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# amnesty international

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## MYANMAR

### Portering & forced labour: Amnesty International's concerns

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*A prison labour camp in Ye Yein-Thaton township, Mon State, S.E. Myanmar. c. SAIN, 1996*

The ruling military authorities of Myanmar have obliged hundreds of thousands of Burmese citizens, including criminal and political prisoners, to work against their will and without pay to build airports, roads, dams, railway lines and other construction projects. The military has also seized and effectively detained men, women and children throughout Myanmar, particularly from ethnic minorities, to act as porters in military operations.

Amnesty International is concerned about the serious human rights violations that the military (the *tatmadaw*) have perpetrated, with impunity, against porters in their custody and against those engaged in forced labour. It considers forced portering to be a form of arbitrary detention, and is also disturbed by other serious abuses, including torture, extrajudicial execution and ill-treatment, that have been carried out against porters in the *tatmadaw*'s custody. Amnesty International also has serious concerns for the safety of workers, particularly of prisoners, who have been made to engage in forced labour and have been subjected to cruel, inhuman and degrading treatment. The organisation is concerned that these abuses have occurred with impunity: to the organization's knowledge no member of the *tatmadaw* has been prosecuted for violations of the rights of porters in their custody, or of workers, including prisoners, engaged in forced labour.

The ruling military authorities of Myanmar, the State Law and Order Restoration Council (SLORC), has routinely denied that there is forced labour in Myanmar and maintains that such work is performed voluntarily within a cultural tradition of voluntary labour in the country. It terms forced labour “*labour contribution*” or “*work contributed on a self-reliance basis*”.

Porters held in military custody are required to carry military supplies, including weapons and hardware, on forced marches through the countryside, for periods ranging from several days to a month or more. The *tatmadaw* does not usually inform porters how long their detention will last and forcibly prevents them from leaving. Porters are never paid for their work. While portering and forced labour may be avoided in most cases by the payment of fees, most civilians are unable to regularly afford these “fees” and are effectively forced to work on construction projects; some have been forced to porter even though they have paid. Prisoners may also sometimes pay a bribe to avoid forced labour.

Amnesty International has documented many incidents of the cruel, inhuman and degrading treatment of porters and labourers. Porters and labourers, including prisoners, are often deprived of sufficient food, water, medical treatment and rest. Prisoners are made to work in leg-chains. Porters have been held in chains at night to prevent them from escaping. The work porters and labourers have to perform is physically arduous and porters have had to carry heavy loads. Military operations and construction projects are often in areas where malaria is endemic; without adequate medical treatment large numbers of porters and prisoners die, such as U Dharma Wara Seit Sui, a 51-year-old monk and political prisoner who died from malaria and malnutrition after working on a road construction project in 1994. Illness does not necessarily exempt prisoners, labourers and porters from work, and the elderly, sick and handicapped have been made to work in special labour camps and as porters. Porters have also frequently fallen ill from malnutrition and malaria; many have been forced to work until they collapse and have then been abandoned at the road-side.

Amnesty International is concerned at the *tatmadaw*'s widespread use of torture and ill-treatment to punish porters and labourers who are unable to carry out their work, often on account of disease or exhaustion, or who have attempted to escape. Amnesty International has also documented cases of the *tatmadaw*'s rape of women detained as porters. The *tatmadaw* has routinely and arbitrarily beaten porters in their custody with bamboo sticks and rifle butts, and have also burnt them with cigarette ends. Beatings have on occasion been so brutal that they resulted in death. Workers, particularly prisoners, have also been beaten.

Amnesty International is gravely concerned at the *tatmadaw*'s extrajudicial killings of porters who have attempted to escape from their custody or were unable to carry their load. The *tatmadaw* has also shot prisoners attempting to escape from forced labour, or has beaten them to death. In late 1994 two prisoners attempting to escape from the construction of a road from Yangon (Rangoon) to Mandalay were shot and another was hacked to death by a hoe. A porter told Amnesty International that he had witnessed the deaths in early 1995 of four porters in the Shan state, who were killed after soldiers kicked them and beat their heads with rifle butts because they were no unable to walk and carry their burdens.

Amnesty International is categorically opposed to portering on the basis that it is arbitrary detention and that there are other serious human rights violations associated with the practice. It also has grave concerns for the security of civilians and prisoners who are obliged to engage in forced labour and have been subjected to cruel, inhuman and degrading treatment, torture and extrajudicial execution.

### **Recommendations:**

Amnesty International urges SLORC to:

- abolish the practice of portering immediately;
- release without delay civilians who have been arbitrarily seized against their will and required to work as porters;
- introduce concrete measures to protect prisoners and other Burmese citizens engaged in forced labour from the abuses that have become strongly associated with the practice or abolish the practice entirely, and
- bring to justice members of the *tatmadaw* who have abused the rights of Burmese citizens in the context of forced portering and labour.

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