

briefing

Burma

Visit to Burma and Kachin ethnic group on the China-Burma Border

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I. Executive Summary

*“I want to tell the world that the Burma Army discriminates against us. We never loot or destroy or disrespect Buddhist pagodas, but they do this with our churches. There is a lot of religious discrimination. We always pray for freedom for the Kachin. We ask you to pray for freedom, especially for the next generation”
– Kachin IDP.*

“I have never experienced this kind of situation before. My grandfather fought in the Second World War, and he said even the Japanese were not as cruel as the Burma Army. I am very disappointed with all this torture and killing. I want the whole world to know about this inhumane behaviour.” – Kachin IDP

“They do not honour churches. They stay in the churches, destroy statues, open fire at churches.” – Kachin Roman Catholic priest.

In the past six months, some significant changes have taken place in Burma and it has been widely recognised that there is now perhaps the first opportunity in more than twenty years to see progress on democratisation and protection of respect for human rights. Since President Thein Sein met democracy leader Aung San Suu Kyi on 19 August 2011, a reform process appears to have begun. The most significant signs of this include the release of several hundred political prisoners, including prominent leaders of the 88 Generation Student movement, the re-registration of Aung San Suu Kyi's party, the National League for Democracy (NLD), her decision to contest forthcoming parliamentary by-elections in forty eight constituencies in April 2012, preliminary ceasefire agreements reached with several armed ethnic groups including the Karen National Union (KNU), the Shan State Army-South (SSA-South) and the Chin National Front (CNF), and an apparent relaxation of restrictions on the media and civil society.

These changes have prompted visits to Burma by many international politicians, including US Secretary of State Hillary Clinton and British Foreign Secretary William Hague, the relaxation of some sanctions imposed on the regime, including the decision by the European Union to suspend the visa ban for the President and other senior Burmese government officials, the US decision to upgrade diplomatic relations and appoint an Ambassador, and the prospect of further lifting of sanctions in coming months.

The changes in Burma must be welcomed and recognised, and the international community must respond to President Thein Sein's reforms with substantial but proportionate positive measures. This includes the gradual relaxation and lifting of sanctions, in a step by step process in response to continued progress.

There is, however, a very long way still to go. Although President Thein Sein has described the reforms as “irreversible”, substantial institutional reform and the repeal or amending of repressive legislation is required. Most significantly, while the effects of political changes can be seen in the changing relationship between the government and the NLD, and in the atmosphere in Rangoon and other urban areas, the continued detention of some political prisoners and the continuing grave human rights violations perpetrated in the ethnic areas, particularly in Kachin State, illustrate that the reform process is, as one international observer has said, “fragile” and in its very early stages. Until there is a significant improvement in respect for human rights, an end to attacks by the Burma Army against ethnic civilians, a nationwide ceasefire and a genuine political process that addresses the root causes of the conflict with ethnic nationalities, and a political settlement reached through

dialogue that guarantees equal rights, a degree of autonomy and a lasting peace for the ethnic nationalities, international pressure must be maintained.

In January 2012, CSW travelled to Burma to assess the current situation and document continuing human rights violations. CSW visited internally displaced people (IDPs) along the China-Burma border, from the predominantly Christian Kachin ethnic group, and then travelled to Rangoon. While the political atmosphere in Rangoon was notably more relaxed than a year ago, and CSW was able to meet senior representatives of the NLD, the 88 Generation Student movement, and other political and civil society actors in Rangoon, the human rights situation in Kachin State remains dire. From interviews with IDPs, CSW heard first-hand accounts of extrajudicial killings of unarmed civilians, torture, forced labour and the destruction of homes, churches and villages, and received reports of rape. This report focuses primarily on the situation in Kachin State.

CSW believes that while there are now grounds for cautious optimism, there remain continuing reasons for grave concern about the human rights and humanitarian situation in Burma. Only a genuine inclusive political process that involves all the ethnic nationalities, the democracy movement and the government, that addresses the desire of the ethnic nationalities for autonomy and equal rights within a federal democratic structure in Burma, and that results in an end to military offensives and armed conflict will lead to a meaningful and lasting peace and real progress for the country. The international community must remain vigilant and consider ways to assist in a political peace-building process, encourage reform, while maintaining pressure for significant improvements in respect for human rights. Humanitarian assistance to IDPs in Kachin and northern Shan State must be a priority, and unrestricted access to all parts of the country for international humanitarian agencies and human rights monitors should be granted by the government of Burma. Justice and accountability mechanisms should be established to end impunity, address crimes against humanity and war crimes, and contribute to a process of national reconciliation. As 88 Generation Student movement leaders told CSW, justice and accountability are necessary, not for revenge or punishment, but for the purposes of reconciliation. “We can forgive, but we cannot forget,” one recently released political prisoner said.

The UN Special Rapporteur on the Situation of Human Rights in Myanmar (Burma), Tomas Ojea Quintana, summed up the situation well in his statement on 5 February 2012 at the conclusion of his most recent visit to the country. He noted “continuing allegations of serious human rights violations committed during the conflict”, and said “it is vital that these allegations and reports be urgently addressed”. The needs of those displaced and affected by the conflict “must be addressed as a matter of priority,” with regular, independent access for UN agencies to all people in need of humanitarian assistance. “Finally, I remain of the firm conviction that justice and accountability measures, as well as measures to ensure access to the truth, are fundamental for Myanmar to move forward towards national reconciliation.”¹ CSW is in full agreement with his observations.

¹ Statement of the Special Rapporteur on the Situation of Human Rights in Myanmar, 5 February 2012, Yangon International Airport - <http://unic.un.org/imucms/yangon/80/110/home.aspx>

2. Recommendations

2.1. To the Government of Burma:

CSW welcomes the progress achieved in the past six months, particularly the release of several hundred political prisoners and the engagement between the Government of Burma and Aung San Suu Kyi. In order to encourage this process, CSW urges the Government of Burma:

1. To release all remaining political prisoners;
2. To ensure that the forthcoming parliamentary by-elections are free and fair, acceptable under international standards, and observed by international election monitors;
3. To ensure that all military attacks and operations in ethnic states where ceasefire agreements have been reached cease, and a significant reduction in Burma Army troop numbers in ethnic states is achieved;
4. To ensure that Burma Army soldiers observe the President's order to stop attacks on civilians in Kachin State and other ethnic states;
5. To end violations of human rights, particularly attacks on civilians, the use of rape, torture, forced labour, land confiscation, the use of human minesweepers, religious discrimination and persecution, and extrajudicial killings;
6. To provide unrestricted and regular access to all parts of the country for international humanitarian and human rights organisations;
7. To invite international experts on conflict-resolution to engage in a process of peace-building between all sides;
8. To develop a genuine political dialogue with the Kachin Independence Organisation (KIO) to secure a meaningful peace agreement;
9. To announce a nationwide ceasefire and an inclusive political process involving representatives of all the ethnic nationalities and the democracy movement, to discuss and seek agreement on a political structure that addresses the needs and desires of the ethnic nationalities for equal rights, autonomy and respect for ethnic identity;
10. To develop the rule of law, an end to impunity and the establishment of an independent justice and accountability mechanism to address grave violations of human rights and international law.

2.2. To the European Union, United States, Australia and Canada:

CSW believes it is very important that the international community develop a balanced approach to Burma in response to the current developments, recognising progress, encouraging reform while maintaining pressure for further change. CSW therefore urges the European Union, the United States, Australia and Canada, which have placed sanctions on Burma:

1. To ensure that any relaxation or lifting of sanctions is undertaken gradually, step-by-step, in proportionate response to developments on the ground;
2. To recognise President Thein Sein's efforts so far, including the significant releases of political prisoners and the engagement with Aung San Suu Kyi in a political process,

by considering the relaxation of some current sanctions, such as visa bans, building on the steps already taken in this regard, in order to facilitate further engagement;

3. To urge the Government of Burma to stop the grave violations of human rights in Kachin State, northern Shan State and other ethnic areas, and seek a political dialogue leading to a genuine peace agreement;
4. To urge the Government of Burma to recognise that ceasefire agreements are no guarantee of a long-lasting peace for the country, and to establish an inclusive nationwide political process involving representatives of the ethnic nationalities and the democracy movement to agree a political structure which meets the needs and desires of all the people of Burma, and guarantees equal rights, respect for ethnic identity and autonomy;
5. To urge the Government of Burma to provide unhindered and regular access to all parts of the country for international humanitarian and human rights organisations, to assess needs, deliver humanitarian relief, provide other humanitarian services and monitor and document the human rights situation;
6. To provide increased humanitarian assistance to Burma, particularly to internally displaced people in Kachin and northern Shan State;
7. To provide funding to organisations engaged in relief efforts on the China-Burma border as well as through delivery mechanisms inside the country;
8. To urge the Government of Burma to work with the United Nations and the international community to establish a mechanism for truth, justice, accountability and national reconciliation, and to end the culture of impunity;
9. To offer international expertise in conflict-resolution and mediation;
10. To continue to engage with the Government of Burma, while maintaining some key sanctions until there is further progress, continuing pressure for significant, lasting change, and ensuring that any foreign direct investment benefits the people and helps develop the country rather than the military.

2.3. To the People's Republic of China, India, Japan and the Association of South-East Asian Nations (ASEAN):

CSW recognises the key role Burma's neighbours play in the current situation, and urges the governments of China, India and Japan, and the member states of ASEAN:

1. To encourage further change, including the establishment of an inclusive nationwide political process involving the ethnic nationalities and the democracy movement, to seek an agreement on a political structure that addresses the needs and desires of the ethnic nationalities for equal rights, autonomy and respect for ethnic identity;
2. To urge the Government of Burma to seek a genuine peace process in Kachin State;
3. To urge the Government of Burma to develop recent ceasefire agreements into a genuine and lasting peace;
4. To urge the Government of Burma to end attacks on civilians and ensure respect for and protection of human rights in all parts of the country;
5. To urge the Government of Burma to provide unhindered and regular access to all parts of the country for international humanitarian organisations.;
6. To respect international humanitarian law and provide assistance and access to refugees from Burma who have fled across the border.

3. About Christian Solidarity Worldwide

Christian Solidarity Worldwide (CSW) works for religious freedom through advocacy and human rights, in the pursuit of justice. With advocacy staff based in London, Brussels and Washington DC, CSW has partners and affiliates around the world, including in the UK, USA, Hong Kong, India, Sri Lanka, Nigeria, Norway, Denmark and France. CSW has been working on human rights and religious freedom in Burma for twenty years, and has made many previous fact-finding visits to the China-Burma border, the India-Burma border, the Bangladesh-Burma border, the Thailand-Burma and inside Burma. CSW is primarily an advocacy organisation, but to complement our advocacy, we provide financial support to three projects: an orphanage in a refugee camp on the Thailand-Burma border, the work of the Free Burma Rangers, providing humanitarian relief and documenting human rights violations in the conflict zones of eastern Burma, and the work of the Chin Human Rights Organisation (CHRO) in documentation and advocacy.

4. Itinerary and Purposes

CSW visited locations inside Kachin State, Burma, and along the China-Burma border from 15-23 January 2012. CSW interviewed internally displaced people (IDPs) in Kachin State and northern Shan State, and had meetings with Kachin civil society organisations providing humanitarian assistance to the IDPs and refugees, including the Relief Action Network for IDP and Refugees (RANIR), the Kachin Women's Association (KWA), and Wunpawng Ninghtoi (WPN), an independent Kachin humanitarian organisation established in response to the current crisis, whose name means "Light for the People". CSW also had meetings with Baptist and Roman Catholic clergy, and leaders of the Kachin Independence Organisation (KIO), including the Chairman, the Joint Secretary and the Vice Chief of Staff.

The purposes for the visit were as follows:

1. To obtain up-to-date information on the current political, human rights and humanitarian situation inside Kachin State and northern Shan State, Burma;
2. To document human rights violations perpetrated during the continuing conflict between the Burma Army and the Kachin Independence Organisation/Army;
3. To assess current needs and explore future opportunities for assistance;
4. To discuss advocacy strategies with Kachin civil society organizations.

CSW also travelled to Rangoon, from 24-31 January, and had meetings with political activists, religious community leaders, media, civil society activists and foreign diplomats. In addition, CSW had meetings in Bangkok, with foreign diplomats, media and non-governmental organisations (NGOs).

5. Political Situation

In 1961, the Kachin Independence Organisation (KIO) and its armed wing, the Kachin Independence Army (KIA), took up arms in their struggle for equal rights and autonomy. The conflict between the KIO/KIA and the military regime in Burma continued for over 30 years, until a ceasefire was agreed in 1994. This ceasefire lasted for seventeen years, and under the terms of the agreement the KIO controlled a particular territory, close to the border with China, and was able to engage in economic development, trade and business activities. However, even though there was an absence of fighting, the Burma Army continued to perpetrate human rights violations, including forced labour, forced relocation, land confiscation, rape, torture, religious discrimination and other abuses, and a permanent political settlement was never secured.

In 2009, after the introduction of the 2008 Constitution, the military regime in Burma, known at the time as the State Peace and Development Council (SPDC), instructed all non-State armed groups to join a Border Guard Force (BGF) under the control of the Burma Army. Such a proposal was an anathema to the KIO, because it would have meant in effect a surrender without any political settlement. The KIO refused to accept the regime's proposal, and tensions mounted. KIO liaison offices were closed, sporadic attacks by the Burma Army against KIA soldiers increased, until, on 9 June 2011, renewed armed conflict broke out. The KIO sought to de-escalate the conflict, according to a senior KIO representative, but was unsuccessful. "Even though the conflict started on 9 June the KIO tried to negotiate, right up until 13 June. We received no reply, and so the fighting escalated from there." Some discussions were held on 13 June, but the government rejected the KIO's proposal for a detailed agreement. Several informal meetings have taken place since then, even as fighting escalated, but no political solution has been reached.

In discussions with CSW, KIO leaders emphasised that they want peace, but that a genuine long-lasting peace must be accompanied by a political process which will address the needs of the ethnic nationalities and result in a political solution. The KIO said that during the seventeen-year ceasefire with the Burma Army, from 1994-2011, it was "very careful not to break the ceasefire". The KIO had many discussions with the Burmese government in which it emphasised that it fully understands that any transition will take time. "Our demands are not urgent. We just want a process. We can go slowly, gradually – but we should do it together," a senior KIO representative said. The KIO said it understands the government's view that all armed groups should come under one Commander-in-Chief, within the Union of Burma, but that this is not achievable without a political dialogue process to find a political solution acceptable to all ethnic nationalities.

From June until December 2011, the conflict escalated and the Burma Army significantly increased troop numbers. There are currently an estimated 150 Burma Army battalions in Kachin State. There appeared to be little sign of any effort by the government to seek a ceasefire, until 18 December when the KIO received a letter from the government in Naypyidaw, proposing official peace talks. "These are political negotiations, and so they are significant," a KIO representative said. "The KIO will try to be successful in securing an agreement. But the regime wants the political negotiations to be based on the 2008 Constitution, which we do not accept, so there will be a gap between us."

A first round of talks was held on 18 and 19 January 2012 in Ruili, China. CSW was present in Laiza during these talks and was able to hear first-hand detailed accounts of the proceedings from KIO sources. The KIO emphasised that a political negotiation was crucial to securing a ceasefire. "According to the 1994 ceasefire agreement, there would be a ceasefire first, followed by negotiations, but this was not successful. This time, we wish to begin a process of negotiation resulting in a ceasefire. We are preparing for three steps: to

discuss the fighting and the positioning of the military on both sides; to agree a certain level of inclusive national dialogue, similar to a National Convention, reflecting the spirit of Panglong; the implementing process,” a KIO leader told CSW.

The KIO explained this three-step roadmap for peace in the ethnic states in more detail. The first step involves agreement on the following eight points: preliminary talks to prepare for political negotiations, agreement on the desire for political dialogue, accurate public information provided by both sides and avoidance of false propaganda, resolution of tensions between both sides in the conflict zone, release of prisoners of war, the opening of a KIO liaison office to prepare for further negotiations, and openness and transparency to the public in the negotiation process. The second step proposed would be a national convention involving all ethnic nationalities; the reconstruction of villages that have been destroyed; and continued negotiations until a solution is reached. The third step is the implementation of all the agreed points set out in the first and second steps. The second step should, according to the KIO, include involvement by Aung San Suu Kyi and international observers to advise both sides. “We are committed to a federal Burma,” a KIO leader emphasised. “We do not want to secede from the Union.”

The Chairman of the KIO, Zawng Hra, told CSW: “The ethnic groups are struggling for political reasons. We do not want to hold arms – we are not a warlike people. We just want our political rights.” He highlighted the Panglong Agreement, signed in 1947 by Shan, Chin and Kachin ethnic representatives at a conference convened by Aung San, leader of Burma’s independence movement and father of the current democracy leader Aung San Suu Kyi.² “Aung San promised equality and self-determination, but these promises and agreements have been broken. Up to now, the government has offered economic development, as they supposed that our struggle is for economic rights. The regime wants ethnic nationalities to be content with social well-being and economic development. But to have long-term peace, we need political engagement. We are certain that regional economic development cannot solve the problems. The seventeen years of ceasefire showed this. When we asked for political negotiation, the response of the government was war.” He noted that not only are the ethnic nationalities struggling for political rights, but so are the Burman people who have struggled for democracy. “We are not struggling solely for the rights of the Kachin people, we are struggling for political rights for all. If our problems were just economic problems, then why are the 88 Generation Students and the NLD fighting for rights? All the ethnic groups and the Burman people are fighting for political rights. It is obvious who is in the wrong. Please make the international community know who is right and who is wrong. The current regime’s approach is not the right way to solve the country’s problems. Only political dialogue is the right way.”

Zawng Hra concluded with these words: “We do not want to go back to the last seventeen years. We want to go forward to the future. During the peace talks, the regime keeps highlighting the 2008 Constitution. We believe it needs to be amended. We cannot go forward with the 2008 Constitution. We need another National Convention to solve this problem.” The 2008 Constitution guarantees the military 25 per cent of the seats in Parliament and immunity from prosecution for crimes. During the talks in Ruili, both sides agreed to issue a four-point statement, as follows:

1. With the hope of a peaceful country, both sides negotiated on a political agenda;
2. The government and KIO will find a political solution by means of political will;
3. Both sides will release true information on the outcomes of the negotiations;

² See http://www.ibiblio.org/obl/docs/panglong_agreement.htm for the full text of the Panglong Agreement.

4. Conflict areas are causing unnecessary problems. Both sides must discuss and find a solution to the military problem.

This statement was released by the government on television channels in Burma, unedited and unchanged, a step which was seen as an important confidence-building measure. Agreement was reached that the two sides would hold a further round of talks within a month. The principal area of disagreement during the Ruili talks was over the government's desire to discuss the issues in the context of the 2008 Constitution, which the KIO does not accept, and the KIO's desire to use language referring to the spirit of the Panglong Agreement, which the government rejects.

President Thein Sein has issued two orders to Burma Army soldiers to stop attacks on ethnic civilians, but this has not resulted in any change in the situation on the ground. In the words of a Kachin Baptist pastor, "we need to talk about the role of the military in our land. The military is defying the President's orders." He concluded: "We must listen to the voice of the Kachin people this time. All Kachin want full internal self-determination – internal, within Burma, not external. The people's voice is for justice. We don't need development without any political rights. We need the preservation of our culture, language, religion, ethnicity."

6. Violations of Human Rights in Kachin and Northern Shan State

CSW interviewed eighteen internally displaced people in Kachin State and northern Shan State, and heard repeated accounts of extrajudicial killings of civilians, torture, looting and the destruction of homes and villages. CSW also heard second-hand accounts from the Kachin Women's Association, detailing cases of rape. CSW was not in a position to verify these reports, but believes they are consistent with evidence documented over many years.

In discussions with Baptist and Roman Catholic clergy, CSW heard continuing reports of religious discrimination and persecution. One Catholic priest told CSW: "The churches are suffering very much. The Burmese government is oppressing us a lot. We do not have much opportunity to carry out missionary work or human development work. Many people have been persecuted, arrested, restricted. It is forbidden to print religious books, even catechism books and hymn books." During Ne Win's rule, he said, Bibles and catechism books were burned. "We had no chance to build churches and teach catechism." Although the situation has improved and churches are allowed to function, they still face serious restrictions. "The government considers that when we teach catechism and Gospel values, we are introducing Western culture and colonial spirit. They consider us foreign and Western sympathisers. In reality, we simply are teaching people to be caretakers of one another and of the country" During the conflict, Burma Army soldiers have occupied several churches. "They do not honour churches. They stay in the churches, destroy statues, open fire at churches." A Baptist pastor told CSW that Christians are treated as "second class citizens" in Burma. "The army is indoctrinated with hatred of Christianity, a belief that Buddhism is the sole religion."

In addition to these violations of human rights, CSW discussed allegations of the possible use of chemical weapons by the Burma Army against the Kachin, reported by some media in November 2011. According to senior KIA sources, the attacks occurred in four or five different locations, using weapons manufactured in Burma. Victims reported suffering dizziness, nausea, temporary blindness, skin rashes, vomiting and diarrhoea, but the symptoms lasted only four or five hours, or in some instances a day, and the agent elements of the substance were neutralised within four or five hours. This makes it very difficult to

test what substance was used, but anecdotal analysis suggests perhaps a high-strength tear-gas, rather than a chemical or biological weapon. CSW heard eye-witness testimony of one incident, was shown a two-month old soil sample and mortar parts allegedly from the attack, and discussed the issue with a senior KIA officer. CSW has not, however, been able to interview victims or arrange independent testing or analysis, and so the situation remains inconclusive.

During and following the visit to the China-Burma border, CSW heard anecdotal allegations of human rights abuses carried out by the KIA. These include forced conscription. CSW was not in a position to investigate and verify such allegations, but it was observed by an independent Kachin activist that when reports of KIA abuses are brought to the KIO/KIA, there is a clear willingness to discuss and investigate such allegations and to take necessary action. KIO sources told CSW that in northern Shan State, an estimated 800 local Shan people had volunteered to fight for the KIA, although other sources have alleged that Shan people have been forcibly conscripted. CSW recommends that such allegations be investigated, discussions held with the KIO/KIA and steps taken to ensure that respect for human rights is observed by all parties to the conflict.

6.1. Interviews with internally displaced people in camps near Laiza, Kachin State

The majority of the IDPs interviewed in camps in Laiza, Kachin State, fled their villages at the start of the conflict in June 2012.

6.1.1. Mr A, a Roman Catholic Catechist from Galang Ja village

I have friends who have been tortured to death. Life is hard here, people have left everything, however we acknowledge that it is harder for those on the front line. We just want to live a peaceful life on our land; we do not have any chance or opportunity to make our own lives better. That's why we are fighting against suppression. The Kachin people are one big family and we agree to stand with the KIO. We are trying to take back our rights that have been lost, and we understand that we must live together with all the peoples of Burma, because we are from one nation. But the Burmese Government will not give us the chance to live together as equals.

6.1.2. Rev. B and Rev. C, Baptist pastors

We just want to go back to a normal life, we want freedom. Since New Year's Day there have been six mortalities in this camp, although most were elderly, one was only four years old. There is a clinic in the camp but many cannot get to the hospital in Laiza in time. There are eleven preachers in this camp and forty deacons, lots of local churches have combined and the church building is too small. It is very overcrowded, especially when we take communion. We have two services daily, in the morning and evening and then one service on Sunday. We do not have enough hymn books or bibles, there are 1,000 families in the camp who need a bible.

The fighting started on 9 June. I stayed at my village for more than a month to work at the farm – it is a big farming village with more than 800 families. The situation became serious and we had to flee because of the advance of the Burma Army. I helped set up an evacuation route over the mountains and evacuated all the villagers. We moved in a massive migration, the very old people had to be carried. We travelled through the jungle and had to cross the main road controlled by the Burma Army. We had to move in secret for fear of the Burmese troops. Once we had crossed the main road we felt relief and we walked up Hka Ya mountain where we stayed one night. The old people had to be moved by elephant and many of the pregnant women gave birth as soon as they arrived in the camps here. We had to move in three separate groups and now the villagers from my village are staying in four different camps.”

In October, the Burmese troops attacked our village, Nam San Yang, and occupied the church building as they knew the KIA wouldn't attack. They smashed the windows and burnt a nearby house down. They also destroyed many possessions and property left in the church. They said they wanted to clear the surrounding area so they torched everything. I was in Myitkyina when this happened. I had gone there the day before for treatment. It is so sad, the villagers trusted the government troops and had felt safe, but then they did this.

In our village there is a small Buddha and monastery. We consider this a holy place and the KIO never destroyed it. They would never attack it, even if troops were inside the building. In contrast, though, inside our church they did a lot of disgusting things – they littered and left impure things there. I believe this is the difference between the Buddhist Burmese and the Kachin Christians.

6.1.3. Ms D, 76, from Dung Hkung village

I arrived in this camp in June 2011. Many Burma Army soldiers came to my village, and I was afraid, so I ran away. The journey was three hours by tricycle. I fled together with my family, but one son passed away two months ago. He cut his foot while working in his farm, and developed an infection.

The Burma Army troops did not do much, but people were afraid. Every day, troops arrived. The village is in between two Burma Army posts, and is in the fighting zone. The village is still silent, because most people have fled.

I am worried about what will happen when the fighting is over – who will give us food? Now the KIO helps us, but after the fighting is over, I will face lack of food and money. I have had no chance to go back to my farm, so I will have problems in the future. I hope the world will help, because I cannot make money now and there will be no one to take care of us. Please help.

6.1.4. Mr E, 51, from Nam San village

I arrived in the camp on 19 June. I left with my family, my father and mother – they are in another camp. I want to cry – there are so many human rights abuses in the village. Burma Army troops burned down the village, and I had to run away because the troops were torturing people. Some villagers were shot by troops. Those who fled did not take any of their possessions with them – we left pigs, cows, shop stores. There are still many Burma Army troops in the village. They burned 28 houses. I did not witness any of this, but I have heard about it from others and seen pictures. I walked five hours to get to this camp. Sometimes I go back to collect property, particularly my pigs and ducks.

I want freedom for the Kachin. I want to go back and stay in my village, but if we do not have freedom, autonomy and self-determination, I will stay here. I want to tell the world that I respect you for coming here. Please help us. We want to stay peacefully for the rest of our lives. Please help us to be firm and secure a genuine peace agreement when we discuss with the Burma Army.

6.1.5. Ms F, 67, from Ja Pu village

After the fighting started, I went to Myitkyina, where I stayed for one month. People told me that Laiza is a better place for IDPs, and so I moved here in August. I left my village as soon as Burma Army troops arrived. They tortured, raped and killed villagers. All the surviving villagers had to run away. I am an old woman, so it was difficult to flee. That is why I went to Myitkyina first. I did not see the abuses, but I heard from others. I heard that at least two or three people in the village were killed. I heard that Burma Army troops stayed inside the church, and burned down houses. I have made telephone calls to villagers who witnessed what happened. They said the Burma Army troops burned villages, burned paddy fields, killed cows, pigs, chickens.

I feel lonely. If I had a chance to stay in my own village, in my own house, I could eat vegetables and meat. But here, there are so many IDPs. We can only eat rice. I feel so lonely. I have no chance to go back to my village, and no chance to make money, due to the security situation. My desire is simply to see a better society, and freedom – economic, religious and other freedom. I want to tell the world that there are many ethnic peoples in Burma, but the Burman majority wants to make the whole country Burman and Buddhist. I want simply to stay in brotherly love with others.

6.1.6. Ms G, 36, Nam Ngau village

I arrived in the camp four months ago. My village is four or five hours from Laiza. I left my village after Burma Army troops arrived, while I was working in a banana plantation owned by a Chinese businessman. The troops arrived in the banana field and captured my husband, taking him as a porter. I knew they had come, but I could not flee – I had to wait for my husband. However, my husband was wounded by gunshots, and so I left him, and fled with my children. Fifteen days ago he joined us here in this camp, after being held for three months. He had been shot in his back, with four gunshots.

During his time as a porter for the military, my husband had to carry ammunition for the troops. In the jungle, there was serious fighting and he had to hide in the bunker. It was while in the bunker that he was shot. At first he did not know which side fired the bullet, but last week, in the hospital, they took out the bullets and found they were Burma Army bullets.

The Burma Army took my husband, and seven other people from other villages. The others were all Chinese, and so were not abused, and my husband is Chinese. I am Lisu. One Shan man was killed, we believe, but we do not have any news.

Here in the camp, I don't need to worry for food – but I cannot harvest the crops in my farm, as the Burma Army troops have settled in the banana plantation. Please tell the world to help us.

6.1.7. Ms H, 45, from Nam San village

I arrived in the IDP camp on 19 June. I left the village as soon as the fighting started. Transportation became very difficult – some bridges had been damaged by Burma Army troops. The KIO told us to flee, so we fled. When we fled, one of my daughters stayed behind in the village to take care of the house. The Burma Army troops arrived in the village and based themselves in the middle school. So I went back to my village to bring my daughter out. At that time, there was very serious fighting in the area between Laiza and Nam San. When the fighting was happening near my village, near the coal mine, Burma Army troops occupied and damaged the Roman Catholic and Baptist church. Villagers had stored some of their property in the churches, thinking that the church would be safe, but the Burma Army troops took whatever they wanted, including bowls, spoons, everything. They stayed in the church for three days, and destroyed almost everything – the leaves for the roof, personal property, and they burned down houses near the church. I feel very sorry – they did not respect church property, and they did not care about our God. These belong to God, they are not our own property.

I ran a small store in the village, and the soldiers took rice, oil, fuel, coal and other goods from the store. They also took money from people. One nursery school teacher who was pregnant and due to give birth soon had saved 500,000 kyats (US\$500) for the baby's birth. The Burma Army troops robbed her of her money. When she pleaded with them to give it back, explaining that it was money saved for her child's birth, they gave back 100,000 (US\$100) but kept the rest.

I want to tell the world that the Burma Army discriminates against us. We never loot or destroy or disrespect Buddhist pagodas, but they do this with our churches. There is a lot of religious

discrimination. We always pray for freedom for the Kachin. We ask you to pray for freedom, especially for the next generation.

6.1.8. Ms I, 44, from Nam San village

Burma Army troops came to my village on 16 October. We knew they were coming, but we have never faced this experience before and we did not know much about the fighting, so we thought that they would not take any action against us. I owned a store – selling rice, cooking oil and other goods. My adopted son, who is Burmese and is 37, was staying with me in our house. We heard the Burma Army commander telling the troops, ‘if you see someone, just kill them’. They destroyed the door of the shop and entered our home. They captured my adopted son. I was in my room at the back, silent. They started to destroy the store, but they did not destroy my home, which is next to the store. I decided to run away. I opened the door and started to run to my neighbour’s home, but the soldiers saw me and started to shoot. The bullets did not hit me, but my neighbours and I – three ladies – were so afraid. We decided it was better if I went back into my home, but when I got there I found the soldiers had locked the door, so I went to other people’s homes. I went inside one neighbour’s house, a cement building, and I thought this was safer. I hid under the bed for two days. Every day the soldiers were shooting at villagers, so I could not get out from under the bed to drink water or eat food. For two days, I had no food or water. I was pregnant at the time, so it was very difficult. Eventually I decided that it was better to flee to the farm, five miles from the village, where there was some food, and so very early in the morning, at 3am, I escaped to the farm. It was not totally safe, but the Burma Army troops did not come. My husband was already at the farm, and after two days we escaped to Laiza. We arrived on 21 October.

I did not see any abuses because I was hiding under the bed for two days, but I heard that they destroyed stores, stole property and shot at homes many times. I saw bullets fly through.

When they took my adopted son away, they told him they were taking him into the jungle because they wanted to keep their actions secret and he was a witness. For 27 days he had to carry weapons, ammunition and other supplies for the military, or sometimes food, around a fifteen mile area. He was not mistreated, however, because he was Burman. Kachins who were captured were beaten while asleep. Finally, the Commander let him go.

I hope that we can be brothers and sisters, and love each other. The Burmese authorities are very greedy – they want to own the whole country. They tried to force us to be part of a Border Guard Force, and that is why there is fighting. I hope we can have a peaceful life, for all people in Kachin State.

6.1.9. Ms J, 40, from Lai Lum Dingsa village (Lisu)

I arrived in the camp in July 2011. I left our village because about forty Burma Army soldiers arrived. Most people fled. Early in the morning on 10 July I fled. My husband had told me to take the kids and leave quickly, and he would feed the pigs, look after the farm, tidy up the house, take care of the property, and then follow us. He wanted to take care of our property, and prioritised me and the children. I have four children, one boy, aged twelve, and three girls, aged eight, seven and one. It was cultivating season, so my husband and other men went to the farm, about one hour’s walk away, but some fled. My husband could not flee.

Two weeks later, my husband was killed. I got the news two days after it happened. A Shan woman told me that the Burma Army soldiers had cut off his left leg (below the knee) and his right wrist. He had cried for help, and some people heard his voice but could not help because they had to run for their lives. A Burma Army commander was heard yelling, and came and shot my husband with a

gun. The Shan woman saw the shooting. She had come back to the village at 11pm and saw many soldiers.

I have four children, and I worry for all survivors. It is very difficult to survive – there is no proper shelter for families here. We had stayed on the China side before, with relatives, and we arrived in the camp just yesterday. Previously, we tried to come to the camp but people would not accept us, because they said we had relatives and could build a small house here. It is camp policy that if people have relatives in Laiza, they are not allowed to stay in the camp. But the problem is that the relatives don't allow us to stay with them. My brother lives in Laiza, but my sister-in-law refused to have us stay with them, saying that I had too many children, so their home is not for us. My youngest daughter is very sick. We have no shelter, no school for the children. We need money for bamboo and plastic to build a shelter, and for blankets and cooking facilities.

6.1.10. Ms K, 25, from Lai Lum Dingsa village (Lisu)

On the same day as Ms G's husband was killed, my husband was also shot dead. An elderly woman had died, and a memorial ceremony was held. They needed people to assist with the ceremony, so I asked my husband to go. It was a twenty minute drive by motorbike to Lai Lung (new village).

On his way back, he met Burma Army soldiers. They just shot him, four or five times, without asking any questions. I heard the gun shots. It was the same soldiers who killed the other lady's husband. They killed my husband first, and then went to Lai Lung (old village) and killed her husband.

I heard the news two weeks later, from a KIA soldier, while I was in the IDP camp in Laiza. The soldier said that one Lisu man with a motorbike was dead on the road between the two villages. Two weeks after this, I went back to the village. I saw his bones, and recognised his motorbike and bag, and recognised it was my husband.

I have two daughters, the eldest is one, the second is nine months. I am staying with my mother in the camp. I need help for survival, basic needs – it is so difficult to survive.

6.2. Interviews from Northern Shan State

6.2.1. Rev. A, General-Secretary of the Nam Jang Baptist Church, accompanied by a family

We are very glad to meet you because our internal situation is very hard for others to understand. We are very scared of complaining to authorities or governments about this situation. My name is Rev. A, from Nam Jang Baptist Church; I am General Secretary of the Church which is in Mungmau Association, Northern Shan State. He [pointing at the other pastor] is in charge of the development department of Nam Jang Baptist Church, his name is Rev. B.

Zakhung Seng Hkon

Our house number is 215 in Nawng Zam Kung organised village, Nam Hkam township. On 17 November, at midnight, the militia force came to our home, as part of a militia force operation to arrest people in the village. That night the militia force arrested around twenty people. Among the twenty people was my husband. He was arrested, tortured and then they hanged him. On 21 November at 11pm this militia force brought his corpse to Nam Hkam township hospital and asked the hospital employee to check how he died. There was still some string tied around his neck, but the militia force said it was a suicide, so they asked the hospital to prove that he died by hanging. The militia force is part of the Tatmadaw, they are called the Nam Hkam border militia force.

Our family name is Zakhung. My mother is Dashi Roi Ji and my father is Zakhung Bawm Yaw. My name is Zakhung Seng Hkon, my husband died in the torture, his name was Lamao Dut, aged 35 years old. On 17 November my husband (Lamao Dut), my younger sister's husband (Lamai Awng Mai) and my brothers Yaw Ting, Yaw Saw and Yaw Htang were arrested. On 18 November, my mother (Dashi Roi Ji), another brother, Yaw Zung and my sister-in-law Lu Mai (the wife of Yaw Htang) and her one year-old baby were also arrested. Also my other sister in law was arrested, her name is Roi Din and she is the wife of Lamai Awng Mai. The children were arrested automatically with their mothers.

Altogether three children were arrested, one one year-old and two two year-olds. Three children were arrested with their mothers on 18 November. Revd Maung Than was also arrested, but was released in the evening of 18 November with Roi Din and Lu Mai."

The leader of the Nam Hkam border militia force is called Awng Sam, so it was him who organised the army operation commander in Northern Shan State. They came together to make the arrests on 17 November. They arrested people because there had been an explosion at the Nam Hkam police station, I cannot remember the date. One police officer died and two others were wounded. That's why they were suspicious of the Kachin, and those who belong to the KIA. So on 17 November we came down from the mountain and gathered together in Nawng Zam Kung village, no. 215. The six men in the family gathered together there once they had finished working on the farm. These six guys were suspicious to the authorities, so then this militia force organised an army operation to arrest them all. According to the authorities there are sixteen Kachin households and they were suspicious that we were all connected to the KIA and therefore to the explosion at the police station.

In the past Lamai Awng Mai, Yaw Ting and Yaw Zung served in the KIA. However, they have not been in the KIA for five years, they were not officially discharged but they resigned and came back to stay in Nam Hkam township. Over the last two years they have had no connection with the KIA, we are all just struggling for survival, we are just civilians..

Those three were accused of having a pistol and a shotgun. Yaw Zung had been wounded in his ankles so they didn't arrest him and he was excused. But the next day he put a bandage around his ankle because of the wound, which was caused by a bullet. When the militia force saw this they accused him of being a soldier and serving in the KIA so the next day (18 November) he was arrested too.

Yaw Ting, Yaw Zung, Yaw Htang and Yaw Saw are my brothers, Lamai Dut is my husband and Lamai Awng Mai is my brother in law. Awng Mai, Yaw Ting and Yaw Zung were the ones who are accused of being current KIA soldiers and having guns. They were the ones who were targeted the most in the arresting and torture, but my mother was also involved in the investigation process. They did serve in the KIA but not for five years.

My husband, Lamao Dut, was 35 years old, he was hanged by the forces and they took him to the hospital so that they would say that it was a suicide, that is when we saw the rope around his neck. Awng Mai, Yaw Saw and Yaw Zung are still in jail at the Mau Za police station, my brother Yaw Htang was released as he is young and a student.

When my brothers were in the police station, they investigated whether they had guns or not. All night long and all day long they kicked them seriously, pushed them against the wall and then beat them in their whole body. Then they would put a plastic bag over their head and pour water over them. They took away all their warm clothes and kicked them seriously, pouring water on them and giving them electric shocks. They also hit them with wooden sticks on their body. When Yaw Ting was released he told us that soldiers tortured him by pushing wooden sticks into his mouth and then moving them back and forth, to and fro, so that his teeth became broken. His teeth became very loose. My mother was made to watch as they did these things to my brothers.

My husband and I have five children, the eldest is sixteen and the youngest is four. I heard about his death on 22 November. In his whole life he never had any connection with the KIA, he was not a soldier, he was just working for his family. The night when he came down from the mountain on 17 November he had gone to see the village head to ask whether he should flee, as he was concerned about being taken as a porter. The village head told him not to worry. We saw his body on 22 November at 4.30pm when we came to wash and clean it for burial; his whole body was covered in scars so he had been tortured seriously. The scars looked like they were made by the barrel of a gun, and he also had serious wounds on his throat.

There are still three men in jail. Since the initial torture they have not been tortured again. However, the authorities keep moving the date of the trial. It is currently set for 29 January.

We are afraid to stay in our village, especially the young men. The Shan men are safe to stay but it is very dangerous for Kachin men as they are suspects. We don't sleep at home at night, we only go there in the daytime. At the moment the Kachin are specifically targeted by the troops.

Dashi Roi Ji, 57 years old

Even now I still suffer from where the soldiers punched me in the face, my teeth are very loose from where they hit me. When they beat me I was still holding my two year old grandson. They punched me in the face with a ring on their fingers. When they punched me I lost consciousness and fell down. My grandson was crying the whole time and that made me regain consciousness. I actually fell with my grandchild in my hands.

I was tortured five times in one night. I was first arrested on 18 November, but I was released on the morning of 19 November. However they rearrested me when my son Yaw Ting was released, as he threatened to take a gun and run away (there wasn't actually any gun). So they arrested me again on 19 November in the evening and released me on 23 November."

"In the prison there were many cells, I was in the same cell as my son Yaw Zung and the others were in different cells. After 6pm the officers went from cell to cell torturing each of us. The soldiers were drunk the whole time and they beat us whenever they wanted."

Relationship	Husband		Wife	Children
Father and Mother	Zakhung Bawm Yaw		Dashi Roi Ji (57)	
Son-in-law and daughter	Lamao Dut (33)	Dead	Seng Hkon	Five children
Son-in-law and daughter	Lamai Awng Mai	In prison	Roi Din	Two children
Son	Yaw Ting			
Son	Yaw Saw	In prison		
Son and daughter-in-law	Yaw Htang		Lu Mai	One child
Son	Yaw Zung	In prison		

6.2.2. Rev. B, 30, church minister in Bang Gaw Baptist Church, Balawng Ding Sa village, and from Hkashang village, Mansi Township, Bhamo District

I graduated from the Kachin Theological College and have been serving in the Bang Gaw Baptist Church. I am now an IDP living in Nam Kham cigarette factory – a large compound.

On 27 November, we were having a Thanksgiving Day for Bang Gaw Baptist Church in Balawng Ding Sa village, when the Burma Army attacked. We were very close to the area occupied by the KIA's 27th Battalion. The next day, we fled into the jungle, and we stayed there for two weeks. We spent "Sweet December" (the period leading up to Christmas) in the jungle. There were approximately 100 people hiding in the jungle. Many children got sick, suffered from disease, food shortage, and we were no longer able to stay, so we arranged to move to Man Ring Gyi village. On the way, however, we had to cross Balawng Ding Sa and Hka Shang, and that was when I was arrested.

On the way to Man Wing Gyi, some of my colleagues went ahead by motorbike, but then they heard gunfire and fled into the jungle. A group of church members were also coming, but retreated as soon as they heard gunfire. So I continued alone, to observe the situation and see whether it was possible for us to travel or not. I was then arrested and taken as a porter.

On 9 December, I was arrested and interrogated by soldiers of Burma Army Infantry Battalion 69. I told them I was an ordinary church minister, that I had a number of Christians with me, and that we were moving to another location due to food shortages. They accused me of being a KIA member, or of knowing where the KIA is. They searched my bag and found only a Bible. The soldiers brought me to their senior officers, and I answered their questions. The senior officer told me that the government troops were also going to Man Wing Gyi, so "shall we go together?" However, when we set off, we went to a different destination, not Man Wing Gyi. We walked for two hours, until we reached U Lay Pang village in Man Si village. I carried medical supplies for the troops. They wanted me to accompany them, in order to stop me telling others about their whereabouts, for their own security. One officer told me "don't run, don't flee, and accompany the officers all the time". We spent one night in Man Si, and it was very cold.

Early the next morning we went across to Nam Sa, where it was dark wilderness. There was a KIO administrative office there, and so Burma Army troops hurriedly deployed. They occupied the village easily, as the KIO/KIA had abandoned it earlier. At 4pm on 10 December they let me go. I went to Hka Shang and rejoined my church members, and then we spent the night in Bang Gaw, before reaching Man Wing Gyi.

I want to urge the Burma Army that instead of forcing church pastors to guide them for fighting, they should provide security for villagers. People are suffering from worry and fear.

6.2.3. Rev. C, 29, from Bang Gaw Baptist Church, Maji Gung Keba village

On 15 November I travelled to the market in Man Wing Gyi to buy food, medicine, gas and other necessary supplies for my villagers and church members. There are at least 100 members of my congregation. At that time, the shop keeper told me that there was no gas that day, so I waited another day. On 16 November, I went to several places to try to understand the situation, and I was arrested by people in civilian clothes, armed with guns. They were soldiers in civilian clothes. I tried to flee, but eight uniformed soldiers appeared and were about to shoot. They punched me, and tied me up. They took me to the place where I had made a phone call. Another man, a Chinese, had also been arrested, kicked and tied up.

They brought us to an army camp in Kawng Hkant, in the jungle, and the Chinese man and I were tied together with a single rope. When the Chinese man fell over, I also fell over, because we were

tied together. We were interrogated, and accused of working together as spies. But we did not know each other, and we were not spies. Finally, they separated us, and put the Chinese man behind a pile of teak, while putting me behind a bamboo grove.

Then the beating and torture started. One soldier ran straight at me. I knew he was going to hit me, so I prepared myself not to fall down. He kicked me in the chest, but I did not fall down. A second soldier ran and kicked me, but I still did not fall. They got angry, and kicked my back. Blood poured out of my mouth. "Don't try to cheat – you are a KIO officer, a Sergeant Major, or you are a KIO medic, or in charge of rations supply," they said. "No, I am an ordinary church minister," I told them. They told me not to say "church minister" anymore. "We don't want to hear this phrase, 'church minister', anymore". They hit me again and I simply repeated that I am a church minister. Again they hit me. Then I fell down from the repeated kicking. "The Chinese man says you are a KIO officer. Are you still trying to lie?" they said. I told them I was not lying, I am not KIO, I am an ordinary church minister. I have nothing to confess. They hit me and kicked me again and again. I told them that I was getting food for my church members and villagers, and supplies for the church. That is why I went to buy goods in the market. They kicked me again and again. It was inhumane.

They brought out some wire and a battery, and told me they would give me electric shock treatment. But the power in the battery had gone, so it did not work. They got really angry, and destroyed the battery as well. They beat me with the wire, and another soldier beat me with a bamboo stick, so many times. Eventually I felt no pain, because my body was so swollen. In the beginning I was in terrible pain, but finally I felt nothing. They kicked my face, side, head and chest. The soldiers told me just to confess that I am a KIO officer, otherwise I will face even more trouble. I said that I could not confess because I am not a KIO officer, I am just an ordinary church minister, no matter how much I am tortured. Then the officer came, and he told me that if I would not confess to his soldiers, I should confess to him. He sent the soldiers away. "Ok, so now confess. Don't try to cheat or deceive. Just confess," he told me. I told him that I had nothing to cheat or deceive him about – I am an ordinary church minister. At that, the officer called his soldiers over and told them: "Ok, come and torture him for as long as you like."

The soldiers came and kicked and beat me a lot, on all parts of the body. I fell to the ground. One soldier had a sword, and he waved it in my face, wounding the side of my head, just above the eye. The sword had a hook at the edge, and he sliced through my clothes and cut my flesh. I almost lost consciousness. He tore my clothes off and kept me in a freezing place. At that time, even before the torture, I was not well – I had been taking medicines for three days and was not eating much. That night, I was hungry, and in pain from the terrible torture. More than ten soldiers kicked me, so many times that it was uncountable.

The beating and torture lasted from 1pm until 6.30pm. The officer told me not to cheat any more – "as a church minister," he said, "you have the power to collect rations and war funds for the KIA, because you are a Kachin," he said. I told him that yes, I am Kachin, but the KIA are soldiers, I am a civilian. The soldiers are in the jungle – that is why I don't know about them. But they said "you ministers have power to say a single word to the villagers, or to pray in a worship service attended by KIA soldiers". I told him no, no soldiers attend the church services because it is wartime and they are in the jungle. Even the villagers don't have much time for worship services, because people are afraid of attacks.

During this time, some of the soldiers searched my motorbike and found batteries in my bag, and tools for motorbike repair in a box. So they accused me of making landmines. "How many landmines did you set up in our area? The things you have in your bag are not related to the work of a church minister," they told me. I told them that I bought the batteries in a civilian shop. I said: "If batteries are only used for landmines, why are they sold in shops?" They kicked me again, and then brought salt and chilli. I tried to stop them, pleading with them to leave me, not to torture me. I told them I am telling the truth. They said: "This torture is very small. Look at how many of our

soldiers have been wounded by the KIA". I vomited blood, and blood poured out of my mouth, nose, eyes. My clothes were full of blood. I couldn't breathe. I swallowed blood. I was beaten all the time because I would not confess.

Finally, the soldiers said: "Confess or die. This is your 'sunset' time, your 'final destination'. They wrapped my head up in clothes so I could not see anything. They dragged me somewhere. I prayed. First I prayed 'God help me', then I prayed 'God, you're the only one who can save me, but I am satisfied if you bring freedom for Kachin people, even if you don't release me. I am happy to die if you answer this prayer'. I told the soldiers: 'Shoot me. Kill me.' They said ok, we will kill you by torturing you very slowly, gradually, until you die.

I couldn't see, but I could hear people talking nearby. Among the two soldiers who dragged me, to my left was a Kachin and to my right a Burman. They brought me to the officer's place. I could hear the sound of iron bars opening. I was afraid – I thought that this was my 'final destination'. Then the officer called to me: 'Brother, I'll clean your blood and put medicine on the wounds'. I asked him to loosen the tie so I could breathe more. I requested this three or four times, but was scolded and beaten again. Then the officer said: 'Don't open your eyes. If you open your eyes, it's your destiny'. They cleaned the blood, and then wrapped my head up again, and brought me to the road. Then they let me go.

Just before my release, they asked me whether I was Baptist or Roman Catholic. I told them I am Baptist, and they beat me again and said 'You Baptists, you help the KIA: because of you Baptists, government soldiers are wounded'. Finally, they let me check my bag, my motorbike, and I found that 20,000 kyat (\$20) had gone. The soldier said he would replace it, and gave me 20,000 kyat. At that moment, a Roman Catholic priest arrived and picked me up. I left my motorbike there, but two days later it was delivered to me.

The priest was an answer to my prayers. When I had made the phone call in the market, the woman in the shop had heard me saying 'Saya, Saya' and then saw me being arrested. She called the phone number I had dialled and spoke to the church minister in Bhamo, and informed him I had been arrested. She also informed the village Kachin Women's Association and several others. Finally, a Catholic priest heard the news and appealed to the government officers to give me to him. The officers said I had been seriously tortured, and so it would not be appropriate, but the priest said it was his duty, he would take care of me. They told him just to wait by the road. The soldiers who had done this to me were from Infantry Battalion 105, at Sar Maw Township base, near the river from Myit to Mandalay. The Company Commander was Captain Moe Kyaw.

After I was released, I returned to Bang Gaw, where I stayed three days, and then went to Hka Shang, for a thanksgiving festival. The next day, 27 November, Burma Army troops started to attack the KIA's 27th Battalion and the whole village escaped to the jungle. We all went deep inside the jungle for shelter, but Burma Army soldiers were searching nearby. I felt dizziness and pain from all the torture, but I had to help the families, young children, and elderly people to move. I fell down many times while helping carry their loads. At one point, the village headman received information that the Burma Army was on its way, so we ran away over rocky slopes in the mountains, deeper into the jungle. There were many children, and we were really in trouble. We could hear gunfire and shells. People were very scared.

I don't know how long we spent in the mountains, but in the morning we could hear heavy guns, shells, and started running again. The conditions were terrible. Sometimes it was raining, and we had no umbrellas, so we had to run in wet clothes. Mosquitoes were biting at night. Many villagers were very poor, and possessed only chickens, dogs and some other animals, but they carried them with them, which made the situation more difficult. I asked them, why not just kill and eat the animals, but some of them did not want to. So we had to carry chicken and dogs the whole way! Sometimes the dogs barked and the cocks crowed, making a noise. Many of the villagers were scared that the

Burma Army might hear the noise, and find us. The children were also very noisy, and their parents did not keep them quiet.

We saw a helicopter fly over the area one day. We were worried that when we cooked, smoke would rise and the Burma Army would see it and attack us, so we cooked very early in the morning. Our journey was very long, and after a while all our rations, medicines, and everything was gone. Finally we decided that the elderly people and the children should go to the IDP camp. I led them to the camp, but on the way we encountered Burma Army troops marching from the KIA 27th Battalion area to 12th Battalion area. They heard the motorbikes of two guys who were escorting the IDPs, and shot at them. They ran after the motorbikes, shooting, and the two guys finally abandoned their motorbikes and ran. We all ran. We heard the guns. I heard a twelve year-old girl saying “help me, help me,” but I could not turn back to get her, so I just said ‘come with us’. There was a family escaping behind us, and four of them were able to escape – the mother and three children, aged twelve, four and two – but the father and one child was arrested. One of the pastors went back to see what had happened, and he was arrested.

Many other incidents happened along the way. Four villagers were taken as porters at Maji Krung Kaba, and taken over ten miles to Mawng Hkawng village. At Mawng Hkawng, the Burma Army started firing into the village, killing one horse. The soldiers were mostly from Light Infantry Battalion 69, in Light Infantry Division 99, under the command of Major Win Naing.

At Hkam Shang village, two people decided to go into the jungle to hunt for food, but before they could go, the Burma Army came and shot at them, and then arrested them and used them as porters and escorts. They were used to walk in front of the troops, as human minesweepers, so that if there were landmines, they would step on them first.

When we arrived at the IDP camp, some people went back to the village to get supplies, but on the way back, the Burma Army captured all their rations and utensils, and destroyed their motorbikes. I still suffer from the torture. I have ear and back pain, especially at night, I have difficulty breathing, and walking is difficult. I am in pain and often feel dizzy.

6.2.4. Ms D, 45, and her son, eight years old, from Hka Nu Yang village

On Sunday, 27 December my husband was shot dead. He was just working in his rice field, two hours’ walk from the village. The Burma Army was marching to the fields, and they shot him in his hut.

My son and I had escaped just fifteen minutes beforehand. We hid in the jungle, and heard the gun shots. We hid for two days, and then came back to the field and found my husband’s dead body. Almost all the other villagers had run away, except a couple of people. We buried my husband, and stayed in the village for a while. We were the only people living there. Three days ago, my son and I left for another village.

I have heard about some people killed in other villages. The Burma Army soldiers did not reach our village – they just passed by – but I feel very scared even in the new village.

I have no idea why they shot my husband. He was just a farmer. He was not KIA. I was really surprised. It is unbelievable. We have no hope.

6.2.5. Mr E, 27, a member of the camp committee of Nga Nawng Pa camp

On 6 November at 10am, fighting broke out between KIA and Burma Army troops in La Ga Daw village and Burma Army troops started firing into the village. So the villagers fled to the north-east side, and hid on a small hill about half a mile from the village. Fighting broke out twice, for an hour or so each time, with a period of quiet for one or two hours in between.

The whole village fled with nothing, and by about 2pm, villagers started thinking of crossing the border into China. But we were still far from the China border, and we had older people and young people, and it was getting dark. We decided to split into two groups. The older group, aged seventy or eighty years old, would not be able to walk anymore because it was night time, so we agreed that they would stay in the jungle that night, but the second group, of about 140 villagers, headed to the China border. My friend Maran La Mai and some others stayed to look after the older people. I accompanied the other group to the China border.

A little later, Maran La Mai decided to try to get some rations for the elderly people. He walked and crawled along the hill top to see whether it would be safe, and when he reached the edge he heard gun fire. We also heard gunfire, and so we stayed in the jungle that night.

The next day, 7 November, the old people stayed in a nearby village, and the other group crossed to China, arriving around 5pm. We had no chance to carry anything with us, but on the China side of the border, villagers helped us with food and shelter, and we are now in a camp. The camp started with 150 people from our village, but now we have about 900 people from about twenty villages.

I have not seen Maran La Mai since then. I am sure he is dead, but I do not know how. The area he was in is under Burma Army control, so nobody can go back to look for his body. He was aged between 32 and 34, married and had two boys and two girls.

I have never experienced this kind of situation before. My grandfather fought in the Second World War, and he said even the Japanese were not as cruel as the Burma Army. I am very disappointed with all this torture and killing. I want the whole world to know about this inhumane behaviour.

6.2.6. Mr F, 42, Hka Shong, Kawng Lawt village, Mansi township, Bhamo district, Kachin State.

I have come to testify on behalf of my villagers, in particular Hpaulu Hkam Sawng Naw, 63 years old from Chyong Hka village. He has three daughters and three sons.

On 20 December at 12.14pm this man was shot dead by government troops. They shot him from two different directions while he was farming on Nawng Tan Kawng hill, a small hill near the village. The Burmese troops came down between the two villages of Hka Shong and Chyong Hka, and shot Hkam Sawng Naw in the stomach, two times, dead. We think that when we fell down, he was shot again in the right side of the face, so that his brains were showing out of his head. The man was very old, and was doing nothing harmful. He was just working on his farm. It was daytime, so they must have shot him intentionally. The government troops asked no questions, they assumed they were militia force and shot him dead from a long distance. His younger brother managed to escape.

The government troops then took sixteen baskets of rice and looted the farm. I am a village elder and a member of the village administration committee so it is my job to check whether villagers have been shot or wounded. During this check I found that this man was missing so I inquired about it. On 21 December we brought the corpse from where he was shot dead, we moved it from the conflict area and buried him a furlong from where he was shot dead. It was the 99 Division and the commander may have been called Ba Lay.

Hkam Sawng Naw is a civilian with three sons. Two are in the militia force, one in the KIA. He also has three daughters, one in China, the youngest studying in Nam Hkam and the other one is studying medicine. Hkam Sawng Naw's wife is my sister, she has gone to China now to be with her daughter. All the people from my village are now IDPs in Yang Lu camp in Nawng Tau village. It is so sad, our village was looted by the soldiers, they looted nine houses and took all their rice.

6.2.7. Mr. G, 38, Hin Buk Hka Pra village, Mansi township, Bhamo district, Kachin state.

My wife's name is Sum Hka Ji Tong, she is 38 years old. We fled into the jungle with our entire village on 3 December as we were scared of the troops. On 6 December the government troops came into the jungle and shot at the villagers. I escaped with my mum and my youngest brother; however my wife and 23-day-old baby were left in the jungle village where we have been staying. At 7pm I heard my wife crying and it was around this time when she was killed with a sword. I went back the next day to see what had happened and I saw the body of my wife and my baby was lying with her. It was too dangerous to go and get her body, so I waited until three days after she was killed (9 December) and then we buried her. The baby was dying, he was very thin and about to lose consciousness, but we kept him warm and he is still alive

I do not understand why they killed my wife, she was stabbed in the ribs from the left side but they did not do anything else to her. We think that they killed her because they didn't want to carry her anymore. The government troops were fighting with the KIA 12th battalion and so they didn't want to have to take her with them.

My baby has now recovered and is staying with relatives; I am also at Yang Lu camp in Nawng Tau village. I do not want to complain anymore but I just hope that the KIO will provide for us and take care of the IDPs who are suffering greatly.

6.2.8. Mr H, twelve years old, Man Wawn Brang Kong village, Mansi township, Bhamo district, Kachin State.

I am an orphan now, my father died when I was very young and my mother was shot in conflict. My mother's name is Lamung Kaw Sang and she was about 50 years old. About a month ago [in December 2011] my mum was shot dead by the Burma Army troops. She was shot three times in the knee and the chest.

At 10am the government troops came and shot at villagers, I fled into the sugar cane farm with my uncle and my grandfather but my mum didn't want to flee. We told her she must go as the troops were coming but she was looking for a lock to put on our home to protect it from the troops, so she refused to come with us.

From the sugar cane farm I could hear the Burmese troops talking, I heard a dog barking and then I heard three gunshots. I was very afraid that my mum would be shot so I went out to try and look for her, I saw her outside the front of our house – she had been shot by the troops. There was a lot of blood and I knew that my mother was dead. I could not go to her because there were still many troops around and they took her body away.

Fortunately, some of the Shan people who fled from the village and are now also IDPs had seen the troops take my mothers body and throw it in a new latrine pit that is being dug in the village, and they spread the message. The pit was not finished yet but it was still quite deep so two days after she was killed I went with other people from the village and they managed to get her body out of the pit and we then buried her next to my father.

My family has very bad relationships so I was abandoned and now I live with this lady".
[He now lives with a lady who works for a China-based NGO helping IDPs and refugees.]

6.3. Interview with the Kachin Women's Association (KWA)

As soon as the fighting started in June many IDPs have arrived in Laiza, mostly women and children, from many villages. The IDP camps are very crowded, there are not enough toilets and the sanitation is poor. Our first job as KWA is to provide knowledge of how to take care of children, distributing washing soap and cutting the hair of children who have spent many days in the jungle. We cooperate with the IDP and Refugee Relief Committee (IRRC) and have negotiated for a nursery school for the IDPs. We cooperate with the KIO health department for pregnant women. Many IDPs who fled here did not bring clothes with them, so we have provided them with clothes.

We cooperate against human trafficking, for many IDPs here it is very dangerous so we work to provide security. We also provide utensils as much as we can; we provide nutritious food for the children. We have also started training teachers on one week courses as there is a lack of well educated teachers. There are not enough schools for the number of IDP children, many cannot go to nursery school so we now give knowledge direct to the mothers so they can educate their children.

We have been supporting the front line soldiers with food since the fighting started, give them instant food to save them having to cook on the frontline. Many soldiers have been wounded and we visit them in hospital, encouraging them and praying for them. If a soldier dies we visit their family and support them with food and money. We also join with the local church and have devotions every day where we pray for a ceasefire and for the soldiers.

Even before the fighting started we heard of many abuses against women, especially trafficking and rape. We collect the info here and then send it on to KWAT who inform the world. During the ceasefire we were advised to not talk about violations too loudly, as we didn't want to break the ceasefire.

Since June there have been many rapes, torture and killings. In September, a lady called Sumlut Roi Ji was working at a farm in 3rd brigade region with her husband and father when the government troops came and captured the three of them. A branch of KWA used a telescope to watch what happened and they saw that every day she was naked and that they raped her regularly. Now we suspect she is dead. When her husband asked for her to be released the Burmese commander denied that they had done such actions. He requested to the commander every day to release her but they refused. He is now taking the case to a court in Naypidaw.

On 6 December, a lady called Sum Hka Ji Tawng was raped and killed by the Burmese troops, this was witnessed by her daughter. On the same day a lady called Labya Tawng Mai from Hka Pra village, Kai Htaik region was shot in the leg and then raped by Burmese troops in front of her four year old daughter. She had been staying in an IDP camp in the jungle in a government controlled area. Her mother escaped to tell the story.

We receive a lot of information about rapes and murders by government troops but often there is no evidence and we will only document it if there is evidence to support it. There has certainly been a significant increase in rapes since the fighting started. There have been at least fifty documented cases.

We recently received a testimony from a porter who was released by the Burma Army that in his group there had been two young ladies who were captured in Myitkina on their way back from church. The Commander made the youngest lady his wife and raped her every day. The other lady was raped every day by the troops.

On 10 October, in Nam San Yang village, a 36-year-old Lisu man, called La Ma Lu, was captured. He was beaten very badly so that both his arms and legs were broken, he passed away because of this beating. Another incident in October was that of a 70-year-old grandfather who was building a

fence. The Burmese troops arrived and shot him in the leg and shin. He was treated at the General Hospital in Laiza and is now getting well again.

There is still a problem with human trafficking to China, and even with the IDP camps there are Kachin who are selling Kachin in order to make money. Incidents of rape are increasing significantly, whether child, pregnant woman or grandmother.

An incident on 12 December involved a man called Sumlut Brang Awng, 29 years old from Mai Bat village. His father is Sum Lut Bru Gawng and his mother Jangma Lu. He was travelling to Mang Win Gyi. At first the Burmese troops took no action but on the way back they shot him in the back. He tried to escape but they shot at him many times, he was captured and beaten in the face. He was made to dig his own grave. He prayed for his life. On 14 December a Catholic Father requested that he be freed and he escaped, he is still alive but has a bad injury in his head. He has three children. It was 105 Battalion and the Commander was Major Moe Kyaw. Other people were also taken and forced to take off their clothes and then tied up with rope, the troops killed the other people.

Another incident involved Lahpai Zau Lawn, from Lui Lung village, Lung Shawng division in China. It is a border village. This man had a farm two miles from the village on the China side. When he was walking there he met the Burmese troops who were bringing food from the China side. On 12 January 2012, he was shot by Burmese troops in China. There were eight bullets in his body and these were verified as Burmese bullets. He died but they did not bury his body, instead they left it by the side of the road and surrounded it with bombs so no one could reach the body. The villagers spoke to the Chinese authorities to complain but they were told not to speak and offered a bribe. The villagers were not happy – even though they are on the China side they are brothers and sisters with the Burmese Kachin so they spoke to the authorities again. This time they were offered more money to stay quiet. The villagers refused and demanded the withdrawal of the Burmese troops from their land. They took the dead body very carefully and buried it but there are still many bombs there. The violations are even occurring in China now. The Burmese troops are reinforcing from China and the border guards let them across. They also destroyed a farm on the China side. Almost every day there are small numbers of troops crossing from China. Since last year they have brought food and reinforcements from the China side, they travel at night through the mountains, in the morning the footprints are visible. The Chinese authorities know about this but they take no action and they tell the villagers to keep quiet and not inform the KIO.

7. Humanitarian Issues

According to a Rapid Need Assessment conducted between 13 January and 4 February 2012³ by the Relief Action Network for IDP and Refugees (RANIR), a network of Kachin civil society and humanitarian organisations established to co-ordinate humanitarian relief,⁴ there are an estimated 19,726 IDPs currently living in 22 camps primarily located in Laiza City, Nam San Yang Township, Gang Dau Yang Township, Sadung, Mai Ja Yang, Sinlum Bum Township and Nba Pa Township.. A previous assessment estimated that a further 8,876 Kachin people have fled as refugees across the border to China, although another assessment is planned in February. As of mid-January 2012, however, the United Nations Office for the Co-ordination of Humanitarian Affairs (OCHA) estimates the real figure to be over 55,000, an increase from 29,000 in October 2011.⁵ This total figure includes people in Kachin and northern Shan States who have fled into the jungle or to live with friends and relatives.

From June until December 2011, UN agencies and international Non-Governmental Organisations (NGOs) were unable to access camps for IDPs in KIO-controlled areas, where the overwhelming majority of IDPs have sought refuge. However, following discussions between the KIO and the Government, the United Nations (UN) was able to dispatch a team carrying non-food items for an estimated eight hundred families in Laiza on 12 December 2011. According to UN OCHA, “this was the first delivery of UN relief supplies to IDPs in areas previously not covered by UN assistance”. The UN team travelled from Bhamo to Laiza and visited six IDP camps to identify needs. Shelter, tarpaulin, blankets and warm clothes, education materials, vaccines and psychosocial support were identified as the major non-food items needed. The UN distributed some of these supplies in two IDP camps in Laiza, but did not have sufficient supplies to provide for all the needs in the area, and so a further dispatch is being planned.⁶

Some assistance has been provided by a few international Non-Governmental Organisations (NGOs), particularly Health Poverty Action (formerly Health Unlimited), UN agencies including the World Food Programme, and by Burmese NGOs such as the Shalom Foundation, Kruna Myanmar Social Service and the Metta Foundation, primarily in government-controlled areas but to a limited extent in KIO-controlled territory as well.

UN OCHA concludes that “displacement and humanitarian needs in Kachin and in northern Shan State continue to rise as a result of continued instability.” RANIR told CSW that the current levels of assistance provided to the IDPs are not sustainable without international assistance, particularly as the situation is likely to continue for months. No long-term plan is in place, and although RANIR has been able to provide for the basic needs of IDPs in KIO-controlled territory since June 2011, they confirmed that they “are not ready to cope with

³The Rapid Need Assessment was conducted in Laiza City, Nam San Yang Township, Gang Dau Yang Township, Sadung, Mai Ja Yang, Sinlum Bum Township, Nba Pa Township, but not Man Wing Gyi and Loi Je.

⁴ RANIR was established established on 2 July, 2011. Members include the Kachin Youth Organization, Kachin Development Group, Wunpawng Ninghtoi, Kachin Baptist Church (Laiza), Roman Catholic Mission (Laiza), Kachin Women’s Association Thailand (KWAT), Kachin Women’s Association (KWA), Kachin Relief and Development Committee, Health Department, Education Department, IDP and Refugee Relief Committee, INGO (Health Related). Some of the member organisations are affiliated to the KIO, including the KIO’s Health Department, while others are independent.

⁵ UN OCHA, *Myanmar – Monthly Humanitarian Update*, December 2011/January 2012

⁶ Ibid.,

long-term problems”.⁷ Even once the conflict ends and IDPs can return home, consideration needs to be given to guaranteeing their security, assisting their resettlement, providing for the livelihoods in the transition, and reconstruction of destroyed villages.

CSW visited four camps in and around Laiza, and is deeply concerned by the living conditions, in particular the over-crowding in the urban camps in Laiza itself. Each family is allocated a small space on a concrete floor, with minimal provision for blankets and sleeping mats. In Wunli Gawknu (City Hall) camp, where over four hundred IDPs, mostly women and children, are living, and Woi Chyai camp, previously a factory which contains over 1,030 IDPs, over-crowding was particularly severe. CSW has been informed that since our visit, Wunli Gawknu camp has been closed and the IDPs moved to Woi Chyai, Manau Compound, No. 3 Market camp and Je Yang camp. In Manau Compound camp, with 1,124 people, there was more space, but as with Wunli Gawknu and Woi Chyai camps, IDPs are living on concrete floors. These conditions present potential threats to health, particularly in the cold winter months.

In Je Yang camp, outside Laiza, conditions are better than in the urban camps. Je Yang camp, the largest of all the camps in Kachin State, was one of the first to be established, on 27 June, 2012, soon after the conflict started, and has a population of 4,909, including 807 children under the age of five and 1,713 aged between five and eighteen. The camp is better established than the urban centres, with bamboo huts, a school, a clinic and two churches (Baptist and Roman Catholic). However, many of the IDPs were hiding in the jungle for several months, and the camp continues to receive new arrivals. Many IDPs walked for at least two days to reach Je Yang camp, and come from over 35 different villages. Provision of food, particularly nutritional rations, and medication are the major challenges for the camp organising committee. Malaria, diarrhoea and dysentery are the primary medical problems.

In many cases, the men stayed behind in their villages to try to continue to farm or to protect their property, or travel between the IDP camps and their villages to try to continue farming. This means that the majority of the IDPs are women and children. Some IDPs have been able to find work in Laiza or surrounding areas, including in some cases helping to construct other camps. However, RANIR is concerned that this is not sustainable in the long-term, and that if the conflict is not resolved, more people will cross the border to China in search of shelter and work. This will bring new challenges, leaving those who flee to China vulnerable either to exploitation, trafficking, arrest or forcible repatriation.

CSW also met with a Kachin humanitarian organisation called Wunpawng Ninghtoi (WPN), which means “Light for the People”, established on 14 June 2011 to assist primarily in the IDP camps around Mai Ja Yang and refugee camps in China. WPN provides food security, shelter and education for IDPs and documents human rights violations. Financial support has primarily been provided by exiled Kachins around the world, although some funding has come from Trocaire, Burma Relief Centre and Partners Relief and Development. Although CSW was not able to visit IDP camps in Mai Ja Yang or refugee camps in China, according to WPN the situation in both these areas is “hopeless” compared with the camps in Laiza. WPN continually faces funding shortages, but has been able to provide food and shelter to approximately 20,000 IDPs and refugees.

An estimated 8,876 refugees are living in at least eight camps on the Chinese side of the border. The Chinese authorities tolerate the existence of the camps, but provide no assistance and do not permit international organisations to visit the camps. Local Chinese citizens, including businesses, have provided some donations. A WPN representative told

⁷ RANIR does not receive funding or funding from KIO-affiliated organisations. Some KIO-affiliated organisations deliver relief and assistance to the IDPs and refugees, independently of RANIR.

CSW: “Their situation is very bad. We have provided tents and plastic covers, but sometimes these are broken by the wind. In the summer time, the tents will be very hot; in the rainy season, it is not good, as there will be floods. There is not enough water, and the water is very dirty. In one camp of almost 700 refugees, there are just two small wells, which are not deep and are smelly. There are no toilets. If the refugees want to dig a toilet, they have to pay for the land.”

8. Conclusions

A window of opportunity for change in Burma after decades of oppression and conflict may have now opened, but as the situation in Kachin and northern Shan States documented in this report illustrates, there is still a very long way to go. In Rangoon, the view of the overwhelming majority of people who spoke to CSW was one of “cautious optimism”, recognising the changes taking place but also emphasising the challenges that remain.

Much of the change taking place so far is atmospheric rather than institutional. The release of significant numbers of political prisoners, the re-registration of the NLD and their participation in the parliamentary by-elections, the political engagement between the President and Aung San Suu Kyi, the movement towards securing ceasefire agreements with armed ethnic groups, and the relaxation of media censorship and civil society activities, are all welcome and important steps. However, there remain four major steps for the Government of Burma to take, which should be taken into consideration as benchmarks for progress: the release of all remaining political prisoners; a guarantee of free and fair parliamentary by-elections in April, observed by international, independent monitors; constitutional, institutional and legislative reform, including the repeal or amendment of unjust and oppressive laws; and a genuine process not only to secure ceasefire agreements but to address the key causes of the conflict in the ethnic areas which has lasted over half a century.

A Kachin Catholic priest told CSW: “We are hungry for love, peace, tranquillity, but nobody is feeding us. We invite the whole world to help us.”

Without a meaningful, inclusive, nationwide political dialogue involving the ethnic nationalities and the democracy movement, with international observers and experts, to establish a mutually agreeable political structure that guarantees respect for equal rights, autonomy and ethnic identity for all the people of Burma, true freedom, justice and peace will continue to elude Burma. If the government undertakes these steps, there is at least an opportunity for Burma to develop as a respected, stable, prosperous and peaceful nation, fully welcomed into the international community. The onus is on the Government of Burma to develop the current reforms into a substantial process of change, and on the international community to respond with an appropriate balance of recognition, encouragement and continued pressure.