

The ARAKAN PROJECT

Forced labour during the Arakan crisis:

**An overview of forced labour practices in North Arakan, Burma
(June to August 2012)**



**Additional Submission to the International Trade Union
Confederation (ITUC) for consideration by the ILO Committee of
Experts on the Application of Conventions and Recommendations
(CEACR) – ILO Convention 29**

31 August 2012

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The Arakan Project, 31 August 2012

Research and report funded by Inter Pares, Ottawa, Canada

The Arakan Project is an independent NGO engaged in research-based advocacy focussing on the human rights situation of the Rohingya minority of North Arakan State, Burma/Myanmar. The project coordinator, Chris Lewa, can be contacted at: chris.lewa@gmail.com

Cover photo and copyright: Child labour: Rohingya boy collecting firewood
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Maps: Myanmar Information Management Unit, UNDP, Myanmar

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INTRODUCTION

This addendum to our report “*Forced labour still prevails: An overview of forced labour practices in North Arakan, Burma (November 2011 to May 2012)*” dated 30 May 2012¹ aims to provide supplementary information to be included in the ITUC annual submission to the ILO Committee of Experts on the Application of Conventions and Recommendations (CEACR) reviewing Myanmar’s compliance with ILO Convention 29.

This additional submission is based on field reports received from sources within Maungdaw and Buthidaung Townships from 1 June to 17 August 2012, a period during which Arakan State experienced major communal upheavals.

ANALYSIS

In June 2012, the International Labour Conference lifted most measures imposed on Myanmar in 2000 for non-implementation of the recommendations of the 1998 ILO Commission of Inquiry on Forced Labour in Myanmar (Burma). Only one of the 200 measures “*calling on member States, workers’ and employers’ organizations and international organizations to review their relations with the Government of Myanmar*” was suspended for one year, pending progress review at the next International Labour Conference in June 2013.

This decision was in consideration of the newly-enacted legislation by the Government of Myanmar in conformity with the recommendations of the Commission of Inquiry, the detailed Joint Plan of Action² agreed between the Government of Myanmar and the ILO for the complete elimination of forced labour by 2015, and Myanmar’s assurances in the context of a broader reform process initiated by President Thein Sein in 2011.

• Communal violence in Arakan State and State of Emergency

Inter-communal violence broke out in Arakan State between Rakhine Buddhists and Rohingya Muslims in June 2012, mostly involving Rakhine mobs targeting Rohingya. It was sparked by the rape and murder of a Rakhine Buddhist woman on 28 May and the retaliatory killing of 10 Muslim pilgrims in southern Arakan on 3 June. On 8 June 2012, violence erupted in Central and South Maungdaw in North Arakan, when Rohingyas, making up 95% of the population, set ablaze Rakhine properties in the town and in several model villages³. A curfew was swiftly imposed, forcing Rohingya to remain at home for days on end while Rakhine were let loose to loot and attack Rohingya with the alleged tacit support of police, riot police and the NaSaKa. Violence then further escalated, spreading to Sittwe and other townships, where casualties, loss of properties and displacement were far greater than in Maungdaw. Buthidaung Township nevertheless escaped unrest.

¹ The Arakan Project, “*Forced labour still prevails: An overview of forced labour practices in North Arakan, Burma (November 2011 to May 2012)*” dated 30 May 2012 – To be accessed at: http://www.burmalibrary.org/docs13/AP-Forced_Labour_prevails.pdf

² The Joint Plan of Action can be found in ILC101-Documents C.App-D.5(Add.1), May-June 2012, pp. 77 to 94: http://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_183283.pdf

³ Model villages are villages established for Buddhist settlers brought in from other regions by the Myanmar authorities, generally involving land confiscation and forced labour from the Rohingya.

On 10 June, President Thein Sein declared a State of Emergency in several townships of Arakan State, including Maungdaw and Buthidaung, and deployed the Army. Violence decreased in the following days. In Sittwe, about 100,000 people were herded into relief camps, where displaced Muslims still remain confined and segregated.

From 12 June, the joint forces (Army, NaSaKa, police and riot police) engaged in a campaign of mass arrests in Central and South Maungdaw (where violence took place on 8 June), mostly targeting Rohingyas who had allegedly been involved in the rioting. These raids involved killings, rape, looting, extortion. At least 800 Rohingya were arrested and most of them are currently detained in Buthidaung Jail. Concurrently, neighbouring Bangladesh officially closed its border with Myanmar, denying entry to fleeing Rohingyas.

At the time of writing, the situation in Maungdaw has calmed down somewhat, even though insecurity still prevails and communal tensions continue to linger. The State of Emergency and curfew remain in force.

The Arakan Project has continued to monitor practices of forced labour in Maungdaw and Buthidaung Townships of North Arakan as much as the chaotic circumstances have allowed.

• **Forced labour trends in North Arakan from June to August 2012**

In addition to communal unrest, North Arakan also experienced heavy monsoon rainfalls, floods and landslides at the end of June, particularly in North Maungdaw and North Buthidaung. Both violence and rain have greatly impacted on patterns and prevalence of forced labour since June 2012.

In brief, and as laid out in the attached map:

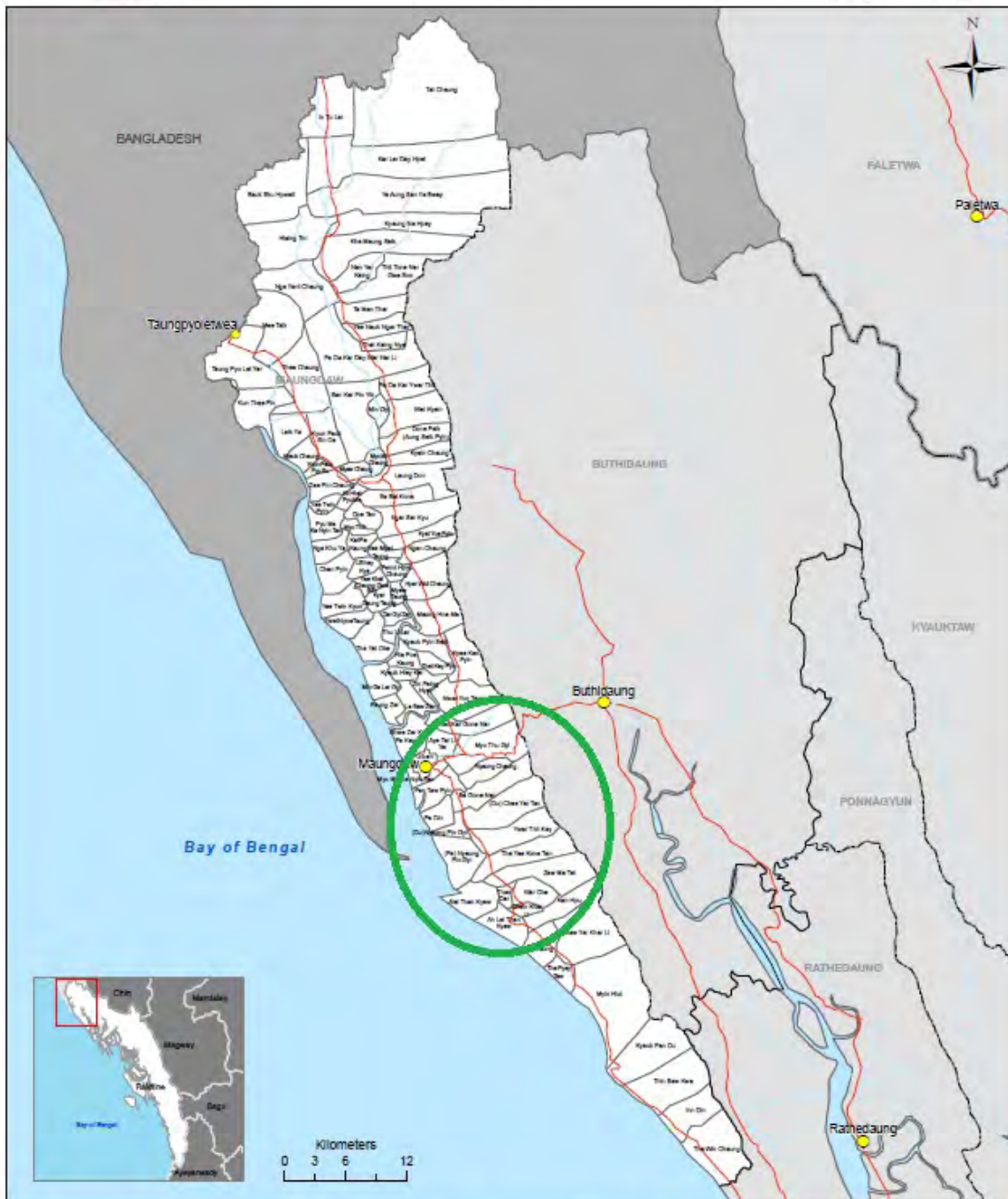
- In areas directly affected by violence – Central and South Maungdaw Township:

Forced labour almost ceased for 2 months - from 8 June to 10 August, except for sentry duty in a few villages. Since 10 August, it has restarted, albeit only for the reconstruction of two model villages in Ba Gone Nah and Nyaung Chaung, partially burnt down during the unrest.

- In areas not directly affected by violence – North Maungdaw and Buthidaung Township:

Forced labour remains much the same as in previous years and even intensified in some areas. Sentry duty, forced portering and guiding increased in North Maungdaw and North Buthidaung with the deployment of additional troops on high security alert patrolling the Bangladesh border. Large groups of forced labourers, including children, have also been summoned for road clearing and emergency camp repair damaged by the monsoon rains.

The substantial reduction of forced labour in Central and South Maungdaw is a positive development but it is premature to consider this as sustainable progress toward eradication of the practice. Interestingly, a decline in forced labour exactions was already observed in the same area before the monsoon, mainly attributed to the Garrison Engineers (GE) taking over the construction of strategic infrastructure projects such as the border fence, certain roads and bridges and remunerating labourers adequately (see our submission of 30 May 2012). However, during those recent weeks of turmoil, the NaSaKa and the Army may have had special security reasons for not recruiting forced labourers. Rohingya villagers are unable to move and assemble due to curfew and restrictions under the State of Emergency and many able-bodied men went into hiding or fled to Bangladesh when mass arrests took place.



<p>Map ID: MIMU250v01 GLIDE Number: TC-2010-000211-MMR Creation Date: 22 November 2011, A3 Projection/Datum: Geographic/WGS84</p>	<table border="0"> <tr> <td> State Capital</td> <td> Road</td> <td> Village Tract Boundary</td> </tr> <tr> <td> Main Town</td> <td> River and Stream</td> <td> Water Bodies</td> </tr> <tr> <td> Other Town</td> <td> Township Boundary</td> <td> District Boundary</td> </tr> <tr> <td></td> <td> State Boundary</td> <td></td> </tr> </table>	State Capital	Road	Village Tract Boundary	Main Town	River and Stream	Water Bodies	Other Town	Township Boundary	District Boundary		State Boundary		<p>Data Sources : BASE MAP - MIMU Boundaries - WFP/MIMU/UNICEF Place names - Ministry of Home Affairs (GAD) translated by MIMU</p>
State Capital	Road	Village Tract Boundary												
Main Town	River and Stream	Water Bodies												
Other Town	Township Boundary	District Boundary												
	State Boundary													

Disclaimer: The names shown and the boundaries used on this map do not imply official endorsement or acceptance by the United Nations.

Map of Maungdaw Township showing the areas in Central and South Maungdaw where violence took place on 8 June 2012 and where mass arrests were conducted by the authorities in the following weeks. (Courtesy: MIMU/UNDP, Yangon)

• **Prevailing practices of forced labour in North Arakan**

June to August correspond to the rainy season and typical forced labour during the monsoon are paddy cultivation and tree planting as well as emergency repair of infrastructure such as roads or camps damaged by rain, in addition to year-round chores such as camp maintenance, sentry duty and portering. The aftermath of the violence also led to the reconstruction of 'model villages' destroyed by fire.

1. Paddy cultivation and tree planting

During this rainy season we did not receive any report of forced labour for paddy cultivation or tree plantation in Maungdaw or the far North of Buthidaung. Most of the NaSaKa and Army paddy fields have been rented out to villagers under a share-cropping arrangement.

However, in the rest of Buthidaung area, where several battalions are based, the Army continued to order villagers to plough and plant paddy in the Army's paddy fields. Forced cultivation was reported in the following Army camps: Thin Ga Net, Chin Thar Mar, Nga Kyin Tauk, Let We Det and Da Buy Chaung.

There has been no report of compulsory tree planting but, in a few instances, labourers have to look after the orchards and plantations of the Army in Buthidaung.

2. Road clearing and repair

Heavy monsoon downpours in late June and early July caused floods and landslides, particularly in the north of Maungdaw Township and in North and Central Buthidaung. Road sections collapsed or were blocked by mud and landslides. Some houses were buried under landslides in the Kyaung Taung NaSaKa camp in North Buthidaung. Clearing roads and damaged camps require large numbers of unpaid labourers for such work.

3. Portering

Large contingents of new Army troops have been deployed in several Townships of Arakan State following the declaration of the State of Emergency by the Government on 10 June. As a result, there was a substantial increase in demands for porters and guides in North Maungdaw and North Buthidaung to carry additional rations or to accompany soldiers on patrol in border areas. Villagers complained that they were forced to remain 4 to 5 days at a time in the hills along with Army patrols. Although not affected by communal unrest, these remote and hilly northern regions witnessed an enhanced Army presence assigned to guard the common border with Bangladesh against possible infiltration by armed groups.

4. Sentry duty

For similar security reasons, sentry duty doubled in the northern regions of Maungdaw and Buthidaung Townships. In NaSaKa Sectors 1, 2 and 3, from In Tu Lah to Taung Pyo, each family had to provide a sentry for up to two nights a week instead of one. In NaSaKa Sector 4, around Lake Ya, sentry duty also increased but not as much as in the far north.

Demands for sentries have completely stopped in NaSaKa Sector 7, covering Maungdaw town and South Maungdaw up to Alel Than Kyaw, since unrest started on 8 June. In

NaSaKa Sectors 5 and 6 in Central Maungdaw and in Sector 8 in the far south of Maungdaw, sentry duties remain the same as in the past.

In Buthidaung Township, except for an increase in the far north, sentries continue to be recruited for an average of one night a week per family by both the Army and the NaSaKa.

5. Camp maintenance

All NaSaKa and Army camps or outposts as well as some police posts routinely rely on a daily quota of forced labourers to perform all sorts of odd jobs to maintain their facilities, ranging from fetching water, repairing fences and houses, trimming grass, washing dishes and clothes, etc. This duty continues to be imposed in most villages of North Maungdaw (NaSaKa Sectors 1, 2, 3 and 4) and throughout Buthidaung Township, with the exception of the NaSaKa Sector 9 camp in Taung Bazar.

No one has been requisitioned for camp labour in South Maungdaw since the break-out of violence in early June. But detainees caught during mass arrests had to do camp labour in the NaSaKa Sector 8 camp in Myinn Hlut, South Maungdaw.

6. Reconstruction of burnt ‘model villages’

As early as 24 June, the Army ordered Rohingya villagers to rebuild houses in the model villages in Tha Yae Kone Tan Village Tract, partly destroyed during arson attacks on 8 June. The Army brought the necessary bamboos, wooden planks and poles and Rohingya labourers were paid 2,000 Kyat a day. However, from the 10th of August onwards, the Army have been rebuilding two other damaged model villages in Ba Gone Nar and Nyaung Chaung Village Tracts with the use of forced labour. Rohingya labourers do not receive any wages but are given a little more than ½ kg of rice at the end of the work day.

The Arakan Project talked to one such labourer from Ba Gone Nar and asked whether he was satisfied with such payment in kind. He replied:

“We are not happy at all and we are not working here willingly! But if we refuse this rice, soldiers will beat us. That is why we accept such a small quantity of rice. We work here because we have no other option.”

CONCLUSION

In North Arakan, the authorities appear oblivious of the Joint Strategy agreed by the ILO and the Government as forced labour persists as a matter of fact, by two main perpetrators, the Army and the NaSaKa, and is imposed in a discriminatory manner, solely on the Rohingya.

The substantive decline in forced labour in Central and South Maungdaw, directly affected by communal violence and mass arrests since June 2012, could be perceived as a step in the right direction but the reasons are probably related to security issues rather than to a new policy against the use of forced labour. At best, it proves that security agencies can do without forced labour, even though extortion has been rampant. The coming months will reveal whether or not the Joint Plan of Action holds meaningful relief for the Rohingya.

Snapshot of forced labour practices reported to The Arakan Project from 1 June to 17 August 2012

(This list is not exhaustive)

Location	Perpetrator(s)	Type of forced labour	Remarks
MAUNGDAW TOWNSHIP			
NaSaKa Sectors 1 and 2	Army and NaSaKa	Portering and patrol guiding (2-4 days/month) Camp maintenance Road repair Sentry duty doubled	No cultivation, no plantation (Increase due to Army deployment)
NaSaKa Sector 3	NaSaKa	Camp maintenance Sentry duty doubled	No cultivation, no plantation
NaSaKa Sector 4		Camp maintenance Building a house in Lake Ya Sector camp Sentry duty slightly increased	No cultivation, no plantation
NaSaKa Sectors 5 and 6	NaSaKa	Sentry duty only	No camp labour and other forced labour
NaSaKa Sector 7	Army	Only rebuilding of 2 model villages	No camp labour, no sentry or other forced labour
NaSaKa Sector 8	NaSaKa	Sentry duty only But detainees forced to do camp labour	No camp labour and other forced labour
BUTHIDAUNG TOWNSHIP			
Ba Da Gar	Army Police	Portering for patrol Bamboo collection to sell in Buthidaung Camp maintenance Increased sentry duty Panjee police camp maintenance	
Kyaung Taung	NaSaKa	Road clearing and damaged camp houses Camp maintenance Sentry duty	No cultivation
Taung Bazar/Nga Yant Chaung (NaSaKa Sector 9)	NaSaKa	Widespread extortion	No camp labour, no cultivation
Thin Ga Net	Army	Road repair Camp maintenance Sentry Duty Paddy cultivation	
Chin Tha Mar (Maghbil)	Army	Road repair Camp maintenance Paddy cultivation Sentry duty	

Location	Perpetrator(s)	Type of forced labour	Remarks
Nga Kyin Tauk	Army	Camp repair and maintenance Paddy cultivation Cattle rearing Sentry duty	
Tat Min Chaung	Army	Road clearing Camp maintenance Sentry duty	
Let We Det	Army	Road clearing Camp maintenance Sentry duty Paddy cultivation Taking care of tree plantation	
Da Buy Chaung	Army	Camp maintenance Paddy cultivation Sentry duty	
Phone Nya Lake	NaSaKa	Camp maintenance Sentry duty	

NaSaKa Sectors in North Arakan

