

Physicians for
Human Rights

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Forced Displacements and Destroyed Lives around Upper Paunglaung Dam in Shan State, Myanmar



Kayan New Generation Youth



About Physicians for Human Rights

For nearly 30 years, Physicians for Human Rights (PHR) has used science and medicine to document and call attention to mass atrocities and severe human rights violations.

PHR is a global organization founded on the idea that health professionals, with their specialized skills, ethical duties, and credible voices, are uniquely positioned to stop human rights violations.

PHR's investigations and expertise are used to advocate for persecuted health workers and medical facilities under attack, prevent torture, document mass atrocities, and hold those who violate human rights accountable.

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Cover: A woman displaced by the reservoir created by Paunglaung dam stands near the foundation of her old house.

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Introduction

For nearly four decades, Myanmar (also known as Burma) was ruled by military-led governments that committed grave human rights violations, resulting in international economic sanctions against the country for many years.¹ Beginning in 2012, however, after the liberalization of some governmental policies, Western nations lifted these sanctions. In an effort to gain ground on countries like China and India that had maintained economic ties with Myanmar during the time of the sanctions, a number of states – including Australia, Canada, Japan, the United States, and many European countries – increased development aid and allowed their businesses to operate in Myanmar for the first time in decades.

This investment has been touted as a way to improve economic conditions for the people of Myanmar, one of the poorest countries in Southeast Asia, following years of government mismanagement, corruption, and economic sanctions that destroyed the country's economy.² While the opening in Myanmar has allowed foreign investment to soar and made new capital available for plantations, logging, special economic zones, deep sea ports, hydroelectric dams, and mining concessions, all of these types of projects have been associated with unlawful land confiscations from individuals and communities with little or no compensation.

Economic development projects in Myanmar are causing widespread displacement and are having devastating impacts on those communities living in project locations, including human rights violations and adverse effects on livelihoods, food security, and health. For those subjected to unlawful evictions and land grabs, the consequences are dire, driving many people into poverty. Government policy has encouraged the development of these projects, and weak and unclear land policies, including some new land laws written to support investment and economic growth, have provided the government, military, and businesses with legal cover to confiscate people's land without a transparent process for determining and awarding compensation.

In the following report, Physicians for Human Rights (PHR) builds on its previous research on land confiscations in Myanmar by using an epidemiological survey tool to assess the human rights, livelihood, and health impacts on communities displaced by the reservoir created by Paunglaung dam in southern Shan state.

Human rights, land, livelihoods, and health are linked in Myanmar

Human rights violations – such as forced labor, restrictions on movement, and particularly the unlawful seizure of land – affect families' ability to provide for themselves and avoid poverty. In particular, the loss of property for many people in Myanmar – who rely on land for food, income, and ultimately survival – can cause extreme hardship. According to a 2011 United Nations Development Programme (UNDP) report, 66 percent of Myanmar's population live in rural areas, with half working in hunting, agriculture, or fishing. The United Nations Population Fund reported in 2011 that families with larger farms tended to be less impoverished in Myanmar, and that landlessness was correlated with poverty in the country. People who are not farmers but have access to land often use gardening to supplement their incomes and food supply. As a key component in food and income production, access to land is closely linked to livelihoods and food security.³

When the government seizes land without ensuring substantive due process and procedural protections, the impacts on affected populations can be even more devastating. In order to assess the consequences of unlawful seizures, PHR measured food security, livelihoods, and access to health as impacts of land loss, since previous studies in Myanmar and elsewhere suggest that these are all closely linked. In Myanmar, land confiscations can trigger a chain reaction of consequences that contribute to poor health and even death.

"Today, poverty prevails as the gravest human rights challenge in the world." Louise Arbour, former UN High Commissioner for Human Rights and a former Chief Prosecutor of the International Criminal Tribunals for the former Yugoslavia and Rwanda

Forced displacement constitutes a human rights violation when international standards on evictions are not followed. Moreover, this initial rights abuse often leads to subsequent violations, such as restrictions on the right to food, adequate housing, health, and education, and has the potential to drive people into poverty. Poverty is the lack of basic human, economic, political, socio-cultural, and protective capabilities that are required for living a life with dignity.⁴ In particular, poverty can lead to poor health, as it often is correlated with low vaccination rates, poor water and sanitation, lack of access to medicines, and increased maternal mortality and malnutrition, among other health effects.⁵

Malnutrition is an underlying cause of over 50 percent of child deaths globally because it limits a child's ability to fight the effects of illnesses such as measles, diarrhea, pneumonia, and malaria, which are main causes of child mortality.⁶

When human rights are violated by unlawful land confiscations in Myanmar, affected people often lose their land and their ability to earn a living. They consequently may be left without the ability to grow or buy enough food for their family, leading to declines in food security and increases in poverty levels and risk of disease. Without sufficient income, many may be unable to travel to or pay for medical services when illnesses arise. Indicators related to livelihoods and food security can demonstrate the secondary effects and longer-term impacts of displacement and call attention to the harm inflicted when evictions do not conform to international standards on evictions and displacements.



Photo: Rows of houses at the Paunglaung relocation site.

Methods and Limitations

The purpose of this research was to determine if human rights were violated during the displacement process for the creation of the reservoir at Paunglaung dam in southern Shan state, and – if so – to measure the impacts of these violations on the displaced population. PHR developed an epidemiological survey tool consisting of several modules that can be used to assess if the eviction process followed the two major international legal frameworks relating to evictions and displacements – the *Guiding Principles on Internally Displaced Persons (Guiding Principles)* and the *Basic Principles and Guidelines on Development-based Evictions and Displacement (Basic Principles and Guidelines)* – and to measure the impacts of the displacement on livelihoods, food security, and access to health care and water. The survey tool employed mixed methods comprising closed-ended quantitative questions with open-ended follow-up questions of a qualitative nature.

To develop the epidemiological survey, PHR researchers used survey tools previously piloted by research universities and relief and development organizations. These tools are internationally recognized, and the results from Paunglaung are comparable with assessments conducted in other locations in Myanmar. To assess food security, PHR used the household hunger scale (HHH) developed by Tufts University for the Food and Nutrition Technical Assistance program (FANTA) at the U.S. Agency for International Development (USAID), the Months of Adequate Household Food Provisioning (MAHFP) indicator also developed by Tufts, and the Livelihoods and Food Security Trust Fund evaluation, a multi-donor funded survey to assess food security and livelihoods of two million people in Myanmar. PHR surveyors used the two-question Patient Healthcare Questionnaire (PHQ-2) to screen for depressive disorders.⁷

PHR developed a set of mixed methods questions to collect data about the displacement and to determine if the process followed international standards. PHR researchers used basic principles from the *Guiding Principles* and the *Basic Principles and Guidelines*, such as:

- Dissemination of relevant information in advance, including land records and proposed comprehensive resettlement plans;
- Appropriate notice that eviction is being considered and that there will be public hearings;
- Holding of public hearings that provide affected persons and their advocates with opportunities to challenge the eviction decision and to present alternatives; and
- Transparent process of determining and awarding compensation.

The survey instrument went through several revisions following its initial use by PHR to assess the impacts of forced displacement at the Thilawa special economic zone (SEZ) development project 15 miles south of Yangon. During this project, PHR revised the questionnaire following extensive consultation with local groups and affected persons. The tool was again adjusted based on feedback from the Thilawa research, and further refined after consultations with local groups and affected persons from Paunglaung. The final questionnaire for this project consisted of 71 questions.

PHR gave a two-day training to 16 surveyors (seven men and nine women) who worked for community-based organizations from Paunglaung and other areas of the country. The training covered international human rights law, interviewing techniques, an in-depth review of the meanings of the survey questions, and the need for acquiring informed consent. Two field supervisors managed the sampling and monitored the interview process.

PHR pursued a strategy to sample 80 households in order to facilitate the estimation of the proportion of respondents reporting that their situation is worse since displacement with a precision of plus or minus 5 percentage points. The strategy was based on PHR's prior work with displaced persons in Thilawa and assumed a 90 percent prevalence of worsening conditions, a 95 percent return rate, and a 90 percent confidence interval.⁸ Because of logistical constraints, and in order to minimize the time spent in each village for security reasons, PHR determined that sampling 16 households in five villages would be the best approach to reaching the required 80 households.

PHR researchers used a two-stage sampling scheme to identify households to interview. People displaced by the dam lived in 23 villages that, after relocation, comprised 23 neighborhoods in a mega-village.

Among these displaced villages, five were selected at random, with probability of selection proportional to the size of the village. This method ensures that each of the 8,000 displaced households has an equal chance of being sampled, and the results can be generalized to the displaced population of 8,000 people. Next, 16 households were identified, based on a list provided by the village leaders, by dividing the total number of households in the village by 16, selecting a random number between 1 and 16 using Microsoft Excel's RANDBETWEEN command, starting at that numbered household, and then selecting every subsequent sixteenth household.

In order to learn more details about the displacement process and to identify problems not addressed during the survey, PHR researchers also conducted three focus groups with displaced villagers and 10 key informant interviews with community leaders and people who were familiar with the displacement process.

Limitations of this survey include the cross-sectional design of the survey and lack of a comparison group, such as villages in nearby valleys or data from before displacement. Other limitations include the possibility that some respondents, fearing reprisal from the government, were reluctant to report their concerns about the displacement process. It is also possible that households dissatisfied with the displacement may have minimized the challenges they faced prior to displacement and exaggerated those challenges after displacement in order to generate stronger advocacy messages. PHR attempted to minimize both of these biases in several ways. First, surveyors assured respondents that the survey was anonymous and personal or household identifiers were not collected. Second, during their training, PHR stressed to surveyors the importance of accurately reporting data. Recall bias is also possible, especially for events that happened further in the past, such as conditions preceding displacement.

Tens of thousands of people have been displaced due to dam projects in Myanmar, but the sampling frame of this survey included only 8,000 households displaced by the Paunglaung dam in Shan state. Thus, results from this survey apply only to these 8,000 households and cannot be generalized to people displaced by dams or for any other reason in other parts of Myanmar.

PHR's Ethical Review Board (ERB) approved this research. PHR has had an ERB since 1996 to ensure the protection of human subjects in its research and investigations. PHR's ERB regulations are based on Title 45 CFR Part 46 provisions,⁹ which are used by academic Institutional Review Boards (IRBs). All of PHR's research and investigations involving human subjects must be approved by the ERB and conducted in accordance with the Declaration of Helsinki as revised in 2000.

Background

Land confiscations were widespread under the military regimes that previously ruled Myanmar, and they have not stopped with the 2011 liberalizations in government. Although there has been no comprehensive data collection on the issue of land confiscation, multiple reports suggest that the practice is widespread.¹⁰ The Land Confiscation Investigation Commission, established by Myanmar's parliament, is responsible for investigating complaints from affected individuals and communities about cases of past land confiscation.¹¹ In its first six months in operation, the commission received 565 complaints that the military had forcibly confiscated land covering 247,077 acres.¹² The Center for Strategic and International Studies also reported, "It is estimated that approximately 1.9 million acres were illegally transferred to private companies in the past 20 years, even though 70 percent of that land has never been developed and is still used for farming by the original owners."¹³ In such cases, those who remain on the land that was illegally transferred have no security of tenure and – given the lack of due process protections – can be summarily evicted. Forest Trends, an international, environmental non-profit organization, reported that between January and July 2013 alone Myanmar's government had given 5.2 million acres of agricultural concessions to predominantly Myanmar companies.¹⁴ The report also notes that forestland conversion, which occurs mainly in resource-rich ethnic conflict areas, is "part of the government's attempt at gaining greater state territorial control and access to natural resources."¹⁵

Previous PHR research has found that – since the new government took power in 2011 – an estimated 100,000 people have either lost some of their land or have been forced to move due to land confiscations that are unrelated to conflict. The total amount of land taken from these people was 613,558 acres.¹⁶

Land use laws can facilitate unfair confiscations

Myanmar's 2012 Farmland Law creates a market system of land trading that relies on title documents. However, most people in Myanmar do not possess such records. Even those who have lived and worked on the land for decades may not possess proof of ownership. The current disorganized land registration system – which evolved out of an old British system – is neither systematic nor complete in its record-keeping.

The Farmland Law also gives the Ministry of Agriculture and Irrigation unchecked power, above the judiciary, in managing land confiscations. The 2012 Vacant, Fallow and Virgin Lands Management Law gives the government authority to transfer people's land to investors. Although these laws, as well as the 2008 Constitution, also provide avenues for redress for affected individuals, corruption and weak rule of law effectively undermine these processes.¹⁷

The National Land Use Policy (NLUP), currently in draft format and under development by Myanmar's government, has the potential to create a much-needed system to address land use, ownership, and transfer. However, the policy could alternatively reinforce the land laws outlined above that are designed to promote investment and economic growth at the expense of individual farmers and other landowners. The NLUP writing process has been criticized for a lack of sufficient consultations with community groups, which – if conducted – could serve to close the loopholes that allow for unlawful seizures. While the drafting process remains ongoing, unlawful land confiscations have continued unabated.¹⁸

Government intimidation drives land confiscations

Despite the changes in 2011, decades of oppressive military rule created a climate of fear that remains in place today and serves to enable land confiscations. Many in Myanmar accept government deals that are not in their interest purely out of fear. Although the Myanmar government has gone to great lengths to alter its image internationally, many people living in the country feel that little has changed. Examples of violent crackdowns on individuals and groups protesting land confiscations, which have increased in number as evictions rise.¹⁹ Such police aggression, including the use of phosphorous munitions against Buddhist monks and the shooting of protesters at the Letpadaung copper mine, have only served to further mistrust of the government. In another example, after protesting land confiscations in Tanintharyi division, the Tavoyan Women's Union²⁰ was reportedly threatened by a businessman, who stated that he would hire someone to rape their leaders if protests continued.²¹ Separately, in 2015, Karen Human Rights Group reported that armed groups (both the Myanmar army and non-state groups) commonly used threats of violence to force people from their land, some of which resulted in death when villagers ignored the warning and remained to protect their property.²²

People who sue the government or companies for land confiscations often find themselves the targets of counter-lawsuits for trespassing or failing to vacate. In one particularly egregious case, the Myanmar government filed trespassing charges and a fine against the family of a man who had set himself on fire to protest the confiscation of his land.²³ In another case, a leader of a farmers' union and land rights activist was arrested on trespassing charges.²⁴ A 2015 report published by the Assistance Association for Political Prisoners (AAPP) and Burma Partnership demonstrates the abuse and harassment that land rights activists and farmers continually face. AAPP reports that increasing numbers of land rights activists are being arrested: 58 of the 115 documented political prisoners currently behind bars in Myanmar were arrested for their work protesting land confiscations, and 86 land activists and 961 farmers had been charged and were awaiting trial.²⁵ Charges tend to be for violations of the penal code that are commonly used to jail political prisoners: section 447 for trespassing (for farmers who continue to work their land after it has been taken, or for engaging in plow protests²⁶), section 505 for criminal acts against the state, section 427 for vandalism, as well as under section 18 of the Peaceful Assembly and Peaceful Procession Act.

Several people have been arrested multiple times, suggesting targeted and continual harassment of activist leadership. For example, land rights activist U Aung Soe was sentenced to six years under various charges for his protest activities, while prominent Kachin land rights activist Daw Baw Ja was harassed in 2013 and 2014, facing several erroneous charges due

to her open criticism of the government and her role in land rights activism. In another case, Daw Naw Ohn Hla received four months in Insein Prison for protesting the death of Daw Khin Win, who was shot and killed by police while demonstrating against the Letpadaung copper mine in 2014. This kind of harassment and imprisonment is common, particularly in ethnic rural areas where land confiscations are ongoing.²⁷ Such a climate of fear and intimidation allows land confiscations to continue unimpeded, and it stifles voices that speak out when the process is unfair.

The government has made scant efforts at implementing a transitional justice process, which – along with promises to respect rights – is essential to demonstrating a genuine interest in change and ultimately increasing trust in the government.²⁸ Without such measures, many people in Myanmar continue to fear the government and are reluctant to oppose land confiscations. Instead, most agree to accept grossly insufficient compensation packages – ones that may cover their house, crops, and relocation assistance, but not the land taken – and ultimately abandon their land.²⁹ For example, in a survey of households forcibly displaced by the Thilawa SEZ development project, PHR found that 93 percent agreed to move because they felt threatened or afraid of what the government might do if they refused.³⁰ Displaced persons in Thilawa told PHR researchers that they moved because they had read about displacements in newspapers, and – believing that the government could easily push them off their land – felt it was better to take the state compensation package, however inadequate, rather than risk losing everything.³¹

International Guidelines on Evictions

The obligation of states to refrain from and protect against forced evictions is included in several international legal instruments: the Universal Declaration of Human Rights; the International Covenant on Economic, Social and Cultural Rights; the Convention on the Rights of the Child; the Convention on the Elimination of all Forms of Discrimination against Women; and the International Convention on the Elimination of All Forms of Racial Discrimination.³² The government of Myanmar has ratified the Convention on the Rights of the Child as well as the Convention on the Elimination of All Forms of Discrimination against Women, which place binding obligations on the government.

The two major international legal frameworks relating to evictions and displacements are the *Guiding Principles on Internally Displaced Persons (Guiding Principles)* and the *Basic Principles and Guidelines on Development-based Evictions and Displacement (Basic Principles and Guidelines)*.³³ According to these frameworks, displacement may occur in “exceptional circumstances,” as long as certain guidelines are followed, including that the eviction is carried out in accordance with international human rights laws, is reasonable and proportional, and is regulated to ensure full and fair compensation. These standards apply regardless of whether or not individuals hold formal title to their home and property. Before displacement, states must ensure that all those likely to be affected receive appropriate notice, reasonable time for public review, opportunities to challenge displacement, and alternative options for relocation. States must explore all possible alternatives to displacement, demonstrate that an eviction is unavoidable, and ensure that it will not result in individuals becoming vulnerable to human rights violations.

During evictions, government officials must be present, neutral observers should be allowed access, any use of force must respect principles of necessity and proportionality, and precautions must be taken to ensure that no one is subjected to violence or arbitrarily deprived of property.

After evictions, the government and other responsible parties must provide timely and appropriate compensation, proper accommodation that adheres to internationally recognized standards, and access to necessary medical care.

According to the *Guiding Principles* and the *Basic Principles and Guidelines*, the government of Myanmar is obligated to:

- Disseminate a comprehensive resettlement plan in advance of the eviction;
- Provide affected persons with the option of legal, technical, and other advice;
- Give affected persons the opportunity to challenge the eviction;

- Demonstrate that the eviction is unavoidable and consistent with international human rights commitments that protect general welfare;
- Guarantee that individuals are not rendered homeless or vulnerable to other human rights violations; and
- Ensure that – to the extent not covered by assistance for relocation – the assessment of economic damage takes losses and costs into consideration.

People can be relocated under international law and in accordance with international human rights principles if certain standards are followed. States have the power to remove people from their homes or land under the principle of eminent domain, whereby private property is taken over by the state for public use. However, this power is constrained by other obligations of the state. Article 17 of the International Covenant on Civil and Political Rights – which prohibits unlawful or arbitrary interference with one’s home, among other protections – safeguards individuals against forced evictions. Forced evictions are involuntary removals of people from their homes or land through actions that involve some element of force, coercion, or threat, which are directly or indirectly attributable to the state. For such removals or relocations to be consistent with human rights standards, they must, at a minimum, adhere to the following principles³⁴:

- Relocation should be avoided and if it is not avoidable, all efforts should be made to ensure that it is minimized;
- Those who are relocated should never be worse off after relocation than before and any resettlement plan should allocate sufficient resources to ensure those who are impacted are fairly compensated and should benefit from the development process on a sustainable basis;
- Those facing relocation should be full participants in the planning and management of the relocation;
- Those benefiting from the development project that is causing the relocation should pay the full costs of the relocation process, including socio-economic rehabilitation, which has particular resonance for those who lose land that was their source of income and food security; and
- There should be a legal forum in which people facing relocation can challenge either the substance (for example, the argument that relocation is the only option) and/or the process.

Dams in Myanmar are drivers of conflict and human rights abuses

Hydroelectric projects are a major driver of forced displacement in Myanmar. The reservoirs create large flood areas, and each dam has the potential to displace thousands of people. Myanmar's mountainous regions are suitable for hydroelectric power, and Chinese and Thai companies have financed dams in these areas for decades to supply their energy needs. As Myanmar's economy grows stronger and energy needs for factories and individuals increase, the government plans to continue building dams. Burma Rivers Network reports that – as of March 2015 – 43 more dams are planned for construction and will displace more than 100,000 people.³⁵

Dams in Myanmar are built in mountainous regions that are usually inhabited by ethnic minority groups and often in areas of tension or outright conflict between the Myanmar government and opposition groups. Dams and their construction are associated with a heavy military presence, which increases the risk of triggering conflict in these volatile areas, especially when international guidelines on evictions are not followed and peace treaties remain unsigned. For example, the reservoir created by the Taping dam in Kachin state divided territory occupied by the Kachin Independence Organization, which – combined with increased Myanmar military presence around the dam – contributed to the outbreak of civil war in Kachin in 2011.³⁶ In Shan state, Burma Rivers Network estimates that fighting around several dams have displaced tens of thousands of people.³⁷ In Karen state, Karen Rivers Watch reports that increased militarization around Hat Gyi dam has resulted in human rights violations.³⁸

Paunglaung dam

The Upper Paunglaung dam – located on the Paunglaung River in southern Shan state, approximately halfway between Myanmar's capital, Naypyitaw, and Loikaw towns – is just one example of a development project that has had negative impacts on local populations. Financed and built by Chinese, Swiss, and British firms,³⁹ the dam supplies electricity to Naypyitaw. With foreign financing and construction, the dam project was implemented by the Myanmar government. The Ministry of Electric Power was the project lead, and Township General Administration Department, the Ministry of Agriculture and Irrigation, and the Ministry of Forestry managed the eviction of local residents to make way for the dam.

Government contractors began work on the dam in 2006, and – following its completion in 2013 – resultant flooding led to the displacement of 8,000 people in 23 villages in the Paunglaung river valley. The reservoir area, which covers 61 square kilometers, flooded forests and 2,000 acres of cultivated rice fields.

The government moved most of the 23 villages to a large settlement close to the Lein Li bridge, near the

middle of the reservoir. Each village was allotted a section of land (but were not granted ownership), which then made up a neighborhood in the larger settlement. The government paid for the construction of new Buddhist monasteries and Christian churches and libraries, gave villagers plots on which to build new houses, and provided money to assist in their move. Despite the government's efforts, villagers expressed their dissatisfaction with the process to the press, noting that they did not receive farmland to replace the land they lost, nor sufficient financial support to supplement subsequent difficulties in earning a living. Affected villagers also reported that the compensation process was neither uniform nor transparent, and officials threatened them if they refused to move.⁴⁰

The rapid urbanization of the settlement was not accompanied by job openings; construction, manufacturing, communication, and other types of industries that employ people in urban centers are scarce in rural and mountainous Paunglaung. Even if such positions were available, the displaced farmers may not have had the skills to work these jobs. As such, they were forced to find work as daily laborers on other people's farms, grow small gardens in the housing plots they were allocated, open small shops, or find alternative sources of income. These types of jobs tend to provide for less stable and lower incomes.

PHR partnered with Land in Our Hands⁴¹ and Kayan New Generation Youth⁴² to measure the impacts on the health and livelihoods of 8,000 people displaced by the reservoir created by Paunglaung dam in southern Shan state. The purpose of this research is to generate data to inform efforts to assist people negatively affected by Paunglaung dam's construction and to begin building a body of evidence of systematic assessments of eviction processes that illustrate the effects economic development projects across Myanmar have on individuals and their livelihood. PHR and its partners will use this evidence to influence the Myanmar government and other development stakeholders to develop policies that protect the rights of people living in the country.



Photo: Paunglaung dam under construction (pre-2015).

Results and Discussion

PHR surveyors approached 80 households, all of which consented to be interviewed. Respondents were 29 percent female and ranged between 23 and 82 years in age. Household sizes ranged from three to nine people, with an average of 5.1 people per household. The total sample comprised 358 people living in 80 households; these people were 51 percent female, and their ages ranged from 1 to 82 years. The sample frame included all 8,000 people displaced at Paunglaung, and the results can therefore be generalized to this population.

None of the village members wanted to move, but we were afraid that the government would remove our houses with machines.

- Household interview # 26

We were threatened that if we didn't move, we would be flooded and then no one will be able to help.

- Household interview # 3

Internationally recognized guidelines were not followed during the displacement process.

During focus group discussions, residents told PHR that they first learned about the dam project when government surveyors placed markers around their village. The government surveyors reportedly initially said that the work was for a road project, but later admitted it was to assess the high water line for a reservoir. When construction on the project started, villagers said they learned that they would face eviction after the dam had been completed through discussions within the community and in meetings with officials from the Shan state government, township government, and Ministries of Electricity, Irrigation, and Hydropower Implementation.

Villagers reported in early 2013 that officials from the Township General Administration Department were holding meetings to discuss the displacement process. In these meetings, people were instructed to relocate to a large, new village near the center of the reservoir. In the meetings, four to five police officers armed with rifles and pistols accompanied the government officials, who explained that villagers would receive money to help them to move, with rates loosely based on the villager's house type (bamboo wood or brick), as well as free electricity for up to three years. Officials also explained that the government would pay to move Buddhist monasteries and Christian churches (there were no buildings from other religions in the floodplain).

These community consultations did not follow the *Guiding Principles* or the *Basic Principles and Guidelines*. Goals of community consultation processes, as outlined in these documents, include explaining the purpose of the relocation, the process of how people will be relocated, and how compensation is determined. Both the *Guiding Principles* and the *Basic Principles and Guidelines* also call for the government to inform affected persons that they can contest the displacement and can receive legal help to do so. These consultations serve also to ensure that people understand the process and have a mechanism to challenge the relocation if they are not satisfied with the terms. Any eviction process that instills fear in the displaced population because of real or imagined threats from the government is not in line with the proper and transparent community consultations detailed in the *Guiding Principles* or the *Basic Principles and Guidelines*.

According to PHR's research, residents were not clearly informed about the displacement process. Sixty households (75 percent) said the government did not explain the plan for relocation, compensation, or how to reduce risks for displaced persons. Fifty-two households (65 percent) reported that the government did not tell them why their land had been selected over other land; 72 households (90 percent) said the government did not tell them that they could formally challenge the displacement in court; and 77 households (96 percent) said the government did not tell them they had a right to legal and technical advice to challenge the displacement (See Graph 1 in Appendix). Of households surveyed, 71 (89 percent) said they disagreed with the land confiscation, but only 6 (7.5 percent) said they did anything to protest it, such as contacting the media or writing letters of complaint to the government; villagers from households that did protest told PHR that their actions were unsuccessful.

We are just like water in their hands. Those powerful people can do whatever they want to us.

- Household Interview #1

We dare not to oppose the government's project.

- Household Interview #6

In focus groups, villagers said they received the pledged money from the government, which also fulfilled its promise to move the religious buildings. The government also built schools, clinics, and a hospital at the relocation sites. Nurses were working at the hospital as of May 2015,⁴³ and a government official reportedly stated that as soon as the settlement is registered as a township, it will receive government services.⁴⁴

However, of the households surveyed by PHR, 57 (72 percent) said they were not satisfied with the compensation package. Despite discontent, many felt that they had to accept the offer or risk losing compensation altogether. Fifty-one households (64 percent) reported that they feared what would have happened if they refused to move (See Graph 2 in Appendix). Respondents to the survey explained that they were most afraid of arrest or having bulldozers destroy their houses. Key informants noted that the use of armed guards to accompany township officials at meetings on the displacement process served to further intimidate and stifle dissent among affected villagers, and they immediately agreed to sign away their land.

We live in an opposition state [an area of the country that has not historically supported the military government] and whenever something happens, the authorities call the police and people are arrested. So we were scared and just signed.

- 55-year-old female focus group participant

Some villages opted to move higher up the mountainsides instead of moving to the relocation sites; these families faced similar difficulties, including poor transport and flooded roads, as well as lack of access to crops and schools.

In addition, some focus group participants told PHR that people who had connections to the township authorities received much more money than the rates set by the government. They also noted that they received electricity bills just two months after moving.

The government suppressed any opposition to the project and refused to negotiate with those facing eviction. Community leaders sent several letters to the Ministry of Electricity, but said they received no response.⁴⁵ The villagers also told PHR that they were harassed by the government. For example, during one meeting, an official from the Ministry of Electricity threatened to punch a villager who complained about the payment. In another case, a community organizer was arrested and beaten for a traffic violation in what appeared to be an act of retaliation.⁴⁶

These data describe a process that failed to follow international guidelines on eviction and instilled fear and mistrust in the villagers. Displaced people took what little compensation they were offered, assuming it was the only option. Very few people voiced complaints to the government or the press, and key informants explained that this was out of fear of reprisals. This abusive process of relocation, particularly inadequate compensation, has subsequently had severe impacts on livelihoods and food security.

Land ownership documentation is flawed

PHR's research highlights the difficulties encountered in establishing land ownership in Myanmar, and the conflict between traditional land tenure systems and those set up by the government. Households that had been displaced in Paunglaung had been living and working on the same plots of land for decades, but did not have proper government-approved ownership documents. Ninety percent of people surveyed said they owned the land that was taken from them, but only 4 percent said they possessed a sale contract from purchasing it; 30 percent said the only ownership document they had was a tax receipt; and 45 percent said they had no documentation at all. When asked how long they and their families worked on the land, responses ranged from less than one year to 100 years, with an average of 32.6 years.

In many regions of the country, traditional land tenure systems established before Myanmar became a country are still in place. Myanmar law, however, has not recognized these systems – tax receipts and ownership conveyed through traditional tenure systems are not accepted. By ignoring traditional land tenure systems, the Myanmar government is facilitating land confiscations and placing many people at risk of losing their land. The NLUP and changes in land laws have the potential to create legal solutions to this problem, but only if they give legal recognition to traditional land tenure systems and provide a mechanism through which differences between these systems and the national land documentation system can be properly and transparently reconciled.

Forced displacement in Paunglaung devastated livelihoods and health.

People who were relocated by the Paunglaung dam reported facing difficulties finding jobs, sending children to school, and buying food; 93 percent of households surveyed said their overall situation had worsened since they moved (See Graph 3 in Appendix), and 91 percent said they did not have enough money to meet their needs. The limited ability to grow or buy food has created major humanitarian needs among displaced persons.

Forced displacement pushed families below poverty line.

Before displacement, 54 households (68 percent) reported that their main source of income was rice farming; this dropped to three households (4 percent) after displacement, while the number of households reporting that no one in the household held stable employment increased from 1 to 16 (1 to 20 percent) over the same time period. After displacement, more households reported wage labor and “other” as their main sources of income (See Graph 4 in Appendix). In Myanmar, wage laborers usually have poor job security – when there is no work available, they do not get paid. Although small-scale farms are vulnerable to annual fluctuations in crop productivity and price, the increase in the percentage of households who reported wage labor as their primary job likely indicates a shift to an even less stable livelihood.

Since relocation, our income is very inconsistent, in some months we have no income at all.

- Household interview #1

There were plenty of jobs before the relocation. If there were some difficult jobs, we were paid well, up to 10,000 (\$8) kyats per day. After the relocation, sometimes we have a mere 15 working days in a month.

- Household Interview #5

Decreases in income were naturally followed by loss of livelihoods. Of households surveyed, 79 (99 percent) said their income decreased after the displacement, with the average household income dropping by 81 percent. Key informants explained that day laborer jobs were not always available and pay had decreased.

The impact of the displacement on income drove households into poverty. Before displacement, 63 households were living above the UNDP poverty line for Myanmar, or 376,151 kyat (\$328) per adult per year.⁴⁷ After displacement, 53 households (84 percent) dropped below this line, for a total of 65 households (88 percent of those households reporting) living below the poverty line (See Graph 5 in Appendix).⁴⁸ In addition to poverty lines, the UNDP establishes food poverty lines to

determine the amount of money required to meet caloric requirements if all household income is spent on food. This figure represents a level of extreme hardship. The UNDP has calculated the food poverty line in Myanmar at 274,990 kyats (\$240) per adult per year.⁴⁹ Of the 67 households living above the food poverty line before displacement, 44 households (66 percent) went into food poverty after displacement (See Graph 5 in Appendix).

These findings echo data from displacement sites in other areas of the country. PHR’s survey in Thilawa SEZ found that 61 percent of households dropped below the poverty line for Myanmar after the displacement. Tavoyan Women’s Union⁵⁰ reported that 91 percent of women surveyed reported a drop in income after being displaced by the Dawei SEZ in Tanintharyi state, southern Myanmar.⁵¹ The Human Rights Foundation of Monland reported that people became migrant workers and sometimes made their children work to supplement their incomes after their land was taken by the government in Mon State.⁵²



Photo: Displaced persons travel on the reservoir created by Paunglaung dam. At low water, ruins of villages and pagodas that were flooded become visible.

After forced displacement, families go hungry.

The displacement in Paunglaung has also threatened food security. When the government forced farmers from their land, they lost their main sources of food and income. Sixty-six households (86 percent) reported that before the confiscation their main source of food was from their own farms, but after displacement this number was reduced to only two households (3 percent), with 57 households (75 percent) reporting that their main food source became the market. With the loss of both income and food sources, food insecurity became a threat.

We are very worried that we will starve. We are worried for our children's future.

- Household interview #3

PHR used the Household Hunger Scale (HHS) to assess households' access to food. HHS results are measured as mild, moderate, or severe food insecurity. The levels of food insecurity PHR measured can be contextualized by comparing them with results from surveys published by the World Food Programme (WFP) in Myanmar's coastal areas,⁵³ Save the Children International (SCI) in the central part of Myanmar,⁵⁴ and the Livelihoods and Food Security Trust Fund (LIFT) survey.⁵⁵ The 2012 LIFT household survey evaluated 252 villages in four different geographical zones in Myanmar. Although the LIFT data does not represent national averages, it is – to date – the best approximation of national-level data for food security and livelihoods.

PHR's results in Paunglaung indicated that before displacement, food security was similar to the average estimated by the LIFT survey (2 percent moderate, 1 percent severe household hunger), but this worsened significantly following displacement (31 percent moderate, 6 percent severe). (For more data, see Chart 1 in Appendix.)

The 2012 LIFT survey reported that households with low income or in areas known for low rates of land ownership tended to have lower food security.⁵⁶ This conclusion is in line with PHR's findings that food insecurity increased after the loss of land and income.

We used to eat meat and fish but now we only have leaves and vegetables.

- Household Interview #20

PHR measured household food access using the indicator Months of Adequate Household Food Provisioning (MAHFP), asking households if there were any months during the year that they did not have enough to eat. After displacement, households averaged 3.2 MAHFP, meaning the average household did *not* have enough food 8.8 months of the year. Before displacement households averaged 9.9 MAHFP, that is, there were only 2.12 months during which households did *not* have enough food.⁵⁷ A comparison of these two surveys indicate that for the average household access to food declined significantly after displacement (See Chart 1).

We used to get fruits such as mango and banana from our own yard and now we have nothing left.

- Household Interview #26

Households cope with food insecurity in several ways. PHR measured two of these by asking how often households reduced the size of meals or skipped meals because there was not enough food, and also how often they changed the type of food they normally ate to a cheaper option. PHR found that after displacement, households increased the frequency of eating smaller meals or skipping meals, and switching to a cheaper food type. The increased use of coping mechanisms supports the data that suggest household food insecurity has increased since displacement.



Photo: Displaced persons talk about their living situation at the Paunglaung relocation site.

Displaced families lack sufficient drinking water.

Another major humanitarian need for those communities displaced from Paunglaung was access to water, with 34 surveyed households (45 percent) reporting an insufficient amount drinking water (See Graph 6 in Appendix). Communities reported that the government had built some pumps to deliver water from the new reservoir, but that the water was dark colored and smelled foul, and people preferred not to drink it. In one village, the government built a pipeline from a nearby spring, but the 2 foot gravity-fed pipe did not deliver enough water for the 300 households in the town, which created animosity within the community. Community members reported verbal arguments over water, as well as vandalism of the pipeline connecting houses that were closer to the water source and were therefore receiving relatively more water than households further down the pipe.

"We now have to share water among many houses. The water provided through the pump is not drinkable. Therefore, we have to go into the jungle to fetch the water."

- Household Interview #20

The government had sufficient time to build proper water distribution systems before people were displaced from Paunglaung; construction of the dam started in 2006 and villagers did not move to the relocation sites until 2013. The failure to create living conditions that guarantee sufficient availability of drinking water violates the *Guiding Principles* and the *Basic Principles and Guidelines*, which state that relocation sites must fulfill the criteria for adequate housing according to international human rights law.

Findings in Paunglaung mirror the conditions in other locations where people have been displaced for development projects. Limited availability of drinking water at relocation sites has also been reported at Dawei SEZ⁵⁸ and at sites for people relocated for agriculture development projects in the Hukawng Tiger Preserve in Kachin state.⁵⁹ Several other reports highlight the destruction or pollution of water sources by development projects at the Mawchi mines in Karenni state,⁶⁰ the Letpadaung mine in Sagaing division,⁶¹ Tigyit coal mine in Shan state,⁶² and Kyauk Phyu SEZ in Rakhine state.⁶³

"We are suffering from diarrhea as we do not have access to clean water."

- Household Interview #23

Depression and suicide

"I think it is better to die than to go on living."

- Household Interview #21

The losses of land and livelihoods and the resulting food insecurity have taken a toll on the mental health of those displaced by the reservoir created by Paunglaung dam. Results of the Patient Healthcare Questionnaire (PHQ-2) screen for depression suggest that 81 percent of respondents should be referred for consultations to determine if a depressive mental disorder is present. Some focus group participants told PHR about several cases of child abuse and that they also thought alcoholism was increasing.⁶⁴

"I see many drunk people walking in the street; this did not happen before."

- Participant from Focus Group Discussion #2

Since 2013, 10 people in the Htantabin village at the relocation site have attempted suicide by drinking pesticide. Six were hospitalized and four died. Villagers reported that the suicides tended to be among young, unmarried people and former farmers. They reported that one young man said he missed his farm and the lifestyle he and his family had and could not continue living. In another case, an 18-year-old girl drank poison after reportedly saying, "If I die my family will have more food."⁶⁵

"In the village, people are talking about whether to die. After five or six months of being displaced, they had no food, no jobs, and they did not want to go on living."

- Participant from Focus Group Discussion #2

Displacement and democracy in Myanmar

PHR's research highlights some of the ongoing problems between the Myanmar people and their government. The government entities involved in land confiscations are not meeting their obligations to civilians, and the lack of a well-defined, rights-respecting land use policy means that there is no system for holding government actors accountable when the eviction process is unlawful. As a nascent democracy, people in Myanmar are still struggling with the lack of effective systems that should serve to hold the government to account, which is compounded by years of distrust of the state.

To the extent that some members of Myanmar's parliament were fairly elected and care about their constituents, increased oversight from parliament could help to promote substantive and procedural safeguards against unlawful evictions. Parliament could potentially play an important role in regulating and mediating land confiscations between government agencies and civilians. In some ways, this has already begun. The Farmland Commission, established by parliament to field complaints about past land confiscations, may be a sign that they are willing to stand up for peoples' rights.

The challenge, however, is that most people in Myanmar do not know their member of parliament or understand parliament's role, and thus may not ask for help. PHR research in Paunglaung found that only 10 percent of people knew the name of their representative. A survey in Myanmar by the Asia Foundation similarly found that people "have very limited knowledge about the current structure and functions of various levels of government," and also have a poor understanding of principles of democracy.⁶⁶ A second challenge is the balance of power between elected officials and the military. The extent to which parliament has power over the Township General Administration Department or other ministries involved in land confiscations is currently unclear.

Photo: House at relocation site. Displaced persons told PHR they received insufficient amounts in compensation for their old houses.



Conclusion

PHR's research found that the *Guiding Principles* and the *Basic Principles and Guidelines* were not followed in the planning and construction of the Paunglaung dam, and that the flawed displacement process led to the loss of jobs and income, as well as increased food insecurity, poverty, and limits on access to water. PHR also found high rates of depression and suicide among the displaced population.

These findings contribute to the growing body of evidence that land confiscations for economic development projects are having devastating impacts on the livelihoods and health of the people of Myanmar, including violations of the right to work, water, food, and life. Economic development projects are destroying the economies of people who live near them.

Several themes emerged from the Paunglaung study that have also been documented in other development projects around the country: the coercive and even threatening nature of community consultations, inadequate compensation that ignores sustainability of livelihoods, government-built relocation sites with water and sanitation facilities that are below standards for refugee camps, worsening food security for displaced persons, and few avenues for redress.

Eight thousand internally-displaced persons around Paunglaung dam have acute humanitarian needs as well as long-term development needs. The Myanmar government should address these needs immediately, and – if unable to do so – they should seek help from other capable organizations.

The disaster created at Paunglaung is being repeated at dams, mines, SEZs, agriculture plantations, and other development projects across Myanmar. These development projects and the subsequent land confiscations are driven by elements of the old military regime that remain in place, such as the lack of rule of law, government intimidation, government ministries that disrespect international guidelines on evictions, and land policies that enable exploitation. There is no place for these kinds of policies in a democratic country, and small-scale farmers and other landowners remain vulnerable as long as these policies exist. Stronger democratic policies could begin to remedy some of these problems, and parliament should intervene to address the situation around investment and development in the country. In rural areas in Myanmar, many have few options for earning money and obtaining food other than farming. Rural people across the country have already lost their land and are worse off economically because of it, and many more are at risk. The time is now for the elected government of Myanmar to intervene to protect its people.

Recommendations

To Members of Myanmar's Parliament

- Adopt a National Land Use Policy that both respects the rights of rural communities and small-scale farmers by including substantive and due process protections, and is fully consistent with international guidelines on evictions, including the *Guiding Principles* and the *Basic Principles and Guidelines*;
- Once a National Land Use Policy is adopted, fund and deliver a nationwide campaign aimed at educating people about their land rights and the substantive and procedural safeguards included in the policy;
- Set up a committee to monitor the process, hear complaints, address ongoing needs of displaced persons, immediately remedy any violations of the protections, and hold institutions and individuals accountable for evictions that violate these principles;
- Establish an investigative team of experts that can visit Paunglaung and other sites where people have been relocated to assess any harm and make recommendations on how to both prevent future violations and remedy past ones;
- Adopt a moratorium on evictions or confiscations until a strong National Land Use Policy has been adopted after inclusive consultations with communities throughout Myanmar;
- Support and enact a National Land Use Law that respects the needs of rural communities and small-scale farmers, that equally protects individuals' and communities' rights, and ensures that people who have lost their land are properly compensated;
- Expand the jurisdiction of the Parliamentary Farmland Commission that was formed to investigate land confiscations to include land taken by or with consent of government agencies;
- Enact laws that clearly delineate that the General Administration Department at township and union levels is under the control of civilian oversight by the parliament; and
- Individual members of parliament should monitor land confiscations in their constituencies and intervene as necessary to ensure that farmers' rights are protected.

To the Executive Branch of the Myanmar Government

- Sign a National Land Use Policy into law that both contains substantive and due process protections that respect the right of rural

communities and small-scale farmers, and is fully consistent with international guidelines on evictions, including the *Guiding Principles* and the *Basic Principles and Guidelines*;

- Delegate to the appropriate ministries (electrical, health, education, among others) the task of investigating the harms caused by previous forced evictions, and put a system in place for remedying the situation for those affected; and
- Stop the arrests and detention of land rights activists and immediately and unconditionally release all activists who have been unlawfully detained as a result of their activism challenging land grabs.

To Donor States

- Ensure that any investments in development and other projects in Myanmar are subject to proper evaluation, that people are not forcibly displaced by the project(s), and that those who are facing eviction are afforded substantive and due process rights;
- Call for a halt to the arrest and detention of land rights activists as well as the immediate release of all those unlawfully detained;
- Humanitarian donors and implementing agencies should assess the need of people suffering as a result of displacement in Paunglaung and at other sites, and implement a plan to ensure adequate food, water, sanitation, health care, and education; and
- Diplomatic staff from donor embassies should request updates on conditions of detention and the health of detained political activists and request visits by diplomatic medical staff.

To Corporate Actors

- Any corporation investing in Myanmar should ensure compliance with the *Guiding Principles on Business and Human Rights*⁶⁷ that state corporations must, at a minimum, respect human rights. As such they should undertake a human rights impact assessment to ensure their projects will not cause human rights abuses.

For Civil Society Organizations fighting land confiscations, the following resources may be helpful:

- Assistance Association for Political Prisoners Burma (AAPP): Aung Myo Kyaw: 094 2811 7348
- Lands in Our Hands: landsinourhands@gmail.com, 094 0370 6052
- Kayan New Generation Youth: kngy.org@gmail.com, www.kngy.org

Charts

Chart 1

Impacts on 8000 people living in relocation areas who were displaced by Paunglaung dam		
Measures of livelihoods and health	Before Displacement	After Displacement
Unemployed (%)	1	20
Monthly household income (MMK)	235,000	45,000
Households below the poverty line for Myanmar (%)	16	86
Main source of food is own farm	86	8
Main source of food is market	3	75
Mild household hunger (%)	96	63
Moderate household hunger (%)	3	31
Severe household hunger (%)	1	6
Average number of months of adequate household food production	9.9	3.2
Household reports it does not have enough drinking water (%)	N/A	45
Screened positive for depression (%)	N/A	81

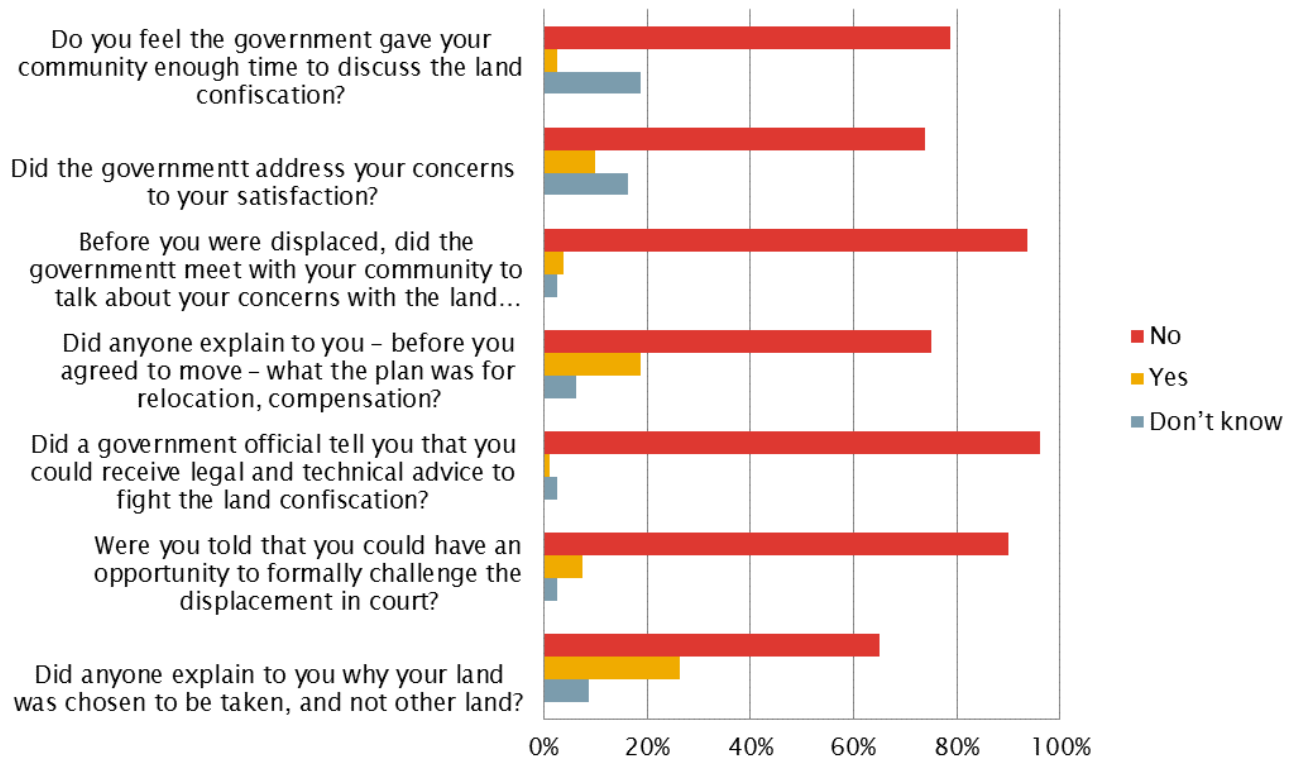
Chart 2

Food Security in Myanmar				
	Percentage of Households Reporting Household Hunger			
Level of household hunger	PHR Paunglaung survey "before displacement" question	PHR Paunglaung survey "after displacement" question	LIFT national survey	SCI dry zone survey
Mild	96	63	94	98
Moderate	3	31	5	2
Severe	1	6	1	0

Graphs

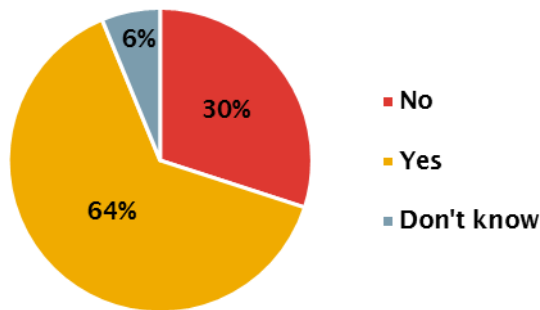
Graph 1

Guiding Principles for Forced Relocation



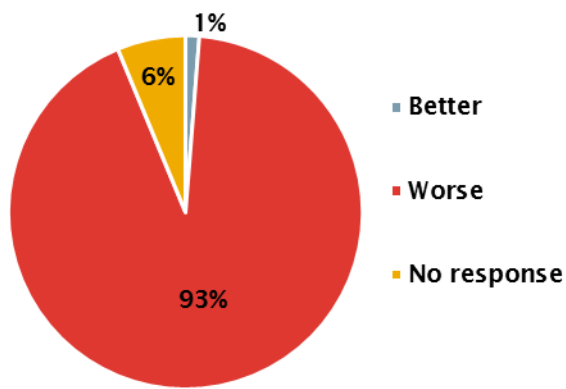
Graph 2

Did you ever feel threatened or afraid of what would happen if you refused to move?



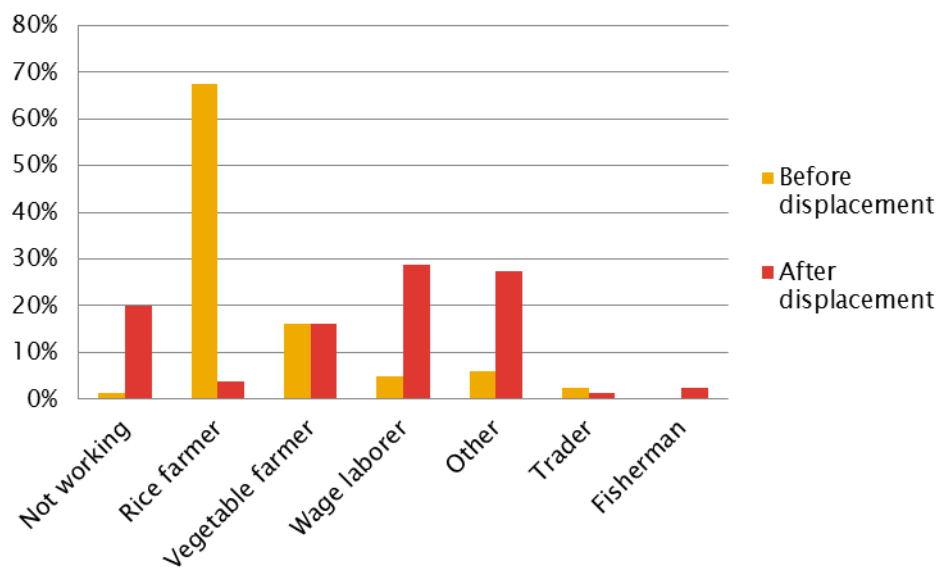
Graph 3

Is your overall situation...



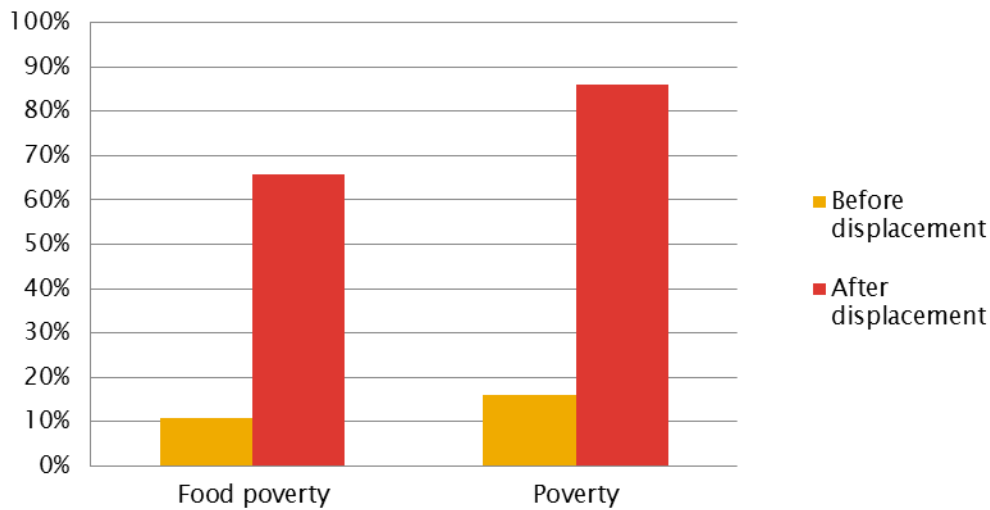
Graph 4

What is your primary job?



Graph 5

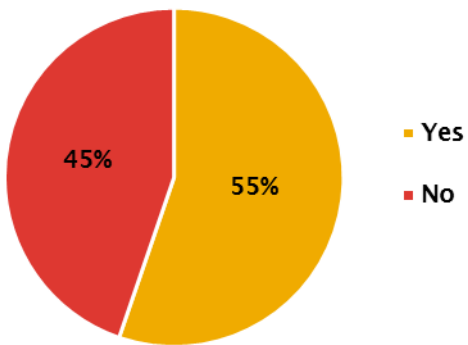
Percent of households below poverty and food poverty thresholds



The UNDP has calculated the poverty line for Myanmar at 376,151 kyat (\$328) per adult per year and food poverty line in Myanmar at 274,990 kyats (\$240) per adult per year.⁶⁸

Graph 6

Does your family have enough drinking water ?



ENDNOTES

¹ For a more information on sanctions placed on Burma, see the following: <http://fas.org/sqp/crs/row/R41336.pdf>; <https://www.gov.uk/arms-embargo-on-burma>; http://eeas.europa.eu/myanmar/index_en.htm; <http://www.international.gc.ca/sanctions/countries-pays/burma-birmanie.aspx?lang=eng>; <http://dfat.gov.au/international-relations/security/sanctions/sanctions-regimes/pages/burma.aspx>; and <https://www.eda.admin.ch/eda/en/fdfa/representations-and-travel-advice/myanmar/switzerland-myanmar.html>.

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⁷ Bruce Arroll, Felicity Goodyear-Smith, Susan Crengle, Jane Gunn, Ngaire Kerse, Tana Fishman, Karen Falloon, Simon Hatcher, "Validation of PHQ2 and PHQ-9 to Screen for Major Depression in the Primary Care Population," *Annals of Family Medicine*, vol. 8, no. 4, (2010): 348–353, <http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2906530/>.

⁸ 5 percent precision, design effect of 1.

⁹ For more information, see: <http://www.hhs.gov/ohrp/policy/ohrpreulations.pdf>.

¹⁰ The civil society group Open Data Myanmar recently initiated a data collection project on land confiscations, available on their website at <http://www.opendatamyanmar.com/>.

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¹⁶ Physicians for Human Rights (PHR) collected data on land confiscations from 55 community-based groups working across Myanmar and triangulated the data with an online literature review by U.S. Campaign for Burma. PHR is not able to independently confirm the reports of land confiscations. It is very likely that this number represents a severe *underestimate* of the total number of people affected by land confiscations in Myanmar; data may be missing due to the widespread nature of land confiscations, and the lack of comprehensive data collection and a central repository for information.

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¹⁹ *Deciphering Myanmar's Peace Process: A Reference Guide*, Burma News International, Mar. 2014, http://www.themimu.info/sites/themimu.info/files/documents/Report_Deciphering_Myanmar_Peace_Process_Mar2014.pdf.

²⁰ Tavoyan Women's Union is a civil society organization that represents women of the Tavoyan minority ethnic group from the Tanintharyi (Tennasserim) division in southern Myanmar. For more information, see: <https://tavoyanwomensunion.wordpress.com/>.

²¹ "Women Activists Facing Harassment by Proponents of Dawei Special Economic Zone," Tavoyan Women's Union, Feb. 25, 2015, <http://womenofburma.org/women-activists-facing-harassment-by-proponents-of-dawei-special-economic-zone/>.

²² "With Only Our Voices, What Can We Do?": Land Confiscation and Local Response in Southeast Myanmar," Karen Human Rights Group, Jun. 30, 2015, <http://www.khrq.org/2015/06/with-only-our-voices-what-can-we-do-land-confiscation-and-local-response>.

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²⁴ Soe Ya, "Farmers right's activist jailed," *Democratic Voice of Burma*, Jul. 24, 2015 <http://www.dvb.no/news/farmers-rights-activist-jailed/55142>

²⁵ "158 Current Political Prisoner List in Burma 2015," Assistance Association for Political Prisoners (Burma), May 13, 2015, <http://aappb.org/2015/05/currently-political-prisoners-list-and-in-burma/>; Assistance Association for Political Prisoners (Burma), May 13, 2015, <http://aappb.org/wp-content/uploads/2015/05/158-political-prisoners-list-in-prison-last-updated-on-8-May15-15.pdf>; PHR discussions with Assistance Association for Political Prisoners staff, August 7, 2015.

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²⁹ Pierce and Reiger, *Navigating Paths to Justice in Myanmar's Transition*.

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