

# Gaining Ground:

Earth Rights Abuses in Burma Exposed



EARTHRIGHTS INTERNATIONAL  
Earth Rights School of Burma  
Class of 2008

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## Preface

People can create a better world if they have the desire, enthusiasm and knowledge to do so. Furthermore, unity of thought and unity of action are needed in the international community to bring about positive changes and sustainable development around the globe. In a long list of important goals, eradication of poverty and protection and promotion of human rights and environmental rights are top priorities.

People power is pivotal and improving the connections among individuals, organizations and governments is essential. Greater knowledge is important at every level and every actor in the international community must strive to create a better world in the future. Of course, this improvement would come from both local and global actions.

In fact, to my knowledge, the students and EarthRights School (ERS) itself are trying their best to cooperate and to coordinate with the international community for the above-mentioned noble tasks. By starting from localized actions, many ethnic youths from various areas of Burma come, study and have been working together at ERS. They exchange their experiences and promote knowledge and expertise not only during their school term but also after they graduate and through practical work that improves society.

In Burma, according to the international community's highly-regarded research and field documents, human rights violations are rampant, poverty is too high, environmental issues are neglected and good governance is non-existent. This may be a normal situation under military dictatorships around the world but it is not a permanent situation and history has proved that if democratic people have enough power, things will change sooner or later.

The ERS and its students now express their experiences and future vision and version in this timely book. I believe that it is insightful, fruitful and an excellent report from Burma to the international community through ERS. I do also hope that their effort will effectively draw the attention of people inside and outside Burma to create a better Burma and world.

Thein Oo  
Secretary  
Members of Parliament Union (Burma)  
Chairman, Burma Lawyers' Council

## Acknowledgements

The students of the EarthRights School of Burma (ERSB) Class of 2008 would like to express our heartfelt thanks to everyone involved in our instruction at the School and those who helped with our field research. We have learned much that we will be able to use in our future involvement in the struggle for peace, justice, and freedom in our homeland, Burma.

We would especially like to thank the ERSB staff who taught us how to conduct our research and were there to guide us on our projects. We would also like to thank all the guest teachers and lecturers who taught us important lessons about various aspects of human rights and the environment.

Thank you to Ka Hsaw Wa, the Executive Director of EarthRights International, and the rest of the ERI staff, both in Thailand and the USA, who supported us in our studies.

Our thanks also go out to the various patrons – including the Ford Foundation, the Frankel Family Foundation, Trócaire, and another organization which wishes to remain anonymous – that graciously funded our School and this research project. Without their assistance we would not have had this experience and the opportunity to improve our skills to better serve our people and improve the situation in Burma.

Everyone who helped with these research projects also deserves our thanks. This is especially so for our personal advisors who guided us throughout the process, and everyone involved in the final editing of this publication. We are so excited that our words and ideas will reach an international audience for the first time in our lives.

Finally, we are very grateful to our interviewees and all those people who provided assistance while we were in the field doing the research: for their time, insights, honesty, and courage.

We hope that all who read this collection of our research and concerns will find that it inspires them to continue, or to join, the fight to protect earth rights, in Burma and throughout the world.

**The EarthRights School of Burma Class of 2008**

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## Map of Burma and Research Areas



## Introduction

This report was written by the EarthRights School of Burma (ERSB) Class of 2008 from information gathered in field research conducted as a part of their studies at the School. The students are eager to expose ongoing human rights abuses and environmental destruction in Burma under the ruling State Peace and Development Council (SPDC).

This collection of reports is the result of the hard work and dedication of fourteen young men and women from diverse ethnic groups and regions in Burma who attended EarthRights International's year-long leadership school for human rights and environmental advocacy. While conducting their research the students took enormous risks, often willingly placing themselves in danger, in order to reveal the truth about Burma and the perspectives of the people directly affected by abuses.

The students were instructed in such subjects as human rights law, environmental monitoring, advocacy, public speaking and nonviolent social change. During their coursework, each student chose a topic to focus on and developed a thesis around it. During the fieldwork portion of their training, students conducted grassroots investigations, gathered primary source information, and worked directly with victims of human rights abuses, while witnessing firsthand the environmental destruction caused by the SPDC and armed groups in Burma and on its borders. (All interviews were conducted in April and May 2008. Some names of people and places have been disguised in order to keep them safe).

The information gathered in the field session was translated, analyzed, and combined with background research to produce this impressive volume of reports. This is only the second such volume produced by ERSB; for most of this year's students this represents the first time they have conducted in-depth research and writing and seen their work in print. It is a significant step on their way to becoming committed human rights and environmental activists.

This collection of reports provides important anecdotal evidence of the continuing abuses and misrule of the SPDC. Its release comes only two months after Cyclone Nargis devastated the major rice-producing region in Burma's Irrawaddy Delta, killing an estimated 138,000 people and seriously affecting the lives of 2.4 million more. The Burmese junta's inept and often cruel management of the crisis sparked outrage throughout the world.

The students' research covers a broad spectrum of topics affecting the peoples of Burma, but for ease of reading we have divided the volume into four general themes.

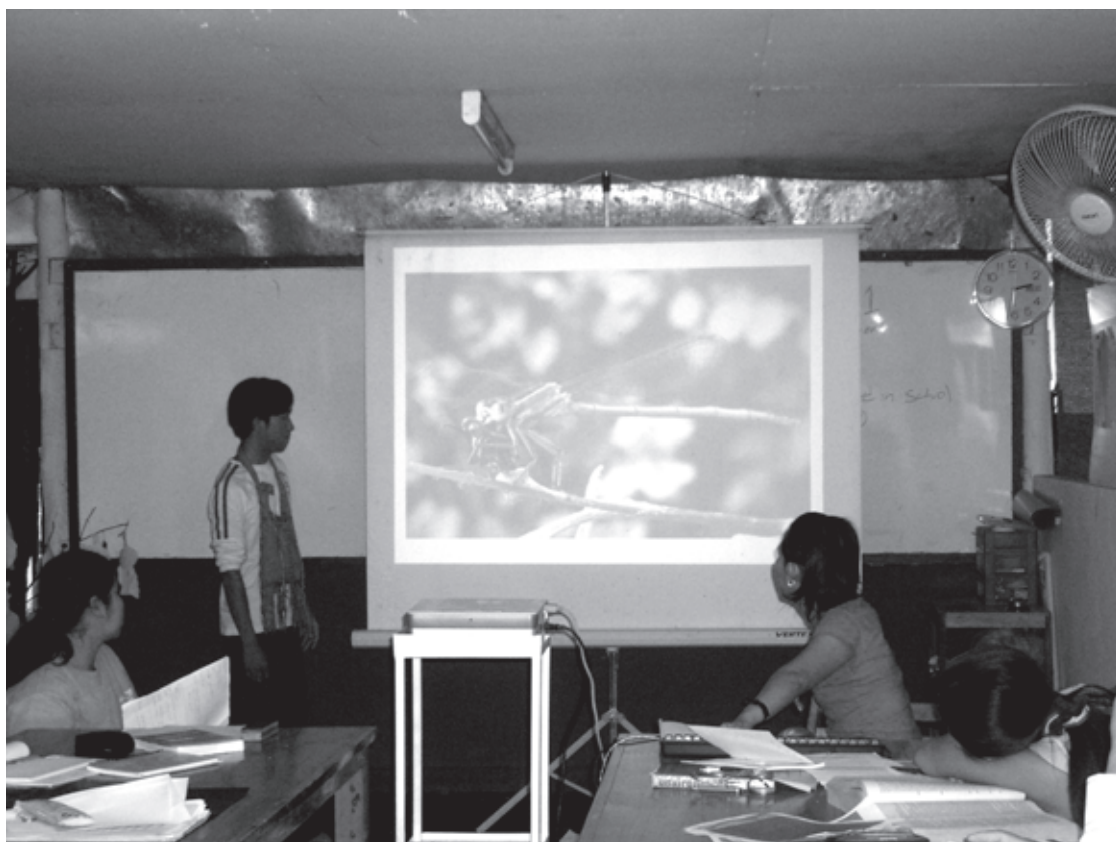
Section One, **The Environment**, looks at how the SPDC's policies have resulted in environmental degradation and affected the ability of humans to make a living and provide for their families. Of particular note is how the need to survive has resulted in unsustainable resource extraction methods, and the junta's willingness to look the other way so long as it maintains a profit. Section Two, **Forced Labor**, examines through two case studies the continuing impact of this human rights abuse. The studies look at the little-known effects on local communities of the pylons that carry electricity from dams in Karenni State to power Rangoon and Mandalay, and the effects of forced labor that result from state-sanctioned land confiscation. Section Three, **Social Issues**, covers the social problems that have resulted from SPDC policies, and the long-term effects of being forced to live in refugee camps. Domestic violence in the camps, the effects of drug use on children, difficulties in obtaining education, the impact of mining on women, and the refugee resettlement program, are all examined. Section Four, **Food Security**, presents two case studies: one from a conflict area and one from an area long under SPDC control, that show how the actions of the SPDC have produced a situation wherein ordinary people are finding it increasingly difficult to feed their families.

Each of the students put a lot of effort into improving his or her capabilities as community leaders and international advocates. With their new skills they will join the previous graduates of the EarthRights Schools of Burma and of the Mekong to become a significant force for positive change. We will continue to support them through our Alumni Program, and look forward to watching them stand up to the challenge of bringing much-needed peace, justice, and democracy to their troubled nation.

EarthRights International  
July 2008



# The Environment



# The Potential Impact of the Salween Dams on the Livelihoods of Villagers on Chaung Zon Island, Mon State

By Nai Tiaung Pakao

## Introduction

The Salween River originates in the Qinghai-Tibetan Plateau, and flows through China's Yunnan province, and Burma's Shan, Karenni, Karen and Mon States, before flowing into the Andaman Sea. The Salween River is 2,800 kilometers long, and is the longest free-flowing river in Southeast Asia. The people living along the Salween River depend on it for their livelihoods.<sup>1</sup>

Burma's State Peace and Development Council (SPDC) are reliant on foreign cooperation for the construction of five large dams and hydropower plants along the Salween River. Plans for the construction of these dams have been developed over the last decade; however, the SPDC has not given any information about the potential impacts of the dams to the people who live along the Salween River and in the Salween Delta. The regime has signed Memoranda of Understanding (MoUs) with the Energy Generation Authority of Thailand (EGAT) and the Chinese state-owned enterprise Sinohydro Corporation.<sup>2</sup> Among some of the communities most threatened by the Salween Dams are the Mon people in Chaung Zon Township, Mon State.

This report examines the potential impacts of the Salween River dams on downstream communities, especially on the agricultural livelihoods of community members living in Chaung Zon Township. The agricultural livelihoods of people on Chaung Zon Island are analyzed. The use of canals to bring water from the Salween River and to protect their farms from the salt water of the Andaman Sea in order to develop agriculture is also discussed. Local communities control the water by building pools for drinking and household use, and depend on these pools for access to fresh water.

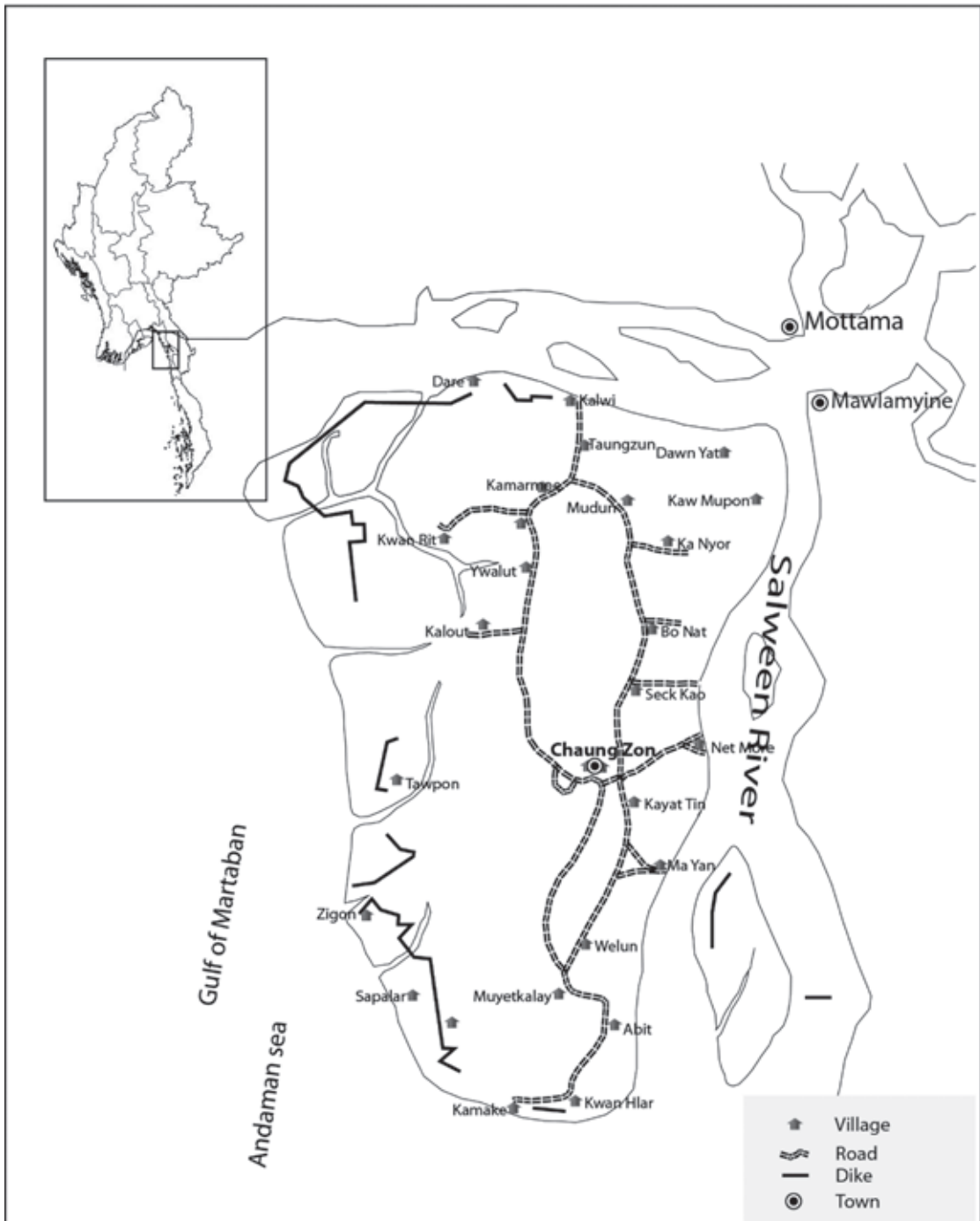
Past lessons drawn from the impacts of manmade changes to the Salween River are also looked at. For example, the construction of the Thanlwin Bridge in 2000 seriously altered the ecology of the river and the ability of local communities to

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<sup>1</sup> *In the Balance*, Mon Youth Progressive Organization, May 2007.

<sup>2</sup> For more information, go to [www.salweenwatch.org](http://www.salweenwatch.org)

## Map of Chaung Zon, Mon State



practice agriculture and fishing. It also negatively affected the ease of river transportation because of resultant shifting sandbanks.

This report puts forward the argument that dam construction on the Salween River would have even more dramatic effects than the Thanlwin Bridge on the livelihoods of local people; therefore the plans to construct the dams should be put on hold until more research on their potential effects can be conducted, and until local communities are informed and allowed to participate in decision-making processes.

First-hand research was done for this report through interviews with seventeen people from Chaung Zon, including farmers, fishermen, gardeners, sellers, teachers, youth leaders, and monks. The use of farmland and saltwater fishing was studied in ten villages. Interviews were conducted in both the Mon and Burmese languages.

### **Proposed Dam Sites on the Salween River in Burma**



## Proposed Dam Sites on the Salween River in Burma

#	Name of Dam	Location	Investment Company	Height (meters)	Mega-watts (MW)	Status	Remarks
1	Upper Salween Dam	Shan State	Farsighted Group and China Gold Water Resources Co.		2,400		April 2007, Farsighted Group and China Gold Water Resources Co. signed MoU with SPDC
2	Tasang Dam	Shan State	MDX group Thailand, Gezhouba-China (joined in December)	228 Meters - tallest in South-east Asia	7,110	MDX performing engineering studies since 1998; office established on-site in March, 2007	April 3 2006, MoU signed, will cost at least \$6 billion and flood 870 km <sup>2</sup>
3	Weigyi Dam	Karen State	Japanese Electric Power Development Corporation (initial study)	220 Meters	4,540		Will flood 700-100 km <sup>2</sup> , estimated cost \$3 billion
4	Dagwin Dam	Karen State		--	500-900		Stated cost of \$900 Million
5	Hatgyi Dam	Karen State	Sinohydro (China), EGAT (Thailand)	100 Meters	1,200	Draft EIA <sup>3</sup> issued August 2007, final EIA was due January 2008 (delayed)	1996, Thai govt. signed MoU with SPDC, 2010 finish, EGAT invest 5.5 m <sup>4</sup> , cost \$1 billion

<sup>3</sup> EIA: Environmental Impact Assessment.

<sup>4</sup> *Damming at Gunpoint*, Karen Rivers Watch, 2004, page 11.

## Background

### Background of Chaung Zon

Chaung Zon is the largest of several islands in the delta of the Salween River. Although the official name of the island is now Chaung Zon, most people still call it by its older names of Balue Kyun in Burmese, or Kaw Kamai in Mon. Chaung Zon is located west of Mottama and Mawlamyine towns, at the mouth of the Salween River as it flows into the Gulf of Martaban and the Andaman Sea. Chaung Zon island breaks the flow of water in the Salween River and creates two waterways that both flow into the Andaman Sea. Chaung Zon is also divided by a large mountain which splits the north and south of the island. The mountain, whose name differs among communities, is 1,800 feet high, and occupies 259.1 square miles.<sup>5</sup> There are 71 villages on the whole of Chaung Zon island, with a total population of 196,845, mostly Mon, Karen, and Burmese.<sup>6</sup> Regardless of any differences between these communities, they all depend on the Salween River for their livelihoods.

Most of the residents of Chaung Zon are farmers, fishermen and gardeners (horticulturalists). The main crops produced on Chaung Zon are rice, beans, vegetables, dry fish, fish paste, bananas, coconuts, and other fruit trees. Blackboards from Chaung Zon are also very famous throughout Burma, and it is the only place in the whole country where they are created.

### Background of the Salween Dams

The Salween River travels 2,800 kilometers as it travels from China down to the Andaman Sea. The river has different names as it passes through different areas; in Chinese it is called the Nu Jiang; in Burmese, the Thanlwin; in Mon it is called the Son Long; and many local tribes in Thailand and Burma call the river Nam Kong.<sup>7</sup> The Salween River is one of the world's richest biodiversity hotspots as it runs through the Three Parallel Rivers UNESCO World Heritage Site in Yunnan, China.<sup>8</sup>

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<sup>5</sup> Biography of Mu Du Sa Ya Daw.

<sup>6</sup> Chaung Zon Township population in 2002 according to the SPDC.

<sup>7</sup> *The Salween Under Threat*, Salween Watch, Southeast Asia Rivers Network, and the Center for Social Development Studies, 2004.

<sup>8</sup> For more information go to [http://www.unep-wcmc.org/sites/Three\\_Parallel.html](http://www.unep-wcmc.org/sites/Three_Parallel.html)

Burma's military regime, and the Thai energy companies EGAT and MDX, as well as China's Sinohydro and Gezhouba companies, have all signed agreements for the development of five dams on the Salween River. The five dams are the 7,110 megawatt (MW) Tasang Dam in Shan State, the 2400 MW Upper Thanlwin Dam in Shan State, the 4,540 MW Wei Gyi Dam in Karen State, the 500-900 MW Dagwin Dam in Karen State, and the 1,200 MW Hat Gyi Dam in Karen State.<sup>9</sup>

In southern and central Shan State, over 300,000 people have been relocated since the Tasang dam studies began in 2006.<sup>10</sup> The Salween dams will destroy ecologies and ecosystems, as well as the livelihoods of half a million people in the Mon communities that live in the downstream area.<sup>11</sup>

## **Agriculture**

The livelihood of residents of Chaung Zon island is based on agriculture and fishing. There are two types of agriculture: vegetable cultivation and rice farming. The farmers cultivate rice and beans in flat fields, while gardeners cultivate vegetables on the river banks and on smaller islands.

## **Rice Farming & Beans**

After the (April) Water Festival, farmers have to prepare to cultivate their rice. First, they bring bio-fertilizer and build huts near the fields. Second, they bring their farm tools and their families to live near the fields and start their farm work. Usually, they begin planting their rice in May and in November they gather the harvest. The farming schedule depends on the weather, so if the rains come early the farmers have to start growing their rice early, and if the rains come late they have to start growing late.

Once the rice harvest is finished, the farmers start growing beans. The beans can be harvested after three months. One acre of rice field can produce between 70 and 90 baskets (1,470–1,890 kilograms) of rice and five to seven baskets of beans. The rice, beans, and vegetables from the fields are sold within the village and to other villages. Some of it is transported to Mawlamyine for sale. Farmers also have to pay a tax to the government in the form of two baskets of rice for each acre.

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<sup>9</sup> 'Proposed Salween Dams in Burma and China', Salween Watch newsletter, August 2007.

<sup>10</sup> *Warning Signs*, Shan Sapawa Environmental Organization, 2006.

<sup>11</sup> *In the Balance*, Mon Youth Progressive Organization, 2007.



The farmers mainly use bullocks to cultivate their fields. Cow manure was used as bio-fertilizer in the traditional farming method before bullocks were replaced with tractors. Most of the farmers and gardeners do not own a large amount of land, with each family having around ten to fifteen acres. If a farmer owns more land than this, then they cannot use the bullocks for farming, but have to use a tractor instead.

***"I own about seventeen acres of land. I can't do it by using bullocks because it takes too much time and I have only two employees. I tried to do it by tractor, but it was not useful for me at all. The petrol price was rising every day and I had to buy chemical fertilizer, so I couldn't save money anymore. I had to sell my two pairs of bullocks to get the money to buy the tractor."***<sup>12</sup>

– 39 year-old farmer.

When the farmers replaced their bullocks with tractors, they started to use chemical fertilizers. They thought the tractors would be easy to use and that they could work quickly. They could rent them very easily and they did not have to take care of the tractors. Given these factors, the farmers sold their bullocks. If they have bullocks, they have to spend time to look after them, give them food, etc. Most of the bio-fertilizer, however, comes from bullock manure, so if they have bullocks they also have a free supply of bio-fertilizer.

***"In the past we never used chemical fertilizer because it is expensive and not useful for a long time. We used bio-fertilizers like animal waste and refuse. But now, we've started using tractors and most of the people have sold their bullocks and there are no more bullocks in our village, so we can't get the cow manure. We started to use chemical fertilizers. It is not only expensive, but also the price of the petrol for using the tractors is rising day by day. I never had a problem like that when we used bullocks."***<sup>13</sup>

– 48 year-old farmer.

***"I use chemical fertilizers because I don't have any cows and cow manure. It has affected the soil for a long time. If we use chemical fertilizers we have to use it every year. The best fertilizer for our fields is the cow manure, animal waste, and refuse from the field. They do not have a negative affect on the farm land. The bio-fertilizer I use is cow manure."***<sup>14</sup>

– 39 year-old farmer.

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<sup>12</sup> Interview 12.

<sup>13</sup> Interview 12.

<sup>14</sup> Interview 15.



The authorities made central dikes for the farmers so that they can protect their crops from salt water from the sea and river. The farmers have to pay the local authorities for the cost of making the dikes. They have to pay 50,000 kyat per acre one time when the dikes are made. If a farm is outside of the dike there is no need to pay for making the dike.

***"I had to pay authorities 350,000 kyat for my farmland. I own 12 acres of land, three acres outside of the dike and 2 acres crossed by the dike. I lost two acres of my farmland but the authorities didn't give me any compensation."***<sup>15</sup>

– 39 year-old farmer.

If the rainy season finishes early, then salt water from the Andaman Sea can rush onto the land, so farmers must rush to collect the rice before it is destroyed. In order to protect their land, the farmers build dikes to keep the salt water away, but if the dike is not strong enough when the salt water comes up it will be broken. At that time the salt water goes into the rice fields and will kill the rice in the entire field.

***"If our dike is not strong enough it could break and the salt will destroy our rice field. During that year we couldn't grow beans because the land is salty and nothing can be grown. We have to wait until the next year's rainy season. When the land gets less salty we can grow rice again."***<sup>16</sup>

## **Vegetable Gardens**

Vegetables can be cultivated in both the rainy and dry seasons, especially roselle, long beans, tomatoes, chilies, okra, sweet potatoes, cucumbers, eggplants, and cabbages. These vegetable gardens are located on the Salween riverbank and on small islands. In the rainy season the vegetables cultivated are chilies, eggplants, cucumbers, roselle, and other vegetables. In the rainy season farmers do not need to bring water from the river because the rain is enough water for cultivation.

In the dry season water from the Salween is used for the cultivation of vegetables, mostly chilies, eggplants, cauliflowers, cabbages, long beans, tomatoes, and coriander. Some people keep the water in pools with canals from the Salween River. This water is collected as the river's water level rises and automatically flows into

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<sup>15</sup> Interview 15.

<sup>16</sup> Interview 10.

pools through canals at a lower level. When the pool is full, the farmers close off the canal and can store the water for use in cultivation. The gardeners never grow only one kind of vegetable in their garden, in order to protect against falling vegetable prices.

***“We never focus on only one kind of seed because we are worried that the price might rise in the market. If we are growing many kinds of vegetables, one of them might get a good price.”<sup>17</sup>***

– Gardener.

The supply of water and the construction of dikes are very important, because if the saltwater comes before harvesting, the vegetables will be destroyed. If they cannot protect the land from saltwater, they cannot grow vegetables on that land.<sup>18</sup> In the dry season, the saltwater in the river is high because there is less fresh water from upstream. The farmers are mostly afraid of the dry season tide because it has a high salinity.

If dams are built on the Salween River, the amount of freshwater will decrease and the saltwater will come in and take more space and area from the freshwater. When the tide rises, the amount of saltwater in the river also rises; if the level of salt water rises it can flood into the fields through the freshwater storage canals. So the farmer and the gardener then cannot use the water to cultivate rice and vegetables.

The people living on Chaung Zon island do not know about the Salween dams being built upstream on the Salween River, nor the effects that these dams can have on their livelihoods. The government of Burma has not provided information to the local people who live downstream and in the delta of the Salween River about the potential impact of dams.

***“We hear a little about the construction of dams on the Salween from the radio but we don’t know when they will be finished, how they will affect us, or how we could lose our property and our livelihoods.”<sup>19</sup>***

– Farmer.

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<sup>17</sup> Interview 14.

<sup>18</sup> *In the Balance*, Mon Youth Progressive Organization.

<sup>19</sup> Interview 19.

## Fishing

Sapalar and Zoegon are big sea fishing villages located in the southern part of Chaung Zon. The people's livelihoods in these villages depend on fishing, and there are many fishing boats. They catch fish mostly using an 'England Net'<sup>20</sup>, which is claimed to be the best kind of net. They produce many kinds of dried fish, dried prawns and fish paste.

The fishing season in the Andaman Sea begins in October and lasts until April or May when the rainy season begins. The fishing boats go to sea once a week and smaller boats go out to bring back all of the fish they catch during the week. When the fish arrive in the fish-drying area they chose the fish and add salt, then place the fish in the sun. The dried fish are then sold in their village, and to other villages in Chaung Zon, and in the town of Mawlamyine.

***"In one year I have to invest about fifteen million kyat to pay for workers, fishing nets, and the fishing boat."*<sup>21</sup>**

– Fishing boat owner.

People from other villages come to sell general groceries that they carry by bicycle or on their heads. When they go back home they take back the dried fish and fish paste.



*Boats can not go fishing because the price of petrol is rising and there are few fish. (Photo by NTP).*

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<sup>20</sup> A Kind of fishing net, on which the mouth is wide and the end is very narrow.

<sup>21</sup> Interview 5.



*Fish drying field. (Photo by NTP).*

***"Grocery sellers from other villages come to sell in our village. Whatever they bring, all the groceries are gone. When they go back they buy dried fish, fish paste and dried prawns. Now the fishermen do not buy groceries from the sellers anymore. They can't fish a lot. They have to give dried fish to their debtors to pay back loans."***<sup>22</sup>

– A village elder.

Since 2004, the fisherman cannot catch many fish anymore; fish have become fewer and fewer each year. One cause is over-fishing in the area because of 'Jam' nets, which catch all sizes of fish from small to large, and even aquatic plants. Some species of fish will likely become extinct in the area. The government gives permission to companies to catch fish using 'Jam' nets in the south of Mon State.

***"A few years ago our village had many people and a bustling economy. The fishermen had a good income. There were a lot of fishing boats. But now they can't catch any more fish and the petrol price is rising day by day. The 'Jam' nets will make the fish become extinct."***<sup>23</sup>

– Village elder.



*Fishing family life. (Photo by NTP).*

<sup>22</sup> Interview 6.

<sup>23</sup> Interview 7.

The people who work in fishing come from other villages in Chaung Zon or from other townships. In the dry season the fishermen work on fishing and in the rainy season they work on farming. Jam nets have destroyed the fishing economy and jobs. Now the farming economy and livelihoods are being threatened by large dam construction on the Salween River. These Salween Dams potentially effect communities which do not know anything about the dam plans or the negative impacts of dam construction. The communities do not think dams can be built on the Salween River. If the dam construction is finished, the people who live in Chaung Zon Township will be starved by the salt water that will destroy their farmland.

***"I don't worry about losing the fishing job because I have another job; I can provide for my family by farming rice and beans. If I lose that I don't know what will happen to me. I don't think something can destroy our farm land."***<sup>24</sup>

– Fisherman.

## Thanlwin Bridge

At 3.5 kilometers long, the Thanlwin Bridge between Mawlamyine and Mottama in Mon State is the longest and largest bridge in Burma. The bridge was built by the SPDC's Ministry of Transportation between March 2000 and February 2005. The bridge is 54 feet wide and is supported by 28 pillars, with two road traffic ways, a railway and two sidewalks.<sup>25</sup>

After the bridge was built the flow of the water changed, causing downstream erosion on the Salween riverbank. To the east and north of Chaung Zon many flat farming fields have been lost to erosion because of new waterways made when the tides rise and fall.



Salween riverbank erosion, after the building of Thanlwin Bridge. (Photo- NTP).

<sup>24</sup> Interview 4.

<sup>25</sup> [http://en.wikipedia.org/wiki/Mawlamyaing\\_Bridge](http://en.wikipedia.org/wiki/Mawlamyaing_Bridge); News and Views of Myanmar from the Ministry of foreign affairs, [http://www.mofa.gov.mm/news/feb5\\_sat05\\_2.html](http://www.mofa.gov.mm/news/feb5_sat05_2.html)



***“Sometimes the erosion is very fast and sometimes very slow. Some farmers in our village lost their fields due to erosion.”<sup>26</sup>***

– 49 year-old farmer.

The SPDC claims that the Thanlwin Bridge was built to ease transportation and communication across the Salween River, but the farmers and the ferry drivers who live downstream are not allowed to cross under it by boat.

The main mode of transportation between Chaung Zon, Mawlamyine, and other townships is by water. The people from Chaung Zon have to travel by boat and ship. Nowadays, in the dry season, as less water flows down the river, a new more permanent sandbank appears in the middle of the river between Mawlamyine and Chaung Zon each year around April. While sandbanks are common at the mouth of the Salween, they are frequently smaller and move with the changing water currents. Since the Thanlwin Bridge was built, the water currents have changed and this new stationary sandbank has occurred. The ferry transportation that residents of Chaung Zon depend upon cannot cross the sandbank and has to follow the new waterways, which takes more time and uses more petrol.

***“Between Chaung Zon and Mawlamyine the ferry way is blocked by the sandbank, so we have to follow another waterway and it takes more time. Before, going from Mawlamyine to Chaung Zon took one hour, but now it takes an hour and forty-five minutes.”<sup>27</sup>***

– Ferry driver from Mawlamyine to Chaung Zon.

Given that the Thanlwin Bridge has already had such strong effects on the Salween’s flow and the livelihoods of local communities, we can see how disastrous the effects of building such large dams on the Salween River would be. Dams built upstream would strongly affect the downstream waterways, change the seasonal timing of flows, and cause short-term fluctuations in flows and changes of extreme highs and lows in the river flows.<sup>28</sup> With the possibility of these effects, it is obvious that the people who live on Chaung Zon are extremely threatened by the Salween dams.

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<sup>26</sup> Interview 12.

<sup>27</sup> Weekly Eleven News Journal.

<sup>28</sup> *In the Balance*, Mon Youth Progressive Organization, May 2008, page 19.

## Conclusion

The World Commission on Dams (WCD) was founded in May 1996 by the World Bank and the Conservation Union IUCN. They proposed a new framework for development based on respect for human rights. They also agreed to review the development of water and energy resources to create guidelines and standards for the planning, design, monitoring, and decommissioning of dams. WCD has recommended that before making a decision to build a dam it is important to assess the real needs: the needs for water, food, and energy should be clearly understood. Furthermore, WCD recommended reviewing and selecting from a number of alternatives. They state that all options should be considered, and first priority should go toward improving the efficiency of existing systems. Those people who would be affected should be involved in decision-making processes and should be among the first to benefit from projects. No dams should be constructed without the acceptance of affected people. Indigenous and tribal people should be given special consideration so that local participation in the decision-making process is not happening without them in the project.<sup>29</sup>

Chang Zon's community livelihoods are dependent on their occupations: rice farming, vegetable gardening, and fishing, inherited from their ancestors. Community members have the experience to know how to protect the natural environment. However, when the environment is changed by man, as is the case with damming on the Salween River, the water levels and flow changes negatively impact the community's livelihoods.

The military regime in Burma is cooperating with foreign investors to build five dams on the Salween River and has not informed the local community about the plans. The regime and Thai and Chinese investors did not follow international standards of dam building in these projects. The regime also did not follow its own law: 'No person shall carry out any act or channel-shifting with the aim to ruin the water resources and rivers and creeks.'<sup>30</sup>

In the future, if dams are constructed on the Salween River, rice and vegetable fields and the fertile land will be damaged by salt water. Salt content will become higher than it is today in the Salween River and the farmers and villagers will not be able to use it for agriculture and household uses. The waterway changes may result in erosion of the riverbank and creation of a new more permanent sandbank

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<sup>29</sup> For more information see [www.dams.org](http://www.dams.org)

<sup>30</sup> SPDC Conservation of Water Resources and Rivers law, Chapter V (8)(a), October 2006.

that makes transportation more difficult. The people who depend on rice farming, vegetable gardening, and fishing for their incomes will have to find new jobs and could not support their families as usual. They will lose their connection to their family because new jobs are far from their families. The number of migrant workers will increase in neighboring countries like Thailand and Malaysia.

These projects have not benefited the local people because the regime has sold all of the electricity that is being produced to Burma's neighboring countries, Thailand and China. The regime is able to get money from selling the electricity to support its military, and therefore to kill ethnic people and commit continuing human right abuses: to keep their grip on power ever longer.

## **Recommendations**

### **To foreign investors in the Salween Dam projects:**

- Postpone the projects and make a sincere, appropriate needs assessment of local downstream communities and environmental and social impact assessments.
- Balance the interests of local downstream communities with the value of making investments in countries where communities have no protection from their own government.
- Follow the international standards of dam building.
- Stop investment until Burma gets democracy.

### **To the international community and NGOs:**

- Keep supporting moves for peace, equality, and democracy in Burma.
- Give voice and agitate for change in Burma so that a real elected government can be restored and all resources protected under the people and the rule of law.
- Pressure the SPDC to respect national and international customary laws.
- Urge government agencies and companies to halt the proposed dams.

### **To the SPDC:**

- Make deep, careful consideration of the dam projects.
- Consider the social and environment impacts for those living downstream.
- Stop human rights abuses in ethnic areas.
- Recognize local people's participation in decision-making on any development project.

### **To the local community:**

Fight for your rights.

Mobilize your support base on the Salween Dams issue.



# Mountains Become Valleys & Valleys Become Mountains in Phakant Township, Kachin State, Burma

by John

## Introduction

In 1994 the Kachin Independence Army (KIA) - now the Kachin Independence Organization (KIO) - and the State Law and Order Restoration Council (SLORC) - now the State Peace and Development Council (SPDC) - negotiated a ceasefire agreement.<sup>31</sup> The Burmese Government opened Kachin State to migrant people and large mining companies from China. The results of this ceasefire and the ensuing mining activities has been the violation of human rights and the destruction of the environment in the Phakant areas, with effects on the entire Kachin State. This report focuses on a river valley jade mining area in Phakant Township.

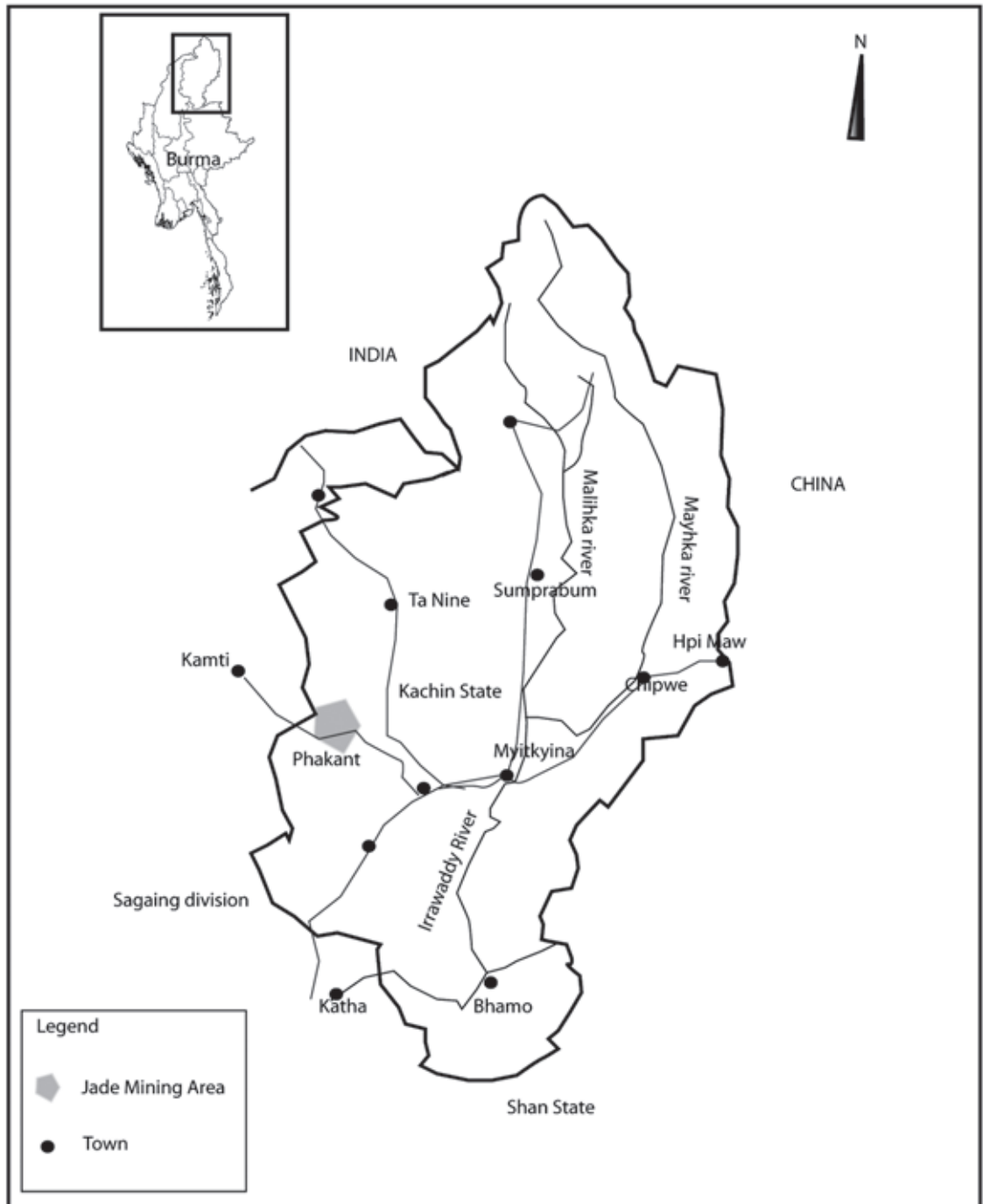


*Phakant Township in Kachin State, Burma: The research area for this report.*

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<sup>31</sup> World Rainforest Movement, <http://www.wrm.org.uy/bulletin/94/Burma.htm>

## Kachin State Map & Phakant Jade Mining Area



The valley has changed dramatically in the last ten years. Transportation is more difficult and infrastructure is under strain. The way of life of the people has been altered entirely. The wonderful way of living in harmony with the river is gone. The people of the valley have lost their lands, fields, houses, and livelihoods. They face an immediate lack of water. This has all been caused directly by the operations of the jade mining corporations permitted by the SPDC and ceasefire groups.

The SPDC and the ceasefire groups must take responsibility for the human rights and natural environment of the local people in this valley. The authorities, however, are not accepting their obligations. When large-scale companies and the government are involved in the extraction of mineral resources in Kachin State, Burma, small local communities lose their heritage, livelihoods, and natural resources.

Kachin State is situated in the northernmost part of Burma and is one of the most mountainous states. The valley in this report is in the Phakant Township and it was a big valley ten years ago. Burma is ruled by a military dictatorship. After the ceasefire agreement between SLORC and the KIA, the government allowed migration from China and gave permission to huge Chinese companies to dig large scale jade mines in Phakant Township. There are an unknown number of companies from China in the Township. Most work in cooperation with the Burmese government and there is no accountability.

***"The company has been working on the mine site with tractors, bulldozers, heavy vehicles and heavy machinery. There are about 1,000 machines in each company and they are digging extremely hard so the environment has been disturbed and the surface of the earth has been badly damaged."***<sup>32</sup>

The valley is being destroyed by huge companies and is becoming mountainous because of tailings from the mine sites of the companies. The river has disappeared. The people of the valley are facing water problems because of the river being buried by the companies. The people of the valley have been displaced by the companies. They have lost their own properties such as lands, houses, fields, and livelihoods. They have had to endure human rights abuses by the companies and they are living in hopelessness.

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<sup>32</sup> [http://bnionline.net/index.php?option=com\\_content&task=view&id=4280&Itemid=1](http://bnionline.net/index.php?option=com_content&task=view&id=4280&Itemid=1) News NMG, 7 May 2007.

This report will proceed as follows: Part 1 describes the background of the valley and Kachin State. Part 2 gives a background of the SPDC and Ceasefire Groups' companies. Part 3 highlights the environmental impacts of mining, and Part 4 details the resulting economic and social problems. These are just lists; in reality if the Burmese government does not start to care for the environment and the people in this area, the whole village will be gone and the people will face an even worse crisis than the current situation.

## Methodology

This report is based on field research that took place in Seng Tawng (Seik Mu) Town, Myitkyina Town, and two villages. Seventeen people were interviewed for this report. They include old people, 'Yemasay' workers, a person whose boss is from the Phakant Township, and a person from Myitkyina who worked for many years in these jade mining areas. Some information is from secondary research, and some knowledge from my own experience is included and forms a basis of comparison to the current situation.

## Background of Kachin State & Villages

Kachin State is the northernmost State of Burma and is a mountainous region. It is bordered by China to the north and east; Shan State to the south; and Sagaing Division and India to the west. The area of Kachin State is 34,379 square miles; the capital is Myitkyina. The population is estimated at 1-1.5 million, the majority of people being Kachin, though the state is also home to other ethnic groups such as the Burman and Shan. Official statistics state that the distribution by religion is 57.8% Buddhist and 36.4% Christian.<sup>33</sup>

'Kachin State contains one of the mainland Southeast Asia's last remaining large areas of intact natural forests, and is one of the eight *hottest hotspots of biodiversity in the World*.'<sup>34</sup> The state is rich in natural resources including timber, minerals, and gems and the people's livelihoods depend on the land, the forest, and the rivers. Traditionally Kachin society was based on shifting hill agriculture, but now their products, including rice, sugarcane, corn, and beans, are limited by the government and the main products have become jade, gold, timber, and other minerals found in Kachin State.

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<sup>33</sup> [http://en.wikipedia.org/wiki/Kachin\\_State](http://en.wikipedia.org/wiki/Kachin_State)

<sup>34</sup> <http://www.wrm.org.uy/bulletin/94/Burma.htm> (World Rainforest Movement).

In this field research area, there was a valley along the river before, but it is not there now. There are hundreds of households and more than five hundred people. There are two villages, one at the top of the valley and one further down, about 1.5 kilometers away.

I have previously been to the jade mining areas in Phakant Township in 1994 with my eldest brother. I worked in the jade mines of Phakant Township myself from 1997 to 1999. At that time, there were a small number of companies and these were small or government-run. Everybody had a chance to mine anywhere they wanted if they could organize and afford it. The people were Kachin or from some ethnic groups such as Shan or Burman. The people did not have the expertise or technology for large-scale open pit mining. They used traditional instruments and extracted jade just from the upper layer of the mountains. Even though it was a hard life, and not popular with the villagers, it did not destroy the environment like the current methods do.

## Background of Government, Ceasefire Groups, & their Companies

Burma is ruled by a Military regime, the SPDC. Kachin State has seen an increase in control by the SPDC military since the KIA (now KIO) signed a ceasefire agreement with them in their incarnation as the SLORC in 1994.<sup>35</sup> Before the ceasefire, Phakant Township was under the authority of the armed group KIA/

KIO. After the ceasefire, the SPDC had more control over jade mining areas than the KIO.



*Extreme jade extraction by Aung Shwe Kabar company  
(Photo by John)*

The Burmese Government opened up the area to huge companies from China and gave permission to them to excavate open pit mines with sophisticated machines. After 1994 the Chinese companies were prevalent in Phakant jade mining areas. The SPDC has sought to intensify its exploitation of Kachin State's vast

<sup>35</sup> [http://burmalibrary.org/docs4/Kachin\\_docs.pdf](http://burmalibrary.org/docs4/Kachin_docs.pdf)



mineral reserves including jade, gold, platinum, and coal.<sup>36</sup> 'Phakant is the largest jade mining area in the country, is dotted with hundreds of companies. All these companies are extraction jade with the mine employing between 50 to 150 workers each company.'<sup>37</sup>

'It is estimated that for a company it takes about four to six months to dig an area the size of the Mandalay Hill.'<sup>38</sup> The Mandalay Hill is 240 meters (790 feet) high.<sup>39</sup> Phakant has been occupied by the Teza Htoo Company in the name of *Akjou-tu*, or equal interest (with the SPDC) since 2006.<sup>40</sup> Teza Htoo Company is the government's company and is overrunning jade mining around Phakant. Other companies work in *Akjou-tu* with the government and sometimes with the ceasefire groups' companies. If a company does not join with the government, it will face business problems, including site closure.

## Environmental Damage from Open Pit Jade Mining

### Mountains Become Valleys & Valleys Become Mountains

My focus area was a valley about ten years ago. The valley is now a mountain. The current mountains are actually not real; they are comprised of the tailings from the local jade mines. The valley is about 2 kilometers long and there are more than ten huge companies operating there right now. At first, companies mined along both sides of the mountains in the valley. The companies' tailings from the mine site are carried by truck and thrown into the valley from the top of the mountains.



*Mountains become valleys because of the SPDC's perversion and tycoons' greed. (Photo by John).*

<sup>36</sup> *Ibid.*

<sup>37</sup> [http://bnionline.net/index.php?option=com\\_content&task=view&id=4280&Itemid=1](http://bnionline.net/index.php?option=com_content&task=view&id=4280&Itemid=1)

<sup>38</sup> [http://bnionline.net/index.php?option=com\\_content&task=view&id=4280&Itemid=1](http://bnionline.net/index.php?option=com_content&task=view&id=4280&Itemid=1)

<sup>39</sup> [http://en.wikipedia.org/wiki/Mandalay\\_Hill](http://en.wikipedia.org/wiki/Mandalay_Hill)

<sup>40</sup> [http://www.kachinnews.com/index.php?option=com\\_content&view=article&id=86:junta\\_threatens\\_jade\\_companies\\_over\\_referendum&catid=1:latest\\_news&Itemid=50](http://www.kachinnews.com/index.php?option=com_content&view=article&id=86:junta_threatens_jade_companies_over_referendum&catid=1:latest_news&Itemid=50)

The valley has become filled with tailings; heaps appear that become as big as mountains. In addition, the mining causes huge dents to occur in the mountains and then the mountains become valleys. The companies have inverted the valleys and mountains to get jade. There are amazingly destructive changes happening to the environment due to large-scale open pit jade mining by the Burmese government. The SPDC is responsible for granting permission to huge companies to mine and therefore they are responsible for resulting damage.

## **Jade Mining Makes Rivers Disappear**

The river flowed along the valley and the river flow was very fast though not very deep. As mentioned above, more than ten big companies were throwing their tailings into the valley every day and night creating a large heap of tailings along the river, so there was no way for the river to flow. The river flow was changing to flow to the dent that was left after areas were mined. In addition, the companies were excavating areas more and more widely and they mined entire mountains on both sides of the valley.

Given these practices, the river was absolutely by filled up with tailings from the open pit jade mining of huge companies and disappeared. The government's caution sign board for villagers says, 'Don't throw trash into the nearby river, if you do so you must pay a 5000 kyat fine'. Their caution sounds nice, though in reality they are perpetrating incredible damage to the environment. The government just wants to look like they care; however, their actions reveal their hypocrisy and true lack of concern for the environment.



(Photo by John).

Two rivers have been blocked by sophisticated machines used by the mining companies. In rainy season the rivers flood every year; many houses are lost and lots of local people face disaster. These rivers are the life of the villagers. They are being vanished by company activities and the villagers face scarcity of water. Mining sites in Kachin State run by hundreds of companies that all cooperate in *Akjou-tu* (equal interest) with the SPDC have caused incredible destruction to the environment in Phakant Township and beyond.

# Economic & Social Problems Caused by Jade Mining

## Land Confiscation

*"The village is made smaller year by year by the companies."<sup>41</sup>*

Ten years ago, the valley contained a long and large village. There were three parts; the bottom, middle and upper villages, and together they were more than one kilometer long. However, nowadays all people from the valley have to live in a small area that is only about 200 meters long. The people of the villages had to organize themselves into this small area by order of the companies. The companies' purpose is to get more area to mine.

Despite the right to own property under international human rights law, such as Article 17 of the Universal Declaration of Human Rights (UDHR) and Article 17 of the International Covenant on Civil and Political Rights (ICCPR), there is no actual right to own property in this valley in Burma.



*The village is reduced to just 200 meters long. (Photo by John).*

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<sup>41</sup> Interview 1.



Displaced families get little or no compensation from the companies. If the company co-operates with the Burmese government the displaced families do not get any compensation from the company. If the company does not co-operate with the government, then the company gives a little compensation to the displaced families. The Burmese government assigns a person to deal with compensation between the companies and villagers.

***"I heard that the company already gave compensation to the authority person for my land and house, but I did not get any compensation, the authority person told me that the company did not give any compensation."***<sup>42</sup>

The villagers are suffering a crisis because of the Burmese government. Some families were forced to move near the cemetery; some others were forced to go to the dent area in the mountain that was caused by jade mining. The villagers do not want to live near the cemetery nor do they want to stay in the dent area. They do not have a chance to complain to the companies, including to any authorities or to any government offices.

***"If we want to move to a reasonably good place, we have to pay money to the company: at least 100,000 kyat."***<sup>43</sup>

Though the people have lost their property, they have not received any compensation. In addition, they have to move from their land to other, messy places, and they have to pay the companies to stay there. The people from this valley are in an increasingly worse situation because of SPDC control.

***"The small village only exists at all now because hundreds of companies are competing for the land, so the government has difficulty in deciding which company should get permits."***<sup>44</sup>

## **Water Scarcity**

As mentioned above, the river is gone. Villagers are facing a lot of problems, especially in trying to get water to survive. When the river existed, the villagers did not face any water problems and it was an adequate situation. Now they have difficulty trying to get water.

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<sup>42</sup> Interview 2.

<sup>43</sup> Interview 3.

<sup>44</sup> Interview 15.

The two villages are about 1.5 kilometers apart. The top village faces scarcity of water; however, there are still some springs near the village, so it is not in as precarious a situation as the lower village. Villagers have to connect small pipes to these springs to get water. There are many problems; the pipes are only finger-width so they are often blocked by waste coming from the springs. Big pipes cannot be used because the springs are not big enough; with big pipes the water does not flow. Villagers are facing not having enough water to meet their needs. Sometimes they cannot get enough water to cook food for their families. In the dry season the water is even scarcer and there is no naturally-occurring water to drink for survival.



*In summer, water is worth more than Jade. (Photo by John).*

If villagers want to dig a well in their residence, they have to spend lots of money because the water only exists under the hardest layer of the ground. The villagers do not have money to dig the well and if they have adequate money to get the well, they are not sure how long they can stay in their current places. It is very difficult to just get a small amount of water and they are facing an even worse situation during the summer.

***"At that time the water is worth more than jade and villagers, including children, are facing the problem of thirst."*<sup>45</sup>**

Villagers must buy bottled water. On other hand, there are no problems for the companies: they dig large wells in their resident compounds.

***"Some companies allow the villagers to take water from their well, but some do not allow it."*<sup>46</sup>**

***"In summer, even though their wells are also dry, they can bring water in big tanks from the Town."*<sup>47</sup>**

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<sup>45</sup> Interview 4 and 5.

<sup>46</sup> Interview 4 and 5.

<sup>47</sup> Interview 4 and 5.

## Lack of Education for Village Children

Article 26 of the Universal Declaration on Human Rights and Article 13 of the International Covenant on Economic, Social and Cultural Rights mention free education. The Convention on the Rights of the Child, Article 28, also mentions free education, and the government of Burma has signed the latter. But despite



*The valley's children are playing on the trash. (Photo by John)*

there being hundreds of children in this area, there is no free education. There are so many children that, although they do not get free education, they also do not have enough places to play. There is a nursery school and a primary school. The nursery school is a subsidiary of the Christian Church and the primary school is self-supporting. There is no middle school.

The Burmese government and mining companies do not care about education for the children. Those who have finished primary school have to go to the middle school in another village at the bottom of the valley, about three miles away. All middle school students go to the school on foot every weekday. It is very hard for the children but they do not have a chance to get education any other way. In addition, their parents have to worry about their children's school travel and they have to spend lots of money for their children's education. Most of the children do not get a chance to go to the middle school even if they have finished primary school.

Providing education is most difficult for parents whose children have finished middle school. These parents want to send their children to the high school but they have to spend lots of money and they do not have adequate money for their children's education. There is only one high school in the Phakant Town area. Some parents had to sell their own land to the companies in support of their children's education.

*"My daughter is very clever, she got an academic prize every year when she was in primary and middle school, so I really want to send her to high school, but I do not have enough money for her, so I am very upset."*<sup>48</sup>

## **Loss of Livelihoods**

For the last ten years the valley's villagers have had lands, houses, fields, and livelihoods that have depended on the river. The people dug jade by themselves with the traditional tools, such as the crowbar, iron post, iron hook, and spade. When they got some jade they could sell it at the jade market in Phakant Town. At that time their life was peaceful and they did not have any problems with water, livelihood, or education for the children. Their activities did not overly affect the environment and the environment was still sound. This was something that I witnessed, because I stayed for about three years in the valley at that time.

Now the villagers from the valley are having to work very hard and are becoming poorer day by day. They do not have properties or fields or their own jobs. Nobody has the chance to dig jade themselves. The Government and the companies control all of the valley and its land and resources. Even though government and company control is causing much strain for the villagers, they do not have a chance to show their real feelings. The villagers have to swallow their expressions even with how much they are feeling.

## **'Yemasay' Workers**

Nowadays, one of the only livelihoods for the villagers is finding jade among the tailings. They name the worker that is looking for jade among the tailings a 'Yemasay'. Tailings come from jade extraction from the companies' large-scale open pit mines. This job does not come with guarantees; a worker can not be sure to get jade during a day, a week, a month, or even a year.

The job is very dangerous and most Yemasay workers find jade with a torch light at night between 10pm and 4am. They do this because the companies throw the tailings from the mountains to the valley and work more at night than in the day time. The Yemasay workers have to climb near the top of the tailings and they have to find jade quickly among the tailings when the trucks are throwing their tailings to the bottom.

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<sup>48</sup> Interview 5.



'Yemasay'. (Photo by John).

The life of the *Yemasay* worker is hard. They are like blind people. They do not know when they will see and get jade, but they have to try to find it every day and every night for their survival, for their children and for their parents. Even when they find jade sometimes, it is if not good quality, the jade is not valuable. There are many kinds of jade, some valuable and some worthless. Sometimes villagers labor to find jade but it is worthless to them, a waste of time and energy. Because the tailings come from the waste of the mines, the company workers have already found jade specifically in the tailings from it when they extracted it. It is not easy to get precious

jade for the *Yemasay* workers. The workers continue to do this work, however, because there is no other job available to them.

There are two kinds of *Yemasay* workers: those who signed with the company and those who did not. Those who sign make an agreement with the company that if the *Yemasay* workers get some jade they have to show it to the company, and the company will decide the worth of this jade and pay money to the worker. There is a person who has authority from the company to make assessments. If the workers get jade they have to show it to that authority person. This person makes an agreement between the companies and workers on payments.

***"The companies do not pay what the jade is actually worth. The workers know about that but are not in a position to complain. In addition, there are two levels of extortion: the first that the company does not give good value for the jade, and secondly that the authority person did not hand money over to us at all."***<sup>49</sup>

Most of the workers do not sign with the companies but some do. They do this because if they get jade and then show it to the company, they will get money quickly even though the money is not much. The workers need money for their survival, for their children's education, and for their elderly parents. Some of the *Yemasay* workers still have to work with the companies for their essential things such as food, even though the companies are exploiting them as much as they can.

***"If the workers not get any jade, the companies do not support anything. In addition if the workers get injuries from accidents, they do not care anything."***<sup>50</sup>

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<sup>49</sup> Interview 6 and 7.

<sup>50</sup> Interviews 6 to 10, *Yemasay* workers.





*Yemasay workers find jade in the tailings of mountains in dangerous condition. (Photo by John).*

***"The company also told us when we signed with them that we should not inform the company if the worker has an accident from finding jade without dying."<sup>51</sup>***

There are many *Yemasay* workers who did not sign with the companies. They also have to work hard and if they get some jade, they have to carry it secretly. Even though the companies do not prevent people from finding jade, when they get some jade it is not safe, they have to avoid the company people.

***"If the company people hear that the workers had found jade of good quality, the company would find them and take it from the worker for nothing. So we have to do secretly even this job is not sure job for us."<sup>52</sup>***

The workers are facing livelihood problems. They have to find jade by themselves and have to find it among the tailings. Tailings are just waste from mining, so the people should own the jade when they get it from tailings. The people do not have such opportunities and are becoming poorer.

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<sup>51</sup> Interviews 3, 9 and 14, *Yemasay* workers.

<sup>52</sup> Interviews 11 and 12, *Yemasay* workers.

## **'Jokkee'**

If a *Yemasay* worker finds jade and it is heavy, another *Yemasay* worker can help him to move the jade. They have a rule that the worker who gets there first must give half of its value among the helpers. So they call workers '*Jokkee*', except the worker who first found the jade.

***"One of my friends got jade from tailings. It was heavy, more than 1000 kilos, so about one hundred Yemasay workers including me were Jokkee for him and we signed on a paper so each worker was easy to find and pay after the jade had sold. We carried it with difficulty because of the weight and we had to carry it silently until we reached the residence of the first worker, a distance of about 500 meters from the tailings. We reached it at midnight. We proceeded secretly but, I do not know how, somehow the company knew about us. The company's people found us and took that jade with intimidation from the worker who found it first. Of course the company paid nothing for what they took. I also got sick until now by carrying that jade, but I did not get anything. It happened about two months ago."***<sup>53</sup>

The companies operate without any care for villagers. They do not need to worry about anything because they are operating with the powerful SPDC behind them and the SPDC shares the interest in and benefit of the large-scale open pit jade mining.

## **Conclusion**

The people of the valley lived on their ancestral land and depended on the environment. The SPDC authorities are destroying the earth and extracting the natural resources from the jade mine sites for their own benefit and luxury. They do not remedy environmental problems and they do not heal the earth after the destruction they cause. The impacts on the environment have been extremely negative and there is an incredible mess between the local people and the earth. People are in a worse crisis because the environment has been destroyed. The SPDC acts how they want and they do not care about the effects of the destroyed earth on the local communities. They should take responsibility for the people and the earth.

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<sup>53</sup> Interview 13, *Yemasay* worker.

The SPDC has co-operated mostly with companies from China. Today companies that do not cooperate with the SPDC are disappearing. The government's mottos have a nice, warm sound, such as the "*Tatmadaw* (military) is the parent of the public" and, "towards new development in the country using natural resources." In reality, they are not honoring their mottos.

The Burmese government extracts and deals out jade to other countries from Kachin State and they are unaccountable for both the amount of jade and the methods by which they get it. But we must demand to know how many people in local communities are benefiting and how much development has there been in the country? The answer is that no local people are benefiting, and the country is increasingly becoming a poorer country; Burma is counted as one of the poorest countries in the world.

Where is the gain from unknown quantities of jade and who gets this benefit? The only outcomes that local communities face are various kinds of problems: famine, thirst, and homelessness brought about by the greed of tycoons and the SPDC. Meanwhile, there are so many Chinese people getting rich from jade from Phakant. The jade comes from Kachin State but there is no jade market in the whole of Burma. A rich person from Phakant Town said:

***"The markets dealing in jade are in China: Hong Kong, Beijing, Taiwan, Kunming."*<sup>54</sup>**

While local Kachin property owners become poorer, migrant Chinese businessmen are becoming richer. This is a result of decisions by and between the SPDC and ceasefire groups. Property owners who lived in jade mining areas have lost their heritage, livelihoods, lands, houses, water, and education. They have to live densely in small areas and suffer greatly.

The Burmese government ignores all problems they have caused, and extort mining site communities again and again until all is hopeless for them. Children from the mining sites are facing a lack of education and find life more and more difficult because of their lack of knowledge. People from the mining sites are in a growing crisis because they do not have jobs to earn money for survival. They are facing a scarcity of water caused by the destruction of the environment by the companies' jade mining with sophisticated technology. There are many places around the Phakant Township like that, not only in my focus area.

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<sup>54</sup> Interviews 16 and 17.



The valley villages will soon be gone because even if the companies and SPDC do not take it away first, residents will have to move anyway due to water problems. Villagers have reached a state of hopelessness for their futures, caused by the SPDC's perverse actions and inhumanity towards its own people.

## **Recommendations**

### **To the State Peace and Development Council (SPDC):**

- Stop the mining enterprises.
- Evict the huge companies that came from China.
- To respect and to use human rights in practice.
- To respect International Environmental Law.
- To take action with Environment Impact Assessments (EIA).
- To remake suitable livelihoods for the mining site's people.
- To take responsibility for the people's poverty.
- To provide free education.
- To behave in accordance with the SPDC's own mottos.
- To inform the public about decisions between the SPDC and ceasefire groups on matters of public interest.
- To give freedom of expression to the public, listening to and respecting their voices.

### **To huge companies that cooperate with the SPDC:**

- Stop the mining projects.
- Do not mine with sophisticated, high-impact machines.
- Do not exploit the people who live in mining sites.
- To take action with Environment Impact Assessments (EIA).
- To heal the earth and to remedy the environment in mining sites.
- To do resettlement programs for the people who are displaced from their own lands.
- To inform and allow participation of mining site communities in EIAs.

### **To ceasefire organizations:**

- To preserve their own land and natural resources.
- To take responsibility for the ethnic people's development.
- To inform your nation about what is going on in the organization.
- To give freedom of expression to your nation, listening to and respecting its voices.
- To create progressive education for children and youth.
- To make unity among all ceasefire groups without conflict.

- To lead us towards developing new life with your truthful decisions.
- To lead us in equality and have fairness towards everyone.

**To NGOs, including environmental and human rights organizations:**

- To inform the international community about the problems.
- To raise awareness in local communities about environmental issues and human rights.

**To the international community:**

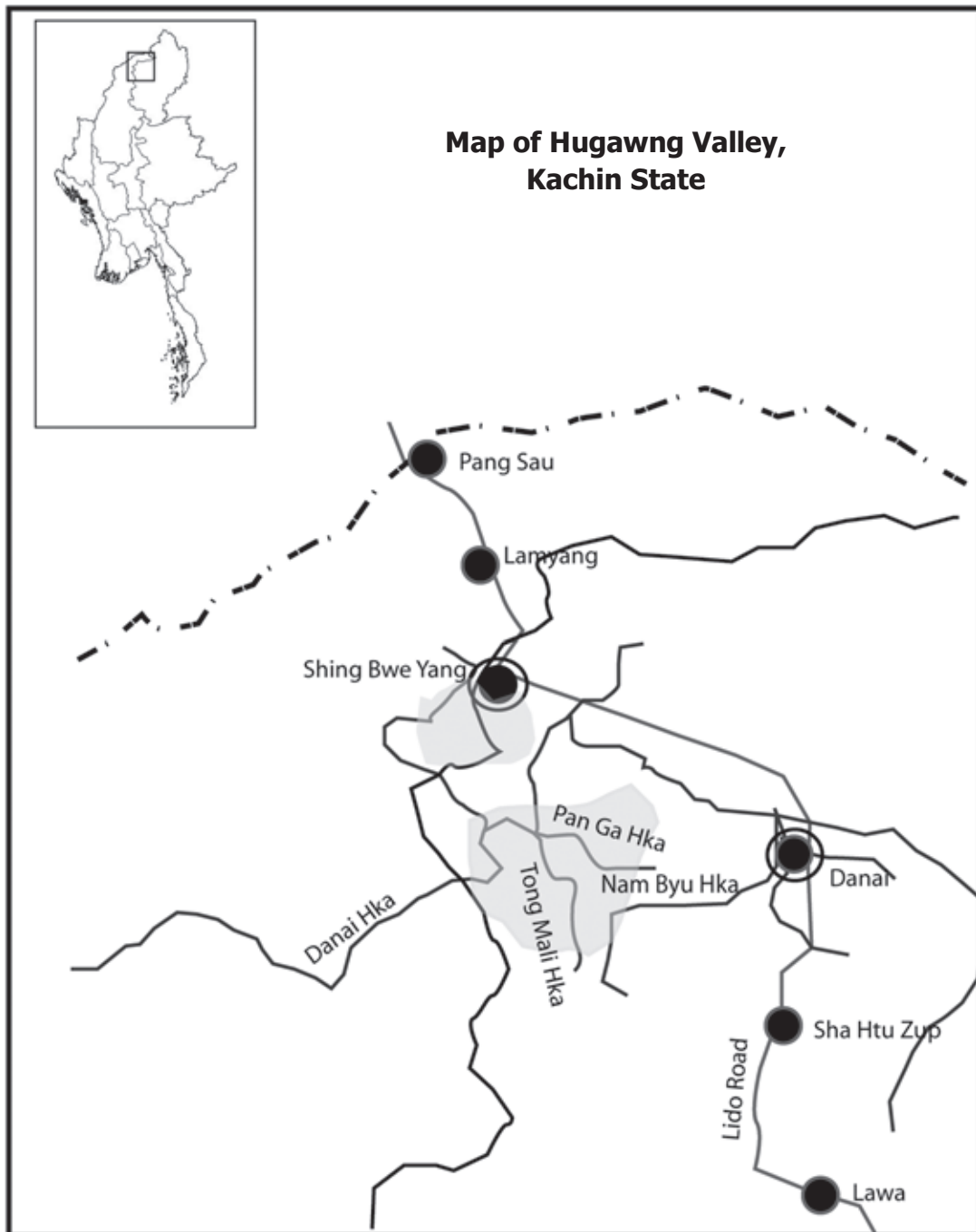
- To know about the situation of jade mining in Kachin State.
- To search for ways in which local communities can find solutions.

**To local communities from mining sites:**

- To have unity with each other as a whole.
- To focus on the children's education.
- To preserve natural resources and the environment as much as you can.
- To search for a better way for the next generation.

# The Impact of Gold Mining on the Environment & Local Livelihoods in Shing Bwe Yang Township, Hugawng Valley, Kachin State, Burma

By Myu Shadang



## Introduction

The State Peace and Development Council (SPDC) recognize that Hugawng valley is a resource-rich area in Kachin State, in the northern part of Burma. That is why they give permission to mining companies to extract the resources. Gold mining, however, is violating local livelihoods and the environment. The SPDC is exchanging money for the local environment, for nature and life in the Hugawng Valley forest in Kachin State. This money is used to buy military weapons.

“Burma has signed international environmental agreements and conventions such as the UN framework convention on climate change. That UN framework convention is to reduce greenhouse gases in an international and legally binding agreement.”<sup>55</sup> Nevertheless, the SPDC is ignoring international conventions and not implementing them. It explains that this is good as it will cause economic growth. In fact, growth is paid for with local people’s blood.

In Kachin State, many places have similar situations. This report will focus on the Tong Mali and Shing Bwe Yang gold mining sites in the Hugawng Valley in northern Burma. This report will expose environmental problems and land confiscation at the sites and highlight local livelihood problems in Shing Bwe Yang Township. It puts forward the argument that the gold mining sites are ruining not only the local environment but also local livelihoods.

The report proceeds as follows: Part 1 describes the background of the mining sites in Hugawng Valley. Part 2 examines the environmental impacts of the Tong Mali mining site. Mining here causes deforestation, the loss of pastures for animals, and water pollution. Part 3 of the report exposes the confiscation of property in Shing Bwe Yang Township by military authorities and private companies. Land confiscation is driving many kinds of social problems including opium and heroin use. Gold mining is causing local livelihood problems and is creating internally displaced people. Finally, the report concludes with recommendations.



*Gold mining area*

<sup>55</sup> [http://unfccc.int/essential\\_background/items/2877.php](http://unfccc.int/essential_background/items/2877.php)

## Methodology

This report aims to inform local and international communities about the harmful impacts of gold mining. Local residents, nurses, headmen, mining workers, merchants, and company workers were interviewed for this report. Applicable books and the Internet were also used to inform this report.

## A Background of the Hugawng Valley

The Hugawng Valley is in western Kachin State and Sagaing Division. It shares a border with India. It is surrounded by the Naga Mountains which form the border of Kachin State.

Since 1962 a military regime has controlled the whole of Burma. 'But Hugawng Valley's thick forest was largely untouched by Burma's military regime. In 1994, Burma's military regime and the Kachin Independence Organization (KIO) signed a ceasefire. Local residents had high hopes that peace would foster economic development and improved living conditions. The remote and environmentally rich Hugawng Valley in Burma's northern Kachin State has been internationally recognized as one of the world's hotspots of biodiversity. The US-based World Tiger Conservation organization and Burma's military junta have cooperated to create a tiger reserve in Hugawng Valley.'<sup>56</sup>



Conservation sign beside the Lido highway. (Photo by Myu Shadang).

The Hugawng Valley is rich in natural resources such as gold, platinum, rubies, and timber. The valley is famous for its rare species. It has one famous road called the 'Lido Highway'. It crosses from India to China. The highway was used by allied forces in World War II. The SPDC established a mining area after the ceasefire.

<sup>56</sup> [http://www.burmalibrary.org/show.php?cat\\_1332](http://www.burmalibrary.org/show.php?cat_1332)

***“We can see in Hugawng Valley two parts divided by the Lido road, to each side of the road. The left part is a mining area and the right part is a conservation area. That is why on the left side you will see a lot of gold mining. There are many villages along the Lido road”<sup>57</sup>***

– Local merchant.



Sea Sun Star office at Tong Mali mine.  
(Photo by Myu Shadang).

Most villagers have been farming, hunting and fishing since the time of their ancestors in the Hugawng Valley. But for the past ten years there has been a lot of digging and mining though the Danai River and the left side of the Lido Highway. Two famous mining sites there are the Tong Mali mining site and the Shing Bwe Yang mining site. Both are very huge pit mines.

Sea Sun Star Company holds permission to sell land for mining. This company is cooperating with the SPDC and the Kachin Independence Organization (KIO) ceasefire group. The result is that the companies can mine pretty much wherever they want. Most mining workers are Shan, Burmese, Arakanese, and Chinese; and there are a few Kachin and Tang Shang Naga people as well.

The Sea Sun Star Company pays taxation to both authorities. The Tong Mali mining site is in the KIO controlled area. All mine owners have to pay between 16.392 grams and 32.784 grams of gold per month. The Sea Sun Star Company pays taxation to both the Burmese military regime and the Kachin Independence Organization (KIO).



Tax gold from Tong Mali miner to Sea Sun Star.  
(Photo by Myu Shadang).

***“Owners must pay 32.784 grams of gold to the Sea Sun Star Company per month per machine. Understream miners must pay 9.52 grams per month. Mining owners face crises, as taxation is high and living costs are also high; and they are extorted by authorities.”<sup>58</sup>***

<sup>57</sup> Interview 6.

<sup>58</sup> Interview 7.

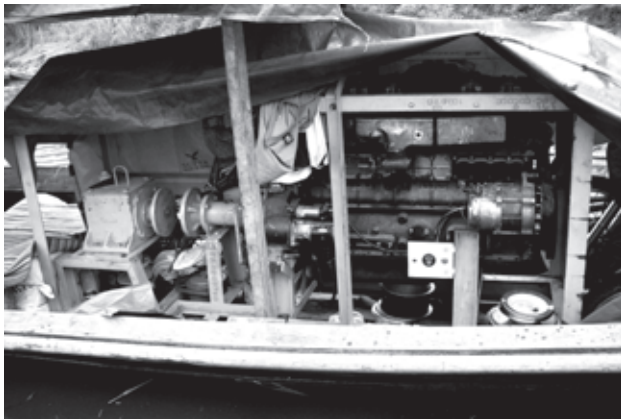


# Environmental Problems at Tong Mali Mining Site

## Deforestation

Tong Mali mining area was a thick forested area, containing many kinds of species. Yet the authorities allowed the digging of mines there. Therefore, many people and companies came.

***"That mining causes deforestation and destroys land."***<sup>59</sup> – Local villager



Miners use big machine to dig for gold.  
(Photo by Myu Shadang).

A lot of mining companies and private mine owners have been digging with big machines for many years. The mining systems are open pit mines. When they dig mines they use a lot of land areas and cause great erosion in one day.

***"We dig around 20 ft per day with one machine. Some mining uses two machines."***<sup>60</sup>

– Miner

The valley area used to be a forest with great biodiversity and many types of trees. People and nature were intimately connected with each other and people depend on nature directly and indirectly for wood, water and air. Forests sustain the atmosphere; forests provide a climate in which we can live. The ozone layer and the atmosphere protect us from damaging ultraviolet radiation; trees absorb some the air pollutants.<sup>61</sup>

However, when mines are dug many species of tree and animal are killed. Extinction contributes to the greenhouse effect and global warming.<sup>62</sup> Global warming is not only the responsibility of one state; the Burmese military junta has a responsibility to the world.

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<sup>59</sup> Interview 2.

<sup>60</sup> Interview 7.

<sup>61</sup> *Environmental Science: Earth as a Living Planet*, 4<sup>th</sup> Edition (2005) Daniel B. Botkin and Edward A. Keller, Wiley, page 9.

<sup>62</sup> <http://library.thinkquest.org/26634/text/forest/impact.htm>

Burma has an environmental policy and environmental domestic law but the SPDC has not implemented it and has ignored it upon the arrival of environmental problems. Moreover, the SPDC is destroying public properties such as rivers, streams, and ponds, violating its own law. Domestic law says that, 'If someone injures public property such as rivers, streams and ponds, they violate laws'.<sup>63</sup>



*Deforestation in the area.  
(Photo by Myu Shadang).*

The SPDC and some Chinese companies are also planning on logging in the Hugawng Valley; this will encourage further deforestation. First, they will repair the Lido road to pass easily through the Hugawng Valley to China.

***"Last month some rich Chinese came and looked in that forest with a map and some tools. And before that, some KIO officers and Ministry of Forestry officers came in here with a boat and looked around ... Some witnesses said they saw Chinese workers waiting in Danai city to work on the Lido road."***<sup>64</sup>



*Fishing by dynamite blasting.  
(Photo by Myu Shadang).*

## **Loss of Pasture & Endangered Species**

Wild animals depend on the forest. Some endangered species were living in the area, such as rhinos, elephants, and deer. Many other kinds of natural life depended on the forest. Deforestation can cause extinction, as there is no shelter for animals. Nevertheless local hunters are hunting more to supplement their incomes. There are more consumers and demand is growing fast. Before mining began, local hunters were hunting with cultural discipline. Their culture has banned hunting during some months since the time of their ancestors. Today the hunters are not following their culture; they are hunting more and more as the market demands it and species are disappearing.

<sup>63</sup> Union of Myanmar Ya zatat kyi, Environmental Law(Publication April 1963),Chapter14,Article 277.

<sup>64</sup> Interview 6.

Before mining sites were developed in the Hugawng Valley, fishermen fished by their cultural traditions. However, people have become very greedy. They have begun fishing in less sustainable ways, and fish are becoming extinct. The Jade Land Company worked with the Department of Fisheries to establish a fish conservation monitoring group. Now they restrict fishing times and require permissions to be obtained.

***“Actually, the Department of Fisheries should support its expenses but everything is supported by the company. There is a lot of mining in the whole Danai River. That is why fish are becoming reduced, due to contaminated water. Selfish people want money, that is why they try to get many fish with ways including dynamite blasts, using chemicals and over-fishing and so on.”<sup>65</sup>***

– Representative of monitoring group.

In 2007 the monitoring group banned fishing from March to July. The group uses enforcement to punish people who violate the ban, so the situation is improving.

***“Locals now have better chances to find fish in there.”<sup>66</sup>***

The World Tiger Conservation group is working with authorities, who have recognized a tiger reserve. The public can see the sign boards and posters for the reserve everywhere in Hugawng Valley, but no one is sure exactly what is happening or what the result has been. The public cannot see any impact. For these reasons some of the species are becoming endangered.

## Water Pollution

There are hundreds of mines, each causing erosion into the streams. Mining companies routinely throw their tailings into the streams. They also use a lot of mercury and some cyanide acid to separate the gold and platinum, which is also then thrown into the rivers. This is why the stream is contaminated.



*Miners use mercury to pan gold.  
(Photo by Myu Shadang).*

***“A lot of mining is causing contamination. Therefore, many kinds of fishes can be reduced or extinct.”<sup>67</sup>***

– Representative of monitoring group.

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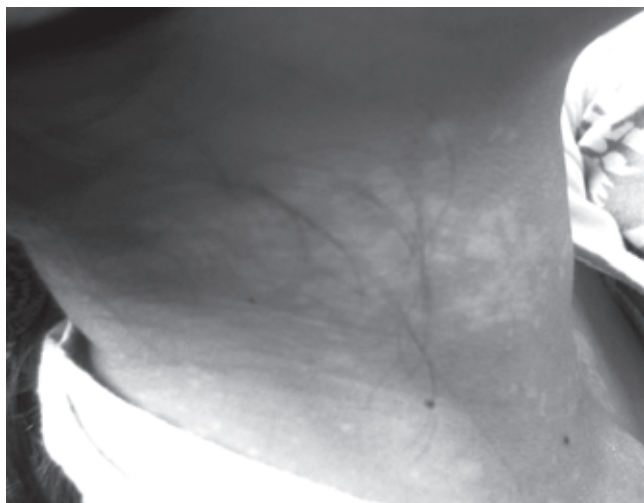
<sup>65</sup> Interview 1.

<sup>66</sup> Interview 1.

<sup>67</sup> Interview 2.

## Health Problems

Mining workers, merchants, and all Tong Mali mining area dwellers, use the Tong Mali stream to wash and to swim. They live and drink water by the side of contaminated streams. For this reason, many people are becoming ill and are coming down with skin diseases.



Cook living with Herpes Simplex Type 1.  
(Phot by Myu Shadang).

***“Almost all mining workers who use that contaminated water have Herpes Simplex Type 1 and Eczema Herpeticum diseases. And some also get malaria frequently.”<sup>68</sup>***

– A local nurse.

A lot of old mining sites are causing health problems in the Tong Mali mining site. Miners dug many small ponds which became contaminated by mosquitoes, and parasites grow in the old mining ponds. Workers and mer-

chants are coming down with malaria and other diseases. Some mine owners help their workers get natural medicines. However, if the owners don't help the workers, the costs are very expensive. Therefore, mining workers face depression when they get diseases. Nobody cares for patients in the mining sites. The authorities collect taxes from the companies and everyone ignores their responsibilities to the workers.

## Land Confiscation in Shing Bwe Yang Township

Shing Bwe Yang Township is part of the Hugawng Valley. It is very close to India. It has Lisu people (a tribe of the Kachin nation) and Naga people (a tribe of the Chin nation). The Tang Shang Naga people have their own culture and own language. Most local people are Christian. Their livelihoods are farming, hunting and fishing, in the tradition of their ancestors. The people depend on their neighborhood forests and streams. They use herbal medicine from their forests.

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<sup>68</sup> Interview 12.