it; authorities have pressured many thousands of NLD members and local officials to resign and closed party offices throughout the country. Military intelligence officials also detained over 200 members-elect of parliament, at least 45 of whom remain in detention; many were held without being charged formally (see Section 1.d.). Others have been released, but only after agreeing either to resign from the parliament or to accept their recall by government-managed referendums. Among its other coercive tactics, the Government compels citizens to participate in meetings that criticize NLD members-elect or call for the dissolution of the NLD (see Section 2.b.).

The junta's nationwide campaign in which local authorities pressured constituents to sign statements of no confidence in NLD representatives elected from their districts in 1990 appeared to have been cut back considerably during the year. In prior years, a majority of eligible voters in a number of townships had signed petitions expressing no confidence in NLD members-elect of parliament. These petitions were presented to local Multiparty Democracy General Election Commissions in formal ceremonies staged at mass rallies widely publicized by state-owned media. Both the CRPP in public statements and the NLD in lawsuits it filed to protest these activities (see Section 1.e.) credibly alleged that the Government and USDA officials generally obtained signature of these petitions and participation in these mass rallies by systematic coercion and intimidation (see Section 1.e.). However, in contrast with previous years, very few, if any, members-elect of parliament were recalled during the year.

As a result of these measures, the Government's Multiparty Democracy General Election Commission announced in October 1999, that of 392 NLD members elected to parliament in 1990, only 92 remained both NLD members and members-elect of parliament. As for the rest, 105 had resigned their parliamentary status, 139 had been disqualified by the commission, 27 had resigned from the NLD, and 31 had died.

In contrast with these figures, the CRPP claimed in September to enjoy the support of 433 of the 485 members-elect of parliament.

Late in the year, with encouragement from U.N. Special Representative Ismail Razali (see Section 4), the Government initiated a dialog with Aung San Suu Kyi, which appeared to produce some relaxation in the restrictions on the NLD. In addition the NLD was able to resume some normal activities, and press attacks on the NLD and Aung San Suu Kyi ceased. However, by year's end, the dialog had not produced tangible results.

Women and minorities were underrepresented in the Government and the top ranks of government services. They also were excluded from military leadership. There were no female members of the SPDC, ministers, or Supreme Court judges.

Members of certain minority groups also were denied full citizenship and a role in government and politics (see Section 5).

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

The Government does not allow domestic human rights organizations to exist, and it remained generally hostile to outside scrutiny of its human rights record. Approximately 15 nonpolitical, humanitarian, international NGO's continued project work. A few others established a provisional presence while undertaking the protracted negotiations necessary to set up permanent operations in the country.

The military persecuted some human rights workers during the year. For example, according to the Chin Human Rights Organization, on June 26, the Commander of the 266th Light Infantry Battalion murdered Zo Thang, a field monitor for the NGO, as well as two associates, in Bung Khua village, Chin State (see Section 1.a.). The Chin Human Rights Organization's mandate is to document human rights violations committed by the military junta in Chin State and the northwestern part of the country. The same battalion reportedly also arrested Pi Sai Sung, a 29-year-old Chin farmer whom the SPDC accused of being a sexual acquaintance of the killed human rights officer, and abused her (see Section 1.c.).

The Government continued to refuse to meet with representatives of the U.N. Human Rights Commission (UNHRC), which repeatedly has criticized the Government's human rights record, and continued to deny the UNHRC Special Rapporteur for Burma, Rajsoomer Lallah, entry into the country. In his report to the UNHRC, issued on October 26, Lallah criticized the human rights violations committed against ethnic minorities as a result of the SPDC's policy of forcible relocations and its continued recourse to forced labor (see Sections 2.d., 5, and 6.c.). During the year, the Government allowed two visits by U.N. Special Envoy to Burma, Tan Sri Dato Razali Bin Ismail (see Sections 1.e. and 3).

The Government's restriction on travel by foreign journalists, NGO staff, U.N. agency staff, and diplomats; its monitoring of the movements of such foreigners; its frequent interrogation of citizens about contacts with foreigners; its restrictions on the freedom of expression and association of citizens; and its practice of arresting citizens who passed information about government human rights abuses to foreigners all impeded efforts to collect or investigate information about human rights abuses. Reports of abuses, especially those committed in prisons or ethnic minority areas, often emerged months or years after the abuses allegedly were committed and seldom could be verified with certainty.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The military junta continued to rule by decree and was not bound by any constitutional provisions concerning discrimination.

Women

Domestic violence against women, including spousal abuse, appears to be relatively infrequent. Married couples often live in households with extended families, where social pressure tends to protect the wife from abuse.

In general women traditionally have enjoyed a high social and economic status and have exercised most of the same basic rights as men. Consistent with traditional culture, women keep their names after marriage and often control family finances. However, women remained underrepresented in most traditional male occupations, and women continued to be barred effectively from a few professions, including the military officer corps. The burden of poverty, which is particularly widespread in rural areas, also fell disproportionately on women.

Women do not receive consistently equal pay for equal work. Women legally were entitled to receive up to 26 weeks of maternity benefits; however, in practice these benefits often were not accorded to women. In an effort to combat trafficking in women, the Government also has begun to discourage women from marrying foreigners and to restrict foreign travel by women. However, it has not enforced these restrictions consistently (see Sections 2.d. and 6.f.).

Prostitution is becoming an increasingly overt problem, particularly in some of Rangoon's "new towns," which are populated chiefly by poor families forcibly relocated from older areas of the capital. The Government and at least one international NGO operate schools and other rehabilitation programs for former prostitutes.

Trafficking in women for the purposes of prostitution also is a serious problem (see Section 6.f.).

There are no independent women's rights organizations. The National Committee for Women's Affairs in the Ministry of Social Welfare is charged with safeguarding women's interests. The Myanmar Maternal and Child Welfare Association, a government-controlled agency, provided assistance to mothers. A professional society for businesswomen, the Myanmar Women Entrepreneurs' Association, which was formed in 1995, provided loans to new businesses and made charitable donations.

Children

The Government continued to neglect the education of children, allocating a minimal level of resources to public education. In response to this neglect, private institutions have begun to emerge, despite an official monopoly on education. Government expenditures for all civilian education for 1998-99 were equivalent to less than 1 percent of recorded gross domestic product (GDP) during the year and have declined by more than 70 percent in real terms since 1990. According to government studies conducted with U.N. assistance, only 37 percent of children finished fourth grade in urban areas and only 22 percent did so in rural areas. Rates of school attendance and educational attainment decreased during the 1990's, largely due to increasing formal and informal school fees as the junta diverted expenditures from health and education to the armed forces. Teachers' salaries were far below subsistence wages. Increasingly, only relatively prosperous families could afford to send their children to school, even at the primary level. In some areas in the center of the country, where few families could afford unofficial payments to teachers, teachers generally no longer came to work and schools no longer functioned.

Children also suffered greatly from the junta's severe and worsening neglect of health care.

Private health care facilities increasingly became the provider of choice for the relatively prosperous. The junta has cut government expenditures on public health care even more sharply than it cut spending for education. Government expenditures for civilian health care in 1998-99 were equivalent to only 0.3 percent of GDP. Government studies sponsored by U.N. agencies in 1997 found that, on average, 131 of 1,000 children died before reaching the age of 5 years, and that only 1 of 20 births in rural areas was attended by a doctor. Those same studies indicated that, of children under 3 years old, 37 percent were malnourished, and 13 percent were severely malnourished. The World Health Organization considers the country's health care system to be extremely poor.

Child prostitution and trafficking in girls for the purpose of forced prostitution—especially Shan girls who were sent or lured to Thailand—continued to be a major problem (see Section 6.f.). While legislation criminalizing child prostitution and child pornography exists, it is enforced poorly. Reports from Thailand indicated that the rising incidence of HIV infection there has increased the demand for supposedly "safer" younger prostitutes, many of whom come from Burma.

The army conscripts children as young as the age of 14, especially orphans and street children. These children are deployed to training camps where they support the military combat forces. In combat areas, the military forces continued to force children to labor as porters, and often subjected them to beatings (see Sections 1.g., 6.c., and 6.d.).

Religious Minorities

The great majority of the country's population follows Theravada Buddhism. However, there are minorities of Christians (mostly Baptists, as well as some Catholics and Anglicans), Muslims (mostly Sunni), Hindus, and practitioners of traditional Chinese and indigenous religions. There also are social tensions between the Buddhist majority and the Christian and Muslim minorities, largely due to government preference in practice (although not in law) for non-Buddhists during the period of British colonial rule and for Buddhists since independence.

Non-Buddhists are discriminated against at upper levels of the public sector. Only one non-Buddhist served in the Government at the ministerial level, and the same person, a brigadier general, is the only non-Buddhist known to have held flag rank in the armed forces during the 1990's. The Government actively discourages Muslims from entering military service, and Christian or Muslim military officers who aspire to promotion beyond the middle ranks are encouraged by their superiors to convert to Buddhism.

Members of the Muslim Rohingya minority in Arakan State, on the country's western coast, continued to experience severe legal, economic, and social discrimination. The Government denies citizenship status to most Rohingyas on the grounds that their ancestors allegedly did not reside in the country at the start of British colonial rule in 1824, as required by the country's highly restrictive citizenship law. In 1991, and again in 1997 and 1998, tens of thousands of Rohingyas fled from Arakan State into Bangladesh following anti-Muslim violence alleged (although not proven) to have involved government troops. Most of those refugees since have returned, although 20,000 reportedly still remain in Bangladesh. Rohingyas who have returned to Arakan complained of government restrictions on their ability to travel and to engage in economic activity. In addition government authorities in Arakan State reportedly have compelled Muslims to build Buddhist pagodas as part of the country's forced labor program and provide portage, and have confiscated land and produce, restricted freedom of movement, and engaged in other abuses (see Sections 1.c., 2.d., and 6.c.). In addition, because the Government reserves secondary education for citizens only, Rohingyas do not have access to state run schools beyond primary education, and are unable to obtain most civil service positions.

There are credible reports that anti-Islamic booklets were distributed throughout the country by the USDA in 1999. In addition in March 1999 and April 2000, the Government forcibly relocated about 200 Buddhist slum dwellers from Dagon township in Rangoon to Arakan State; this had the dual effect of helping to eliminate slums in Rangoon, while increasing the population of Buddhist citizens in Arakan State. According to credible reports, during the year in Rakhine State, the Government opened several "model villages" for Buddhist families relocated from other areas. The Rohingyas already residing in the area have had their land seized without compensation and were forced to engage in construction and maintenance, including requisitioning food supplies. In addition the Muslim Rohingyas often are forced to build Buddhist pagodas for the new arrivals (see Sections 2.c., 2.d., and 6.c.).

Since 1994, when the progovernment DKBA was organized, there has been armed conflict between the DKBA and the Christian-led KNU. This armed conflict between two nongovernmental Karen organizations has had strong religious overtones. During the mid-1990's, it reportedly was common DKBA practice to torture Christian villagers and kill them if they refused to convert to Buddhism. DKBA treatment of Christians reportedly improved substantially after the DKBA settled down to administering the regions that it had conquered. According to one report, in February a DKBA unit ordered villagers in Khwet Phoe village to destroy a local mosque after arresting and executing five villagers for supporting the KNU. In April residents of Kaw Kyaik village in Karen State protested an order from DKBA units to destroy the local mosque.

In June the authorities claimed in an unconfirmed report that 28 Karenni National Progressive Party insurgents shot and wounded a Catholic priest, Father Abe Lei, and took 4 other persons hostage on June 17. At year's end, there was no available information on what had happened to the hostages.

People with Disabilities

In principle official assistance to the disabled includes two-thirds of pay for up to 1 year of a temporary disability and a tax-free stipend for permanent disability; however, in practice assistance is extremely limited. There is no law mandating accessibility to buildings, public transportation, or government facilities. While there are several small-scale organizations to assist the disabled, most disabled persons must rely on their families to provide for their welfare. Disabled veterans receive available benefits on a priority basis. Because of landmine detonations, there is a high rate of amputee injuries.

National/Racial/Ethnic Minorities

Wide-ranging governmental and societal discrimination against minorities persists.

Animosities between the country's many ethnic minorities and the Burman majority, which has dominated the Government and the armed forces since independence, continued to fuel active insurgencies that resulted in many killings and other serious abuses. Some frequently reported abuses included killings, beatings, and rapes of Chin, Karen, Karenni, and Shan by mostly Burman army soldiers (see Sections 1.a., 1.c., and 1.g.). During the 1990's, the junta has sought to pacify these ethnic groups by means of negotiated cease-fires, grants of limited autonomy, and promises of development assistance.

The Government continued to discriminate systematically against non-Burmans. National identity cards and passports generally denoted the ethnicity of non-Burmans either explicitly or through the use of a personal title in the ethnic minority language rather than Burmese. Ethnic minority areas that were remote from active insurgent operations, such as the large Karen areas of Irrawaddy Division, experienced tighter controls on personal movement, including more frequent military checkpoints, closer monitoring by military intelligence, and larger military garrisons and hence more informal taxes, than comparable Burman areas.

Ethnic minority groups generally had their own primary languages. However, throughout all parts of the country controlled by the Government, including ethnic minority areas, Burmese remained the sole language of instruction in all state schools. Even in ethnic minority areas, primary and secondary state schools did not offer any instruction in the local ethnic minority language even as a second language. There were very few domestic publications in indigenous minority languages. In some ethnic minority areas such as Chin State, there continued to be many reports that the army offered financial and career incentives for Burman soldiers to marry Chin women, teach them Burmese, and convert them to Buddhism. Throughout the 1990's, there were many credible reports that the junta resettled groups of Burmans in various ethnic minority areas. Visible evidence of this resettlement can be seen along the Heho-Nyaungshwe road in Shan State and along the Mandalay-Mogok road as it heads into Shan State.

The ethnic minority populations continued to complain that the Government has not addressed their concerns adequately. Economic development among minorities has continued to lag, leaving many persons living at below subsistence levels.

There are ethnic tensions between Burmans and nonindigenous ethnic populations including Indians, many of whom are Muslims, and a rapidly growing population of Chinese, mostly recent immigrants from Yunnan province who increasingly dominate the economy of the northern part of the country. Both groups have tended to be more commercially oriented and hence more prosperous and economically powerful than Burmans, and their members commonly have discriminated based on ethnicity in hiring, buying, and selling.

Since only persons who can prove long familial links to the country are accorded full citizenship, nonindigenous ethnic populations (such as Chinese and Indians) are denied full citizenship and are excluded from government positions. Persons without full citizenship face restrictions in domestic travel (see Section 2.d.). They also are barred from certain advanced university programs in medicine and technological fields.

Section 6 Worker Rights

a. The Right of Association

The 1926 Trade Unions Act, which remained in effect, permits the formation of trade unions only with the prior consent of the Government; however, free trade unions do not exist in the country, and the junta has dissolved even the government-controlled union that existed before 1988.

There were no strikes during the year. The last reported strike was in December 1997, when workers in a foreign-owned textile factory in Pegu staged a successful 4-day strike.

Because of its longstanding violation of ILO Convention 87 on freedom of association, the 1998 ILO conference cited the Government for its continued failure to implement that convention and criticized both the lack of progress and the absence of cooperation on the part of the Government. In response the Government issued a press release in June 1999, stating that it would "cease participation in activities connected with Convention 87," a step tantamount to withdrawal from the Convention.

The Government also forbids seamen who found work on foreign vessels through its Seafarers' Employment Control Division from contacting or participating in any activities of the International Transport Workers' Federation.

No unions in the country are affiliated internationally.

In 1989 the U.S. suspended the country's eligibility for trade concessions under the Generalized System of Preferences program until steps are taken to afford its labor force internationally recognized worker rights.

b. The Right to Organize and Bargain Collectively

Workers do not have the right to organize and bargain collectively. The Government's Central Arbitration Board, which once provided a means for settling major labor disputes, exists in name but, in practice, has been dormant since 1988. Township-level labor supervisory committees exist to address minor labor concerns.

The Government unilaterally sets wages in the public sector. In the private sector, market forces generally set wages. However, the Government has pressured joint ventures not to pay salaries greater than those of ministers or other senior employees. Some joint ventures circumvented this with supplemental pay or special incentive systems. Foreign firms generally set wages near those of the domestic private sector but followed the example of joint ventures in awarding supplemental wages and benefits.

There are no export processing zones (EPZ's). However, there are special military-owned industrial parks, such as Pyin-Ma-Bin near Rangoon, which attract foreign investors by offering cheaper labor than is available elsewhere. Another example is the 2,000-acre Hlaingthaya Industrial Zone in Rangoon; at least four companies are known to export operate on its premises (see Section 6.c.). These are tantamount to EPZ's in many respects.

c. Prohibition of Forced or Compulsory Labor

Forced or compulsory labor remains a widespread and serious problem. Although the Penal Code provides for the punishment of persons who impose forced labor on others, there are no known cases of the application of this provision. Throughout the country, international observers have confirmed that the Government routinely forces citizens to work on construction and maintenance projects. The law does not specifically prohibit forced and bonded labor by children, and forced labor by children occurs.

During the year, the International Labor Organization took several unprecedented steps to address the "widespread and systematic use" of forced labor in the country. On February 28, the Director General of the ILO issued a report to the ILO's Governing Body that concluded that the Government had ignored the recommendations of the ILO Commission of Inquiry regarding forced labor. In June the ILO Conference suspended Burma, barring it from receiving ILO technical assistance or attending ILO meetings, due to the Government's "flagrant and persistent failure to comply" with Convention 29 on forced labor. It also passed a resolution that called upon the ILO Governing Body to recommend to the ILO's members that they review their relations with Burma and take appropriate measures to ensure that those relations do not perpetuate the system of forced labor, if the Government failed to take effective action to amend its practices by November. The Government did not take the required actions and, on November 16, the ILO Governing Body, for the first time in its history, voted to apply these "Article 33" sanctions. In addition to requesting that members review their relations with Burma, these sanctions also require the ILO to advise international organizations working in the country to reconsider any cooperation that they may be engaged with in Burma and to cease any activity that could have the effect of abetting the practice of forced or compulsory labor.

The ILO Conference's action followed an exhaustive 1998 report by an ILO Special Commission of Inquiry into Forced Labor in Burma, which concluded, based on 6,000 pages of documentation, that there was abundant evidence of pervasive use of forced labor in the country. The Special Commission of Inquiry found that women, children, and the elderly were required to perform forced labor; that porters often were sent into dangerous military situations, rarely received medical treatment, and almost never were compensated; that forced laborers frequently were beaten; and that some women performing forced labor were raped or otherwise abused sexually by soldiers (see Section 1.c.).

Many detailed credible reports indicate that in recent years, especially in areas inhabited chiefly by members of the Chin, Karen, Karenni, and Shan ethnic groups, army units have increased their use of forced labor for logistical support purposes, including to build, repair, or maintain army camps and roads to them, as well as to plant crops, cut or gather wood, cook, clean, launder, weave baskets, fetch water for army units and—in the case of young women—to provide sexual services to soldiers. The number of reports of this practice has increased since 1997, when the junta required regional military commanders to become more self-sufficient (see Sections 1.f. and 1.g.).

Authorities continued to impose forced labor chiefly, although not exclusively, on rural populations, and imposed forced labor quotas on villages, households, or persons directly or through village headmen. Government authorities often allowed households or persons to substitute money or food for contributions of labor for infrastructure projects, but widespread rural poverty obliged most households to contribute labor. The State allocated funds to regional and local authorities to pay wages to at least some of the civilians on whom it imposed labor obligations; however, these wages were set at levels below the prevailing wage, and reports indicated that local authorities commonly did not disburse allocated funds to workers. Especially in ethnic minority areas, the army often deployed soldiers to guard persons engaged in forced labor; there also were reports that soldiers often beat and occasionally killed workers (see Sections 1.a. and 1.c.). Government troops also force villagers to eradicate opium poppy fields, after which the government seeks recognition internationally for its counternarcotics efforts.

There are many examples of forced labor. Since the end of 1999, thousands of persons from 19 villages have been working daily to build the Mandalay-Lashio road. Farmers reportedly are fined \$1.25 (500 Kyat) if they cannot provide labor. Private transport agencies also are forced to contribute either a car or \$6.25 to \$12.5 (2,500 Kyat to 5,000 Kyat) per month. Starting in January, USDA members (acting under the authority of the SPDC) forced the town residents to sweep and clean the roads and streets in Ta-Khi-Laek town every Saturday. One person from each house was required to work or pay \$2.25 (100 Baht in Thai money) to the USDA. Starting in February residents from the townships of Monywa, Kane, Min-Kin, and Kalewa in Sagaing Division were compelled to construct a new road along the Chindwin River from Monywa to Kalewa. Since May several villages in Mawleik Township of Sagaing Division were forced to provide labor for the repair of the Thet-Ke-Kyin-Homalin highway and of bridges along the way. Households that cannot provide labor are forced to pay \$0.75 to \$6.75 (300 Kyat to 2,700 Kyat) per household.

There also were reports that the Government used forced labor to construct infrastructure to support tourism. In 1999 government officials used forced labor to build the approach road to the new international airport in Mandalay. Officials reportedly went door-to-door in villages outside Mandalay, ordering each household to contribute either \$0.75 (300 Kyat) or one person's labor to the project. Most households contributed labor. Government officials also used forced labor to prepare the historic city of Mrauk-Oo in Arakan State for expected tourist and important visitor arrivals. According to credible sources, in February the SPDC announced plans to develop the Karen hill town of Than Daung Gyi as a tourist "hill resort." Immediately after the announcement, new army battalions moved in, land was confiscated from the town's residents and surrounding villages, and persons started doing forced labor on a road to the hot springs at Ker Weh.

In addition since late 1998, the Government has used large amounts of forced labor on a project to double the country's cultivated land by developing 22 million acres of wetlands and virgin lands. This involved the establishment of "labor villages" to help private entrepreneurs, including foreign investors, to develop these wetlands. In December 1998, government authorities instructed each village tract from 8 townships in Sagaing Division to provide 2 villagers to work on 500 acres of land per township for a project to reclaim about 4,000 acres of virgin land. In addition each household was required to give about \$0.50 (200 Kyat) to the authorities to buy food for workers on the project. In 1999 officials of the military's northwest command forced villagers in Sagaing Division's Yinmarbin Township to provide uncompensated labor or else pay more than \$2.50 (1,000 Kyat) per person to reclaim 2,000 acres of fallow land. Authorities in another township in Sagaing Division reportedly forced villagers to clear 1,000 acres of land or pay a fine of more than \$8.75 (3,500 Kyat) per household. Authorities in Irrawaddy Division ordered residents of a village both to clear over 100 acres of land as part of a wetlands reclamation project, and to pay for equipment needed to clear the land.

There also were credible reports that government officials and security forces compelled both Buddhists and non-Buddhists to contribute money, food, and uncompensated labor to build, renovate, or maintain Buddhist shrines or monuments. For example, in Wuntho Township of Sagaing Division, the authorities forced villagers from eight Ma-Gyi-Bin village tracts to provide labor for building a 108-foot pagoda. If a household cannot provide labor, then that household is obliged to provide \$3.50 (1,400 Kyat) plus a 2.2 pounds of rice for each worker that it could not provide. Five townships (Katha, Ingaw, Banmauk, Hti-Gyan, and Pin-Le-Bu) in the same area also were forced to transport 500,000 bricks each for the pagoda. Similarly, in Twantay township, Rangoon Division, authorities forced villagers to guard the ancient Danoke Pagoda, which has been under renovation, and to gather wood, fetch water, and perform other tasks for soldiers involved in the project. In Bogalay township, Irrawaddy Division, authorities forced villagers to construct 32 miles of road between Pe-

Chaung village and Kadone village for the use of Buddhist pilgrims. This work reportedly was done at the request of the Pe-Chaung monastery. In a predominantly Islamic Maungdaw District in Arakan State, authorities required villagers to build a Buddhist pagoda in Dail Fara (see Section 2.c.).

There also were reports that forced labor was used to dismantle temples and monasteries (see Section 2.c.).

The army continued to force citizens—including women and children—to work as porters in military actions against ethnic insurgents. This practice continued to lead to mistreatment, illness, and death (see Sections 1.a., 1.c., and 1.g.). Both the 1999 report of the ILO's Director General and reports by NGO's including Amnesty International described dozens of cases of forced portage. According to local reports, in Northern Rakhine State all of the men and boys of a village (between the ages of 7 and 35) contribute 10 days per month of labor to the military. Reportedly local villages must supply males every 2 weeks to serve as porters and to carry food and ammunition toward the border with Bangladesh to military camps. Rohingyas claim that their group is the only one in the area whose members are forced to serve as porters for the army, and that the nearby model villages that are populated by Buddhist Burmans from the cities are exempt from portering, forced labor, and forced contributions of foodstuffs (see Sections 2.d. and 5).

Parents routinely called upon their children to help fulfill their households' forced labor obligations, without government opposition (see Section 6.d.).

There were numerous, detailed, and credible reports that forced labor, including forced child labor, was used directly in growing and harvesting some crops, chiefly for army units. Widespread forced labor, including forced child labor, continued to contribute materially to the construction and maintenance not only of irrigation facilities important to the cultivation of some export crops including rice, but also of roads and some railroads important for the transportation of exports to ports. Forced labor, including forced child labor, has contributed materially to the construction of industrial parks subsequently used largely to produce manufactured exports including garments. According to two eyewitness accounts, forced labor was used to develop the Hlaingthaya Industrial Zone in Rangoon (see Section 6.b.). There have been many credible reports that forced labor, including forced child labor, has been used widely since 1998 to clear and drain virgin lands and wetlands for the cultivation of crops many of which, according to public descriptions of the Government's economic plans, are intended largely for export.

In July 1998, the ILO Commission of Inquiry reported that forced labor had been used to dig and cultivate shrimp farms, particularly in Rakhine State and Sagaing Division.

The Ministry of Home Affairs also operates forced prison labor camps for portage, quarries, agriculture, livestock farms, roads and infrastructure, and other activities. Reportedly inmates sent to labor camps have sentences that range from 6 months to 10 years, and most are nonviolent offenders. The Government's use of prison labor reportedly has increased significantly in recent years. Reportedly, the prison labor camp system is the main recruiting ground for the military's most severely mistreated forced laborers (such as porters who die en route and civilians who are sent into mine fields). The ICRC reports that the mortality rate of prisoners in labor camps is much too high (see Section 1.c.).

The authorities reportedly round up street children, provide them with military training, and forcibly conscript them (see Sections 5 and 6.d.).

Trafficking in women and girls to neighboring countries for the purpose of forced prostitution remained a serious problem (see Sections 5 and 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

Although the law sets a minimum age of 13 for the employment of children, in practice the law is not enforced. In the past few years, child labor has become increasingly prevalent and visible. Working children are highly visible in cities, mostly working for small or family enterprises, and in family agricultural activities in the countryside. Children working in the urban informal sector in Rangoon and Mandalay often start work at young ages. Children are hired at lower pay rates than adults for the same kind of work. In the urban informal sector, child workers are found mostly in food processing, selling, refuse collecting, light manufacturing, and as tea shop attendants. According to government statistics, 6 percent of urban children work, but only 4 percent of those earn wages. Despite a compulsory education law, almost 50 percent of children never enroll in school, and only 40 percent of them complete the 5-year primary school course (see Section 5).

The law does not prohibit specifically forced and bonded labor by children; while bonded labor is not practiced, forced labor by children occurs. The military Government not only tolerates child labor, but also uses children

as porters in infrastructure development and in providing other services to military forces (see section 6.c.). There have been several reports that the authorities often round up orphans and street children in Rangoon and other cities and then give them military training (see Section 6.c.). In combat areas, children have been forced to serve as porters, where beatings and other mistreatment reportedly occur.

Households tend to satisfy forced labor quotas by sending their least productive workers (usually children), and government authorities have accepted such workers in satisfaction of those quotas. Children often have been seen building or repairing roads and irrigation facilities. In recent years, there have been growing numbers of reports that military units in various ethnic minority areas either forced children to perform support services, such as fetching water, cleaning, cutting bamboo, or cultivating food crops, or allowed households or villages to use children to satisfy army orders to perform such services (see Sections 1.f. and 6.c.).

Trafficking in girls to neighboring countries for the purpose of forced prostitution remained a serious problem (see Sections 5 and 6.f.).

There are credible reports that insurgents also used women and children as porters. Some former KNU troops known as God's Army reportedly are led by child soldiers.

e. Acceptable Conditions of Work

Only government employees and employees of a few traditional industries were covered by minimum wage provisions. The minimum daily wage for salaried public employees is \$0.25 (100 Kyats) for what is in effect a 6-hour workday. Various subsidies and allowances supplement this sum. Neither the minimum wage nor the higher wages earned even by senior government officials provides a worker and family with a decent standard of living. Low and falling real wages in the public sector have fostered widespread corruption. In the private sector, urban laborers earn about \$0.50 per day (200 Kyat), while rural agricultural workers earn about half that rate. Some private sector workers earn substantially more; a skilled factory worker earns about \$12 per day (4,800 Kyat).

Surplus labor conditions, a poor economy, and lack of protection by the Government continue to dictate substandard conditions for workers. The 1964 Law on Fundamental Workers Rights and the 1951 Factories Act regulate working conditions. There is a legally prescribed 5-day, 35-hour workweek for employees in the public sector and a 6-day and a 44-hour workweek for private and state enterprise employees, with overtime paid for additional work. The law also allows for a 24-hour rest period per week, and workers have 21 paid holidays per year. However, in practice such provisions benefited only a small portion of the country's labor force, since most of the labor force was engaged in rural agriculture.

Numerous health and safety regulations exist, but in practice the Government has not made the necessary resources available to enforce the regulations. Although workers may in principle remove themselves from hazardous conditions, in practice many workers cannot expect to retain their jobs if they do so.

f. Trafficking in Persons

Although there are laws—including laws against abduction—that prohibit some aspects of trafficking in persons, no law is known specifically to prohibit trafficking, and trafficking in women and children is a severe problem.

Burma is a source country for thousands of women and young girls who are trafficked into the commercial sex industries of neighboring countries. There are reliable reports that many women and children in border areas, where the Government's control is limited, were forced or lured into working as prostitutes in Thailand and China. In fact, trafficking and exploitation near the Thailand border sometimes is condoned by local government officials. It is unknown how many young women have been induced or coerced into working as prostitutes, but a common practice is to lure young women to Thailand with promises of employment as a waitress, domestic servant, or factory worker. Occasionally European and Asian prostitutes can be found in Mong La in Special Region 4 of Shan State.

Child prostitution of girls, especially from the Shan ethnic minority sent or lured to Thailand, continued to be a major problem.

Government efforts to stop trafficking in young women are limited and relatively ineffective, despite sporadic arrests. There are regulations forbidding girls under age 25 from crossing the border unless accompanied by a guardian. In recent years the Government has made it difficult for women to obtain passports or marry foreigners in order to reduce the outflow of women both as victims of trafficking and for other reasons (see Sections 1.f. and 2.d.). However, most citizens who were forced or lured into prostitution crossed the border

into Thailand without passports. There also is evidence of fraud. It is illegal to leave the country without government authorization. The Government has adopted the Bangkok Accord and Plan of Action Against Trafficking; there also is an interagency task force on trafficking.

A number of NGO's offer poverty alleviation and education programs designed to counter trafficking.

[End.]