Development, Environment and Human Rights in Burma/Myanmar

~Examining the Impacts of ODA and Investment~

Public Symposium Report
December 15, 2001
Tokyo, Japan

Mekong Watch, Japan

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EXPLANATION OF THIS REPORT

Greetings from Mekong Watch Japan.

On 15 December 2001, Mekong Watch Japan held a symposium in Tokyo entitled, "Development, Environment and Human Rights in Burma: Examining the Impacts of ODA and Investment." This booklet is a direct result of the symposium, and we at Mekong Watch hope that you will find it interesting and useful.

We have formatted the report into a textbook, and we hope it can be used in the various training programs for people from Burma, as well as provide food for thought for students in Japan. If you are simply interested in the content of the speeches given during the symposium, they are all contained in this report. We hope, however, that this report can also be used in schools, workshops, and informal study sessions. For further information, feel free to contact us at Mekong Watch, Japan.

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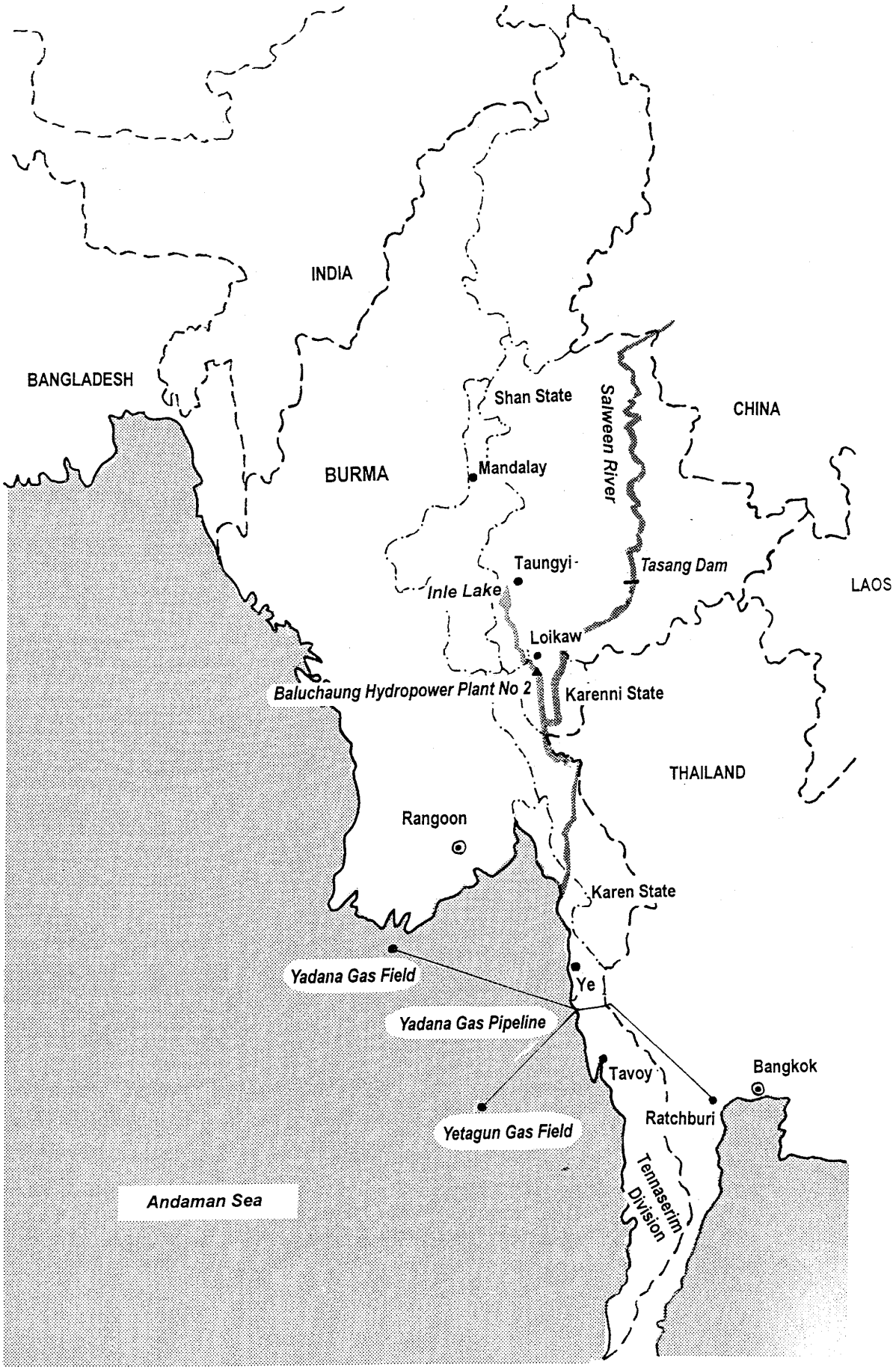
INDIA
BANGLADESH
BURMA
Shan State
Salween River
CHINA
Mandalay
Taungyi
Tasang Dam
Inle Lake
LAOS
Loikaw
Baluchaung Hydropower Plant No 2
Karenni State
THAILAND
Rangoon
Karen State
Yadana Gas Field
Ye
Yadana Gas Pipeline
Tavoy
Bangkok
Ratchburi
Yetagun Gas Field
Tennaserim Division
Andaman Sea

Development, Environment and Human Rights in Burma/Myanmar ~Examining the Impacts of ODA and Investment~

General Introduction:

This symposium was entitled, "Development, Environment, and Human Rights in Burma/Myanmar: Examining the Impacts of ODA and Investment." One objective of the symposium was to examine how development has affected people and the environment in Burma. Another objective was to examine the roles of the Japanese government, of private companies, and of individuals in development in Burma. Each speaker had his or her own ideas about what is best for Burma. Does Burma need development? If so, what kind of development does it need? For development, is it necessary for other countries to give Official Development Assistance (ODA)? Should ODA be given under the current military regime? Should companies invest in Burma now? Do ODA and investment help the people of Burma? These are all questions that the speakers talked about in their presentations.

Sometimes it is said that ODA is not good for Burma now because it only helps the military regime. Other people say that some ODA is ok if it is humanitarian aid. Some say that ODA can be a political tool to encourage the military regime towards democracy. At Mekong Watch, we want to ask the question, what is the real purpose of ODA? Is it possible to meet the objectives of ODA to Burma under the present military regime? If so, how? If not, why not? If Burma were a democratic country, would that solve the problems of ODA to Burma? If not, what problems will remain? How can we prevent such problems?

Regarding investment, some people also say that now is not the time for investment because it makes the military regime richer and stronger. Some people say that when Burma is a democracy, they will welcome investment. At Mekong Watch, we want to ask the question, who benefits from investment? How does investment affect local people? How does investment affect the environment? Will these problems go away after there is democracy in Burma?

At Mekong Watch, we believe strongly in the need for democracy in Burma. But we also believe that it is necessary to look closely at how investment and ODA affect people and the environment. If ODA and investment lead to problems for people and the environment, how much is it the responsibility of the military regime? Are there other causes of the problems? How can these problems be prevented? We hope that by examining these questions now, we can both contribute to the process of democratization in Burma, as well as prepare the people in Burma to protect their society and environment, and to choose for themselves the way they want to develop their country.

Structure of the Symposium:

At this symposium, we focused on 3 development projects in Burma. People from both Japan and Burma were invited to speak about these projects, about Japanese policy towards Burma, and about the roles of companies, governments, and individuals in development in Burma. By looking at how each project has affected the people living in the areas around them and the environment, it is possible to understand how development projects can impact communities and the environment. The case studies are as follows:

1. Baluchaung Hydropower Plant No2: This hydropower plant was built in the 1950's and is located in Karenni State, Burma. The Japanese government is planning to give about $28 million to repair this hydropower plant. This is an ODA project.
2. Yadana Gas Pipeline: This gas pipeline carries natural gas to Thailand from Burma's Andaman Sea. It passes through the Southeastern part of Burma. This is a project financed by foreign investment.
3. Tasang Dam: This dam has not been built yet, but is planned to be built in Shan State on the Salween River. It is also a foreign investment project.

Speakers

Four main speakers were invited to speak at the symposium (listed in order of their presentations):

1. Ms. Taeko Takahashi: Director of the First Southeast Asia Division in the Ministry of Foreign Affairs. She spoke about Japanese government policy towards Myanmar.
2. Mr. Teddy Buri: Elected Member of Parliament from Karenni State in the 1990 elections. President of the Members of Parliament Union. He spoke about the Baluchaung Hydropower Plant.
3. Ms. Hsao Tai: Representative of Sapawa, a Shan NGO based in Thailand, and the Tasang Project Coordinator for Earthrights International. She spoke about the Tasang Dam and Yadana Gas Pipeline cases.
4. Ms. Yuki Akimoto: Staff Attorney at Earthrights International. She spoke about the court case against UNOCAL, the company investing in the Yadana Gas Pipeline.

Two other speakers were also invited to discuss the roles of various actors in Japan during the panel discussion:

1. Mr. Nobuhiko Suto: Member of Parliament in Japan. He is the only MP to have visited the Baluchaung Hydropower Plant. He spoke about his visit and the role of the Japanese government and civil society in development in Burma.
2. Mr. Shigeru Nakajima: Executive Director of the Department of International Affairs, Japanese Trade Union Confederation (JTUC-RENGO). He spoke about the ILO's survey of forced labor in Burma.

Program:

The program of the symposium was as follows:

1:30-2:10 Japanese Policy Towards Myanmar--speech by Ms. Takahashi, Ministry of Foreign Affairs

2:10-3:10 "Reports from the Field"

- Baluchaung Hydropower Plant Repair Project: Mr. Teddy Buri
- Tasang Dam and Yadana Gas Pipeline Projects: Ms. Hsao Tai
- UNOCAL court case: Ms. Yuki Akimoto

3:10-3:20 Break

3:20-3:40 Video presentation: "No Peace, No Mercy" and Video interview from the Thai-Burma border

3:40-5:00 Panel Discussion

Structure of this Report

The rest of this report is structured as an informal textbook with questions for discussion. The first chapter gives a general introduction to Japanese ODA and investment in Burma. The next four chapters focus on the first four speeches given at the symposium. Chapter Six focuses on the issues raised in the Panel Discussion. Chapter Seven gives two examples of development projects in other countries. The final Chapter is a review of ODA and investment. Each chapter contains questions for discussion. As the answers to the questions will change depending on each individual's opinion, we have not provided answers. But we hope that the questions will help to spark many thoughts and discussions.

The last portion of this report also contains a list of references with may be useful for those interested in more information about Burma, investment, and ODA.

"Burma" and "Myanmar"

In this report, you will see references to both "Burma" and "Myanmar". This is, of course, the same country, but we have left it up to each speaker to refer to the country as (s)he chooses. At Mekong Watch, we use "Burma," as this is the name used by the NLD, which won 82% of the seats in Parliament in 1990, and by the ethnic groups struggling for self determination.

Chapter 1 -- ODA and FOREIGN INVESTMENT

I. ODA

A. What is ODA?

ODA stands for Official Development Assistance, and it is provided by some countries to developing countries. ODA can be given in different forms, as will be explained in this section. The purpose of Japanese ODA is often linked to decreasing poverty and improving the economies of developing countries. In Japan, ODA cannot be given for military purposes.

Where does ODA come from? ODA is not money that governments from industrialized countries have to give out freely. There are various sources of funds for ODA, but one important one to be aware of is taxes. In Japan, some tax money is used for ODA. This is one of the reasons why tax-payers in Japan show interest in how ODA from Japan is being used, and why the debate about ODA is sometimes heated.

ODA Debate? There is a lot of debate about ODA in Japan now. Some people believe that ODA is good because it helps people in developing countries. While this is true to a degree, it is important to look carefully about what kind of ODA projects there are. It is important that both the donor and receiving countries show clearly what the ODA is for and who it is benefiting. ODA is sometimes used for projects that actually create social, environmental, or economic problems in the receiving countries. People in donor countries are becoming more aware of these problems. It is the responsibility of donor governments to explain clearly to their citizens how ODA is used and what impacts the ODA projects have in the receiving countries, because the governments are elected and supported by their citizens and taxpayers' money is also funding ODA. These governments should also make special effort to make sure it is hearing the opinions of local people in the receiving countries, especially if governments in receiving countries are not accountable and do not allow their people to speak freely.

The governments in developing countries that receive ODA must be responsible. ODA should benefit the people in the country receiving it. If people face problems due to ODA projects, they must be able to tell this to their governments. ODA is usually given through governments, so the governments in the receiving countries must be open to the opinions and concerns from their own citizens about ODA and development. People must have the right to participate in decisions made about projects, especially if those projects have an impact on their livelihood.

Because more information is becoming available about the harmful effects of many ODA projects, and because more people are becoming aware, there is increasing debate, both in donor and recipient countries, about ODA and how it should be carried out.

B. Different Types of ODA:

There are different kinds of ODA. Divided into two main groups, there is bilateral assistance and multilateral assistance.

1. Bilateral Assistance:

Some ODA is given directly from one country to another. For example, Japan can give ODA to Burma directly. This is called bilateral assistance. Within bilateral assistance, there are different kinds of ODA too.

a. Loans: One type is a loan. This means that the donor country lends money that the borrowing country must pay back later. For example, the Japanese government gave a 2.5 billion yen loan to Burma in 1998 to repair the runway of the Rangoon International Airport. Burma must pay back this loan to Japan.

b. Grants: Another type of bilateral assistance is a grant. Grants are different from loans because the receiving country does not need to pay back the donor. The donor gives the money for a specific reason or project, and the receiving country must use the money for that purpose. For example, In March 2001, the Japanese government gave a 624 million yen grant (about US$4.8 million) to the military regime in Burma. This grant was for well-digging equipment and other equipment needed for a Rural Drinking Water Supply project in Shan State. Burma does not need to pay the Japanese government for this, because it is a grant.

The Japanese government also has a small-scale grant program called "Grassroots Grants Assistance" (GGA). This is a little different from the grants mentioned above. GGA grants are given to NGOs, local governments, and research and medical institutions. For example, the Japanese government recently gave a grant to an NGO in Burma to purchase solar panels to provide electricity for a clinic run by that NGO. In 1998, the Japanese government gave a total of 162 million yen (about US$1.25 million) for 27 projects in Burma through its GGA program.

c. Technical Assistance: Finally, there is what is called technical assistance. In this case, the donor

country might send people with expert knowledge about something to the recipient country, or might bring people from the recipient country to the donor country for training. Providing equipment (rather than funds) for projects and sending teams to do research on various topics (such as economic reform) is also included in technical assistance.

2. Multilateral Assistance:

While bilateral assistance goes directly from a donor country to the receiving country, another type of ODA goes indirectly. It goes from the donor country through international organizations to the receiving country. International organizations include international banks like the World Bank and UN agencies. This type of ODA is called multilateral assistance. The Japanese government is a large donor to many international organizations which are active in developing countries. Compared to other developing countries, there is little multilateral assistance going to Burma now. The World Bank and Asian Development Bank have done some studies in Burma, but they do not provide economic assistance now. There are some UN agencies, such as UNICEF and UNHCR, which are working in Burma, but their funds to work in Burma are limited. This is largely due to the fact that Burma is still under the control of the military regime, even after democratic elections in 1990.

II. JAPANESE ODA TO BURMA:

Here is a brief background to Japanese ODA to Burma. The explanation is divided into the different types of ODA (see chart on next page).

A. Loans: Since Japan started giving loans to Burma in 1968 and until 1988, Japan gave a total of about 403 billion yen in loans to Burma. These loans were mostly for building infrastructure or industrialization. But after the violent suppression of the pro-democracy movement and the coup d'etat in 1988, Japan stopped its loans to Burma almost completely.

There are two main reasons why Japan cannot give loans to Burma now. One reason is that the military regime in Burma has not been able to pay back the amount borrowed before 1988. When a country cannot repay loans, the Japanese government usually does not give new loans.

The other reason is the political situation in Burma. As you know, the military took control of the government in 1988. And in 1990, the military refused to recognize the result of the elections. The military is still in control today and there are still no clear signs that it is committed to a process to transfer power to a democratic government. Because of this political situation and the severe human rights record in Burma, Japan has stopped giving loans to Burma. There were two exceptions to this, however, both to make repairs at the Rangoon International airport. One time was in 1998, which was a loan of 2.5 billion yen to repair the runway, and the next time was in a 1.45 billion yen loan in 2000, also for the runway. The Ministry of Foreign Affairs has explained that these are not really exceptions to the freeze on loans because they are not new loan agreements. The original loan agreement was made prior to 1988.

B. Grants: Between Japan's first grant to Burma in 1977 and 1999, Japan gave a total of about 161.7 billion yen in grants to Burma. An example of a grant in 1998 was 800 million yen (about US$6 million) for a project to plant cash crops instead of opium, as part of a drug eradication plan. In 1999, the Japanese government gave 330 million yen (about US$2.5 million) through UNICEF for projects to reduce maternal and infant mortality rates. Since 1993, some of these grants have been Grassroots Grants Assistance (GGA).

After 1988, the largest grants to Burma have actually been in the form of what is called debt relief. As explained above, Burma has a large debt to Japan, and due to the economic situation, the military regime has not been able to pay back its loans. There is a system called grant aid for debt relief. Basically, the military regime must prepare some money to give to Japan to pay back its debt. For example, the military regime might give 1 billion yen to Japan. Then, the Japanese government gives a 1 billion yen grant back to Burma. This grant is supposed to be used to purchase goods and services to improve the Burmese economy or to help the livelihood of people in Burma. In reality, however, the Japanese government has not sufficiently monitored the way this money is used.

Now, in 2002, the Japanese government is planning to give a 3-3.5 billion yen grant (about 28 million US dollars) to repair the Baluchaung Hydropower Plant No2 in Karenni State. Please see Chapter 3 for more information.

C. Technical Assistance:

According to the Japanese Ministry of Foreign Affairs' ODA White Paper, technical assistance focuses on Basic Human Needs, democratization, and liberalization of the economy. For example, experts were sent from Japan to assist with a crop substitution project to grow buckwheat instead of poppies to reduce people's dependence on opium. Other technical assistance projects have provided polio vaccines and equipment for maternal and child health care.

Japanese ODA to Burma 1991-1998 (Unofficial translation from MOFA white paper on ODA 1999)

Year	Loans	Grants	Technical Assistance
Until 1990	402.972 billion yen	97.594 billion yen	15.097 billion yen Researchers to Japan 1,558 people Dispatched experts 594 people Dispatched survey groups 1,286 people Project technical assistance 15 projects Development survey 25 projects
1991	none	5 billion yen debt relief (3 billion) debt relief (2 billion)	387 million yen researchers to Japan 16 people Dispatched experts 20 people Dispatched survey groups 9 people Provision of equipment 135 million yen Project technical assistance 2 projects
1992	none	4 billion yen debt relief (2 billion) debt relief (2 billion)	408 million yen Researchers to Japan 10 people Dispatched experts 17 people Dispatched survey groups 4 people Provision of equipment 140 million yen Project technical assistance 2 projects
1993	none	6.218 billion yen debt relief (2 billion) debt relief (2 billion) debt relief (2.2 billion) grassroots grant (3 projects. 18 million)	324 million yen Researchers to Japan 11 people Dispatched experts 14 people Dispatched survey groups 7 people Provision of equipment 96 million yen Project technical assistance 2 projects
1994	none	13.042 billion yen aid for increased food production (1 billion) debt relief (4 billion) debt relief (4 billion) debt relief (4 billion) grassroots grants (6 projects. Total 42 million)	398 million yen Researchers to Japan 45 people Dispatched experts 18 people Dispatched survey groups 35 people Provision of equipment 37 million yen Project technical assistance 2 projects
1995	none	15.899 billion yen Nursing school expansion plan (1.625 billion) Debt relief (4 billion) Debt relief (5 billion) Debt relief (5 billion) Grassroots grant (15 projects 75 million total) Food aid (200 million)	599 million yen Researchers to Japan 64 people Dispatched experts 33 people Dispatched survey groups 24 people Provision of equipment 184.1 million yen Project technical assistance 2 projects
1996	none	8.097 billion yen debt relief (4 billion) debt relief (4 billion) grassroots grants (18 projects. Total 97 million)	493 million yen Researchers to Japan 69 people Dispatched experts 15 people Dispatched survey groups 18 people Provision of equipment 114.1 million yen Project technical assistance 2 projects
1997	2.5 billion yen Rangoon Int'l Airport Expansion	4.122 billion yen debt relief (2 billion) debt relief (2 billion) emergency grant (due to flood) (5 million) grassroots grants (20 projects. Total 117 million)	633 million yen Researchers to Japan 81 people Dispatched experts 24 people Dispatched survey groups 9 people Provision of equipment 240.4 million yen Project technical assistance 3 projects
1998	none	5.292 billion yen debt relief (2 billion) debt relief (2 billion) aid for increased food production (800 million) grassroots grants (27 projects. Total 162 mil.) Maternal and Child Service improvement project (330 million)	768 million yen Researchers to Japan 137 people Dispatched experts 35 people Dispatched survey groups 34 people Provision of equipment 181 million yen Project technical assistance 2 projects

III. Controversy over ODA to Burma: There are many different opinions about ODA to Burma. A lot of the disagreement is because of the political situation in Burma. The massacres of people demonstrating for democracy in 1988 were followed by elections in 1990. But the military regime refused to transfer power to the elected Parliament led by the NLD. The fact that the elected government has not been allowed to govern the country is one reason many countries have reduced or stopped giving ODA to Burma. ODA is a government-to-government process. Some people think that it is wrong to give ODA because it sends the wrong message to the military regime. If the regime is given ODA, they might feel that they are being treated as a legitimate government.

Another reason for the reduction or stop of ODA to Burma has been because it is possible for the military regime to use the money it gets from ODA to maintain its military power. Because ODA (except for GGA) goes through governments, and because there is no transparency in Burma, it is easy for ODA funds to "disappear" to corruption.

But some people say that stopping all ODA hurts the people of Burma even more than it hurts the military regime. Some say that it is important to give humanitarian assistance. Due to the severe poverty and poor health situation in Burma, some people see an urgent need to give aid. Other people are afraid that even humanitarian assistance can be used by the military regime for its own purposes and that the benefits will not go to the people. Those who believe ODA is still necessary say that it must be given in a way so that it is guaranteed to help the people.

While much of the problem with giving ODA to Burma is due to the military regime, there are also problems on the side of the donor countries. In the countries that give ODA, like Japan, the decision to give or not to give ODA is also made by the government. As mentioned earlier, ODA is a government-to-government process. This means that decisions about ODA are being made by the Japanese government and the military regime. In Burma, people are usually afraid to bring complaints or criticism against the military regime because they know that they can be arrested and tortured for doing so. There is also no system for people affected by ODA projects to voice their problems or concerns to the donor government. This means that it is very difficult for the Japanese government to know the true opinions and feelings of local people in Burma.

In Japan, however, there is more freedom for people to raise their concerns to the government. People affected by development projects in developing countries like Thailand and the Philippines have been able to get information and raise their concerns to the Japanese government through contact with Japanese NGOs. To bring the concerns of people in developing countries to the governments of donor countries is one important role of NGOs in donor countries.

For this reason, it is also important for networks to be developed between people in Burma and Japan, so that there are various routes to bring the voices of people affected by ODA to decision-makers.

IV. What is Foreign Direct Investment?

In the case of Burma, Foreign Direct Investment is when a company from abroad decides to do some kind of business inside Burma and brings its own resources (people and money) to do so. This could be a project to build something. For example, Unocal, an American company, decided to build the Yadana Gas Pipeline in Burma. While it hired some laborers in Burma, engineers, managers, and other skilled people were brought from abroad. Much of the equipment and the funding necessary to build the pipeline were also brought from abroad. But the project is profitable because since it has been built, the Thai government must pay the military regime for the use of the gas from the pipeline.

Investment can also be to start a business. For example, Suzuki, a Japanese company, has a factory near Rangoon to put together cars and motorbikes, and they sell these in Burma. These investment projects and businesses are not usually done with government money, so this is one big difference between ODA and foreign direct investment.

Foreign investment is important to developing countries for various reasons. One reason is because it brings in hard currency that they need if they want to import things from other countries. For example, if Burma wants to import tractors so that it can expand its agriculture to a larger scale, it needs hard currency to buy them from an industrialized country, such as Japan. It also needs hard currency to buy weapons for the military.

Another reason foreign investment is important is because it brings new technology to developing countries. If the foreign investor also trains its employees in this new technology, it helps to build the human capacity in the country.

But developing countries should not blindly accept foreign investment, because it is not always beneficial. Companies do not always transfer the new technology and skills that they bring to the local people. Instead,

they might take advantage of the low wages and hire local people for jobs that do not require much knowledge of technology. Sometimes foreign companies are also attracted to developing countries because the regulations regarding labor and environment are very weak. This means that the company does not need to spend as much money for wages and does not need to take measures to protect the environment as they would in their home country. This situation often leads to exploitation and environmental destruction in the developing country.

V. Foreign Investment in Burma:

If you owned a company in a country outside Burma, would you want to invest in Burma? This is not a simple question, since there are many different factors which might influence your answer. What questions come to mind?

Burma is well known for its human rights violations and political problems. For some companies, this is a good enough reason to stay out of Burma. All companies know that if they start to work inside Burma, it will bring hard currency, or US dollars, to the Burmese economy. Hard currency is needed by the military regime in Burma to buy weapons and other military supplies, and foreign companies know this. So some companies have decided that they do not want to invest in Burma because of the political and human rights situation there.

But some companies do not think the human rights situation in Burma should be a reason to stay away. Many companies have tried to invest in Burma, but many have also pulled out. This is not so much because of the human rights situation, but because it is very difficult to have a successful business in Burma. In order to do business successfully, there needs to be rule of law, stable government, and stable regulations. Companies must be able to make plans in advance for how they will carry out their investments. But in Burma, because there is no rule of law, and because the military regime changes regulations without warning, businesses have much difficulty in planning. Companies must also spend money to start business in Burma, and they hope to make a profit afterwards. But due to the unstable nature of the economy, the changing rules the military regime makes, and the political situation, sometimes it is difficult or impossible to make a profit. As a result, many foreign companies that once tried business in Burma have pulled out.

Due to the difficulty faced by foreign investors, the amount of foreign investment in Burma is very low. The main investors in Burma now are from Singapore and China. The largest single foreign investment project was the Yadana Gas Pipeline project, which is discussed in Lesson 4. There are some Japanese companies investing in Burma now, such as Suzuki and Nisseki-Mitsubishi (Yetagun Gas Pipeline). Other Japanese companies are interested in investing in Burma, but are waiting until the political and economic situations improve.

VI. Four Necessary Factors for Development

Many people talk about the need for development. Sometimes development is funded by ODA, and sometimes by foreign investment. Sometimes development is funded in other ways. Now, people are becoming more aware of the problems related to ODA, investment, and development. People are becoming more aware of the problems around ODA, both in the donor and recipient countries. But the unfortunate truth is that those people who have been directly affected in negative ways by development projects have known for a long time what kinds of problems can result, and their problems have been largely hidden for a long time.

In order to make sure development brings benefits rather than harm, there are several things that are necessary in both the donor and receiving countries. Four points that we raise here are transparency, accountability, freedom of expression, and public participation. How are these related to development?

1. Transparency in decision-making is very important. This means that it must be clear to people what kind of decisions are being made, how they are being made, and the reasons behind those decisions. This must be clear to the people in both the donor and receiving country. Unfortunately, sometimes decisions are made behind closed doors. We might not know who made decisions or why those decisions are made.

This information is especially important to the people who will feel the direct affects of the development project. They need to know how the project is going to affect their lives. Is it going to help them or hurt them? If it is going to hurt them, then is there a way to prevent the damage? But if there is no transparency and people do not have enough information, then how can they know if they will benefit or not? How can they make suggestions for ways to prevent negative affects? Decisions about ODA and investment can have big impacts on people's daily lives, so it is important that there is a transparent decision-making process.

For example, imagine that there is an ODA project to build a dam for electricity. Governments and dam

builders usually give information about the benefits of the dam. But it must also be clear to people exactly where the dam will be built, why it is necessary, who is going to build it, how it is going to be built, and what kinds of impacts the whole construction process will have on the people living in the area. How will the flow of the river be affected? How large will the reservoir be? Who will need to relocate because of the reservoir? Where can they move to? Will there be compensation? What kind of compensation? How will the dam affect fish and other river life? Information like this is necessary for people whose lives depend on the river. Without this information, they cannot know how it will affect their lives, and they cannot decide if it is a good project for them or not.

Imagine that a village must be moved because it will be flooded by the dam's reservoir. A compensation plan is made, but the villagers are not given information about the place they must move to. After they go, they find that the land is very poor and they cannot grow crops there. It is only after they move that they learn they will face a lot of difficulty in growing food, something very basic to their livelihood.

2. Accountability is also crucial. If decision-makers are accountable, it means that they must take responsibility for those decisions. If people have questions about decisions or think that changes should be made, then the decision-makers must listen, and they must respond to those people. They must explain their decisions until the people understand the answers. They must make sure that there is transparency. If it becomes clear that there is a problem, then they must also take responsibility to try to fix those problems. If there is no accountability, then decision-makers might ignore the problems some people are facing and fail to take action to solve those problems.

Think again about the example of the dam. When the villagers went to the new place, they found that the land was poor and they could not grow crops there. If there is accountability, the villagers can go to the government and explain their situation. The government will listen to the villagers and explain how the plan was made. They government would then also take action to fix the problem. Maybe they would provide other land for agriculture. Or maybe a better location would be found. But if the government is not accountable, then they would ignore the villagers, and the villagers would simply suffer and have to try to fix the problem without the help they deserve from the government.

3. Freedom of expression is the right and ability of people to voice their opinions. Why is this important? When people face a problem, they must have the right to speak about the problem. If people do not have the freedom to express their opinions, then they cannot demand information from decision-makers, and they cannot demand that decision-makers take responsibility for their actions. In other words, they cannot demand transparency and accountability from people who have the power to make decisions over their lives. Sometimes development projects have problems in their plans. If people cannot speak out to explain these problems, then in the end, they may suffer greatly.

Again, back to the example of the dam. Maybe a village that is going to be flooded does not want to move. Or maybe they do not mind moving, but know that they cannot live on the new land the government plans to provide because the soil is bad, or because there is not a source of drinking water nearby. If people do not have the freedom to explain these problems to their government, or to the government giving the ODA, then their problems are not heard by decision makers, and their livelihood and culture is destroyed.

4. Public participation. Many people might think that ODA, investment, and development plans are too difficult for ordinary people to make decisions about. This way of thinking is actually very dangerous, and this is one of the reasons development projects have led to many difficulties for people. Development projects affect the lives of ordinary people. Whether the project is to build a large dam, a highway, a subway system, a school, or dig wells for villages, these projects affect people's lives. The affects may be big or small, and they may be good and bad. But if an development project is going to have some affect, then those people who will feel the affects have a right to participate in the decisions that are going to impact their lives. Many times, development projects are supposed to improve people's lives. But the people designing the projects do not live with the people whose lives they are trying to improve.

Lack of information from local people can lead to poorly planned projects and in very bad cases, to human rights violations or severe environmental damage. Local people know best the situation in their area. Just as you know best the situation where you live, you may not know the situation of how people in another country live very well. Can you make plans for people in other countries to improve their lives? Maybe you can help, but before you can help, you need to know how they live and what they need. And the best people to give you that information are those people themselves. Therefore, it is important that local people

participate in the planning of projects that will affect them.

Look once more at the example of the dam. Without transparency, the villagers could not foresee that they would be unable to grow crops. Without freedom of expression, they could not explain their problem to the government. Even if they were able to explain, without accountability, the government did not take responsibility to fix the problem. But imagine--what if the villagers had been part of the decision-making from the very beginning and had the necessary information? They would know immediately that the new location would not be suitable for a new life. As a result, they could design a better plan, or they could insist that they must continue living in their original village. If it is impossible for the villagers to continue their lives in a new place, then perhaps it is better to change the plans for the dam. Maybe there is a better place for the dam. Or maybe there is a better way to produce electricity without building a dam. Many problems could be prevented if the villagers had been a part of the decision-making process from the beginning

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Chapter 2 -- Japanese Policy Towards Myanmar

The first speaker at the symposium was Ms. Taeko Takahashi. She is the Director of the First Southeast Asia Division in the Ministry of Foreign Affairs. Her Division is responsible for making Japanese foreign policy towards Burma. In her speech, she explains the policies of the Japanese government towards Burma.

Questions to consider before reading:

What are your impressions of the position of the Japanese government regarding democracy in Burma? How did you develop these impressions? What kind of a position would you like the Japanese government to take towards Burma and Why?

SPEECH by MS. TAKAHASHI (translation from Japanese):

Before speaking about Japanese policy towards Myanmar, I would like to give a brief overview of the current developments in Myanmar. Upon giving this explanation, I will speak about the stance of various countries in the international community, and in that context, I would like to briefly explain Japan's position and its policies on economic cooperation towards Myanmar.

First, as many of you are probably aware from reading the papers and other media, since the end of last year, talks have begun between the Myanmar military regime and Daw Aung San Suu Kyi and the NLD which she leads. We consider this to be one of the most significant developments since the military took political control in 1988, and we are following this very closely. Though gradual, the recent release of political prisoners, the re-opening of NLD branch offices, these are developments not seen in the last 10 years. But we are seeing it happen now. It is a matter of course that the international community, as well as Japan, wants to encourage and nurture this process.

It was explained that Mekong Watch's interests lay in such areas as environment, development, and human rights, and of course these are important issues. But what is most important for us to consider now is how to create a democratic society in Myanmar at the earliest stage possible. In my position, I believe it is necessary to develop policies towards Myanmar while also thinking carefully about why there were no such developments in the past 10 years. Considering this, I think that one reason for the lack of progress has been because both sides have not recognized each other. The military regime has not recognized Daw Aung San Suu Kyi, and Daw Aung San Suu Kyi has not recognized the military regime. The fact that the military regime has held political control as an interim regime since not respecting the election results in 1990 is itself, in light of democratic ideals, unacceptable. But this does not mean an organization with a military force of three to four hundred-thousand can just completely be removed from this country. This is a lesson from the past 10 years which we and the democratic forces themselves are also learning. I think that those in the military regime are also coming to understand that they cannot ignore the calls for democracy from not only the international community, but from their people and the NLD. Therefore, we must foster the process resulting from a mutual recognition. It is our very task to foster the process towards democratization.

While bringing this process forward as reported in the media, Mr. Razali, the UN Secretary General's Special Envoy, who has also worked as Malaysia's ambassador to the United Nations, is playing a crucial role as a facilitator. In our various exchanges of opinion with the Myanmar government as well as with the NLD, it is evident that Mr. Razali has obtained a high level of trust from both sides. Therefore, the international community is cooperating together, with Mr. Razali as a central figure, to encourage the democratization process in Myanmar. Mr. Razali himself has said that he hopes members of the international community will continue their support for his role from their various positions. "Positions" means the relationships that each member of the international community has built with Myanmar through its own historic and geographic interactions. From these relationships have emerged their own

Mr. Razali Ismail was appointed as the U.N. Special Envoy of the Secretary-General for Myanmar in April 2000. In October 2000, it was announced that talks had begun between the regime and Aung San Suu Kyi. Mr. Razali is given much credit by the international community for helping to start these talks. His job as Special Envoy is to facilitate the talks. This means that he must help to make sure the talks continue. He himself is not, however, involved in the discussions between the NLD and the military regime. He has been to Burma six times (as of March 2002) since his appointment.

policies and positions. We understand Mr. Razali's message to the international community to be that each country should use its own position to support his role and the democratization process.

Next, I would like to share my ideas on the various positions of different countries. The EU and the US can be considered one category. They refuse to compromise human rights, democracy, and such fundamental ideals. I believe that this is, in and of itself, a very fine position. And for this reason, their position has been to impose economic sanctions on Myanmar.

What I consider to be a second category is the ASEAN nations. Myanmar is already an established member of ASEAN, and as fellow members of ASEAN, they take a position of non-interference in each others' internal affairs in regard to democracy and human rights. Rather, they consider it most realistic to promote democratization in Myanmar through expanding economic contacts and being actively involved in this way. This is a very general categorization, but I think it can be thought of in such terms.

The third category, also very general, are countries such as Japan and Australia. That is to say, this is a position which places importance on human rights and democracy as a matter of course, but on the other hand, together with our fellow Asian countries, we prefer not to use sanctions, but prefer to speak as friends. What are the expectations of the international community? What needs to be done for Myanmar to be accepted into the international community? These are things we are in a position to discuss quietly, and this is what we understand Australia's recent position to be as well. You may well ask what concrete results have come from this. For example, consequently, Japan played a role in confidence building between the ICRC secretariat and the Myanmar government in order for ICRC to set up a permanent office.with the successful establishment of the ICRC's permanent representative office, it was possible for the first time to visit Myanmar's prisons.

A prominent subject now is the establishment of a permanent ILO office, and regarding this, the Japanese government is taking a quiet approach. We are quietly encouraging them that accepting a permanent ILO presence would do much to change Myanmar's image, and if the Myanmar government is making efforts to improve the forced labor situation, to accept a permanent presence would enable it to more effectively deal with this issue. I believe that such approach is also related to the acceptance of the ILO high level team in September. Of course, I am not saying that it is due only to Japan's actions that such results came about, but as I explained earlier, and as Mr. Razali has also said, change will come as a result of various countries encouraging Myanmar from their various positions, and from this, a dynamism will also emerge.

The International Labor Organization (ILO) has been very concerned about the situation of forced labor in Burma. It issued many recommendations to improve the situation, but none of these recommendations were followed. In 1998, an ILO team did a survey of the forced labor situation in Burma, and found that there was systematic use of forced labor throughout the country. These findings finally led to sanctions against Burma passed in November 2000. The Burmese military regime has become very sensitive to the forced labor issue, largely due to the ILO's efforts. In September 2001, the regime accepted a High Level Team from the ILO, and this Team found that there were indications of improvement, though forced labor still continues. The ILO sees a need not only for occasional investigation, but for continued monitoring inside Burma. For this reason, they want to establish a permanent office in Rangoon. The Japanese government, along with other governments, have encouraged the military regime to accept the ILO's request.

Japanese policy on ODA must also be seen in this context, and since 1995, we have been providing limited amounts of aid for basic human needs. This is important to bring about improvement in areas which cannot change with complete sanctions. With complete sanctions, civil society cannot grow, real democracy cannot grow, basic education and health continue to fall behind, the infection rate of AIDS is so serious that Myanmar is now first or second among ASEAN countries, and this is not a good environment to develop human resources.

The other day, I attended a seminar where I met a person from Myanmar who is active in the democracy movement for Myanmar based here in Japan. He said that the goal is not to overthrow the military regime, but that he believes it is important to think about what kind of country Myanmar should become after the regime. While he used the name Burma, he emphasized that importance should be placed on the type of government and the kind of democratic country to be built. I agreed with him completely. For this purpose as well, there are many things, including human resource development, which we need to do immediately. There are many things the Japanese government needs to do in this area, and though limited, we would like to make efforts in this way..

Comprehension Questions:

1. Ms. Takahashi said it is very important "to create a democratic society in Myanmar at the earliest stage possible." How does she think the Japanese government can help in this process?
2. What are the recent developments in Burma (Myanmar) that Ms. Takahashi sees as being significant?
3. According to Ms. Takahashi, how has the Japanese government's approach promoted human rights and democracy in Burma (Myanmar)?
4. Ms. Takahashi explains some problems with complete sanctions. What are these problems? What role does she see for ODA from Japan?

Questions for discussion:

1. If you could ask questions to Ms. Takahashi, what would you say?
2. What do you think of Japanese government policy towards Burma as explained here? What are its strengths? What are its weaknesses?

After the speech by Ms. Takahashi, comments and questions were raised Mr. Teddy Buri and Ms. Hsao Tai. Ms. Takahashi's answer follows their questions.

Response by Mr. Teddy Buri:

Thank you. I am happy to hear today from the Foreign Affairs Ministry of the Japanese government about its interest in human rights and democracy in Burma, and that it is one of the basic principles in Japanese policy towards Burma. And we are happy that the Japanese government intends to continue to promote democracy and human rights. On the other hand, we are concerned about the way the promotion of human rights and democracy will be done by the Japanese government. Ms. Takahashi also mentioned about the encouragement and happiness about the talks that are taking place in Burma, and how the expectation of the world is high. The expectation by the people of Burma is also great. We expect that these talks will succeed and through these talks, a solution to the Burmese problems will take place.

But we are concerned that this ODA, the ODA which the Japanese are very keen on continuing, will disrupt these talks. In other words, we are concerned about the premature delivery of this ODA. Up to now, it has been more than one year, and we have not seen any substance from these talks. It has been more than one year. We have seen of course a few political prisoners released, maybe more than 200 political prisoners released, and a few offices of the NLD allowed to open. But if you look at the number of prisoners still in jail, there are more than 1,500. And the hundreds of NLD offices, let alone the other non-Burma ethnic nationality parties that are still allowed, which are still legal in Burma, are not permitted to operate. The members are not free to go about doing party activities.

So this is a concern. We need to be careful about gauging progress. For example, all political prisoners should be released. The offices of the NLD as well as the non-Burman ethnic nationality parties should be allowed to open, and they should be given freedom of movement to go about their political activities.

And when you talk about ODA, ODA is not always restricted to central Burma. Some of these ODA projects are in the non-Burman ethnic areas where you still have armed conflict. In order to do these ODA projects in ethnic areas, you need to have ceasefires, for example. So unless the military regime releases all the political prisoners, unless they agree to allow these political parties to operate, and unless there is a national ceasefire along the border, there is no way democracy and human rights will really be present in Burma, and all these ODA projects will not be useful. This is my comment, thank you.

Response by Ms. Hsao Tai:

Thank you very much. I have a question. When you talk about constructive engagement, right now in Burma, I understand constructive engagement to mean that you give something and you get something. For the SPDC government, they say dialogue is happening, but we don't see any fundamental change in Burma. It is like a business engagement for us. Could you please clarify this point.

Answer by Ms. Takahashi:

Thank you. I would like to begin with the first speaker's comments. I believe that the points being made were that though dialogue has begun, concrete progress has not been seen. And the second point was that Japan's aid is concentrated in Myanmar's central

region, that it is not going to border areas, and that for aid to go to border areas, there needs to be a nation-wide ceasefire. This is my understanding of the points raised, and it is about these two points I would like to speak.

To use a common expression, it is very difficult to determine if one should say a glass of water is half empty or to say it is half full. What I have been saying is that over ten years, there has been severe conflict. If you consider this, then there has been dramatic changes over this past year. How can we capitalize on this progress? For example, someone used the phrase "a few prisoners." Actually, since last autumn, more than 100 people have been released. Of course there is still a long list of prisoners who remain in prison. But among the 100 released, there were people who had been kept for years in prison since the 1990 election. If you look at each list, then you will see that there have been developments not seen in the past 10 years. We must be patient and build upon this progress.

Many in the international community say that there is no alternative to the role being played by the UN Special Envoy, Mr. Razali. We must continue this process. We must think about how to convey our message from our various positions. This is why our Foreign Minister told the Myanmar Foreign Minister at a meeting in Hanoi that we are pleased with the release of political prisoners, but that more must be done. And when Prime Minister Koizumi met Chairman Than Shwe in Brunei recently, he urged for the same. It is because Japan is a participant in the ASEAN+3 framework, in other words, because Japan is a fellow Asian country and part of this "group of friends," so to speak, we were able to give Chairman Than Shwe this message. Countries outside this framework can take other approaches, and Japan, as a participant in the framework, can take an "Asian family" approach. As we have different roles, we must take different approaches. And we must continue in this way. So if we give up, say that the regime is hopeless, the country is hopeless, that the NLD is hopeless, then we have lost. We have no choice but to move forward.

Regarding the ethnic minority issue, I think this is a very important one. At some point, representatives of the ethnic minorities will need to enter the dialogue with the democratic forces, and a nation-wide process will be needed for reconciliation. This is also stated in United Nations resolutions. From this perspective, I would like you to consider what kind of position we should take. Should we condemn everything the regime has done as being bad? Or should we look at their actions one by one and praise the things which are deserving of praise? Personally, I think the regime has been very serious in its efforts to come to ceasefire agreements with the ethnic minorities, and such agreements have been reached with many of the anti-regime forces. Thinking objectively, they should be given credit for this. Fighting against the ethnic minorities has gone on for years, but if you go to the border areas now, there is peace. Of course, there are some places without ceasefire agreements, like the KNU, but there has been reconciliation with many of the ethnic groups.

Recently, there was ceremony for a grass-root assistance that the Japanese government provided in Kachin State, and I would like to introduce this to you. Although I have not seen it for myself, with a Grassroots Grant, the amount was about 9.6 million yen. With this assistance, the Kachin Baptist Convention was able to build a center for human resource development, and there, they will be inviting people from other parts of the country to participate in community development. According to the Baptist Convention, they will utilize this facility for training future community leaders. At the inauguration ceremony, there were not only Kachin, but representatives from Karen, Kayah, Chin, and Mon States. And there, a person from Britain who has been researching Myanmar's ethnic minority problem for many years also participated. According to him, he has been to the border areas many times for his research. It seems he remarked that previously, it was unimaginable that the border areas could be as stable as they had become now. Therefore, in areas where there are already ceasefires, I believe that little by little, it is important to start things like capacity building and medical care. As one example of this, I wanted to explain to you about the construction of the human resource development center.

And regarding constructive engagement as brought up in the second question, I do not agree that constructive engagement always means give-and-take. To simply keep distance and say that everything you do is wrong really does not work. I think it is more important to try standing in the other's position and resolve problems one by one.

I can take one more question.

*******After responding to Mr. Teddy Buri and Ms. Hsao Tai, a Burmese refugee living in Japan raised questions from the floor. His questions were as follows.*******

Question from the floor: You mentioned that SPDC and NLD should recognize each other. Does "to recognize each other" mean that the NLD should recognize the SPDC as a legitimate government? And

at the same time SPDC should acknowledge that the NLD has the mandate of the people? You also mentioned that there are 3 kinds of engagement towards Burma. But we understand that Japan also has constructive engagement like ASEAN countries. For me it is new to learn that Australia and Japan are playing some similar role. Maybe this is the latest development. Could you please clarify this? My last question is that the SPDC has not changed their attitude, but have changed tactics, so we should be very careful. Is there some way to put this in check? Thank you.

Answer by Ms. Takahashi:

By recognizing each other, I mean that they should recognize each other as stakeholders in this issue. As for recognizing the regime as a legitimate government, this is not for me to say, but for the NLD to consider. I imagine that this issue will be discussed in the dialogue between the two parties.

As for whether Japan's approach being the same as ASEAN's, one could define a grouping such as this. In the sense that we are working together as part of the ASEAN+3 framework, this is true. But what I am saying is, while ASEAN often refers to its principle of non-intervention in the internal affairs of other ASEAN states when it comes to issues such as human rights and democracy, I think that Japan has not considered it intervention to address these concerns. Rather, we have encouraged the regime to be diligent in their efforts to improve the situation, so perhaps the difference lies in the nuance of "intervention." Japan shares the same understanding of the importance of human rights and democracy as Europe and the United States, and our stance is firm. The reason I put Australia and Japan together is because while they place great importance on human rights and democracy, they also feel that there are limitations to what sanctions can accomplish. They are giving limited assistance, and recently are also considering limited government-to-government assistance. In this respect, I think their position is very similar to that of the Japanese government's.

As for the last question, as I have been saying, we are all working to foster change. This is not just rhetoric. While there have been some releases of political prisoners over the last 10 years, my understanding is that the release of parliamentarians elected in 1990 has only been in the last year. This has come about largely due to efforts of the international community. This is why I say that whether you consider these substantial developments as a form of deception, or as a step towards fundamental change is largely dependent upon the perspective you choose to take. In discussions with Special Envoy Razali, he is very optimistic. I would like to share his optimism. If we interpret things pessimistically, we cannot move on to the next steps. What kind of country will be built after the military regime? This is something we should all think about together. The military are your brethren too, are they not? Hypothetically speaking, if the democratic forces win in a future election, from that very instant they will need the cooperation of the military. This is a fact of international politics.

With 135 ethnic groups and such a long international border, I do not think any citizen of Myanmar would say that Myanmar needs no military. Just as in the process in Indonesia or other Asian countries, those in positions of political power need the cooperation of the military. In this sense, I believe that it is up to the people of Myanmar to decide if they are going to believe in the military and take steps forward in this process, or if they are going to stay still and interpret it all as deception. But personally, I would like to believe in the process and support it from my position outside.

Discussion Questions:

1. What is Ms. Takahashi's understanding of the situation of ethnic nationalities in Burma?
2. What is your own understanding of the situation of ethnic nationalities in Burma? Is it similar to Ms. Takahashi's? If not, how is it different? Why do you think it is different?
3. Ms. Takahashi raises the question of the role of the military after the military regime is no longer in power. What is your opinion about this? How do you think the fact that there are many armies in Burma affect the situation now? What will be the role of armed organizations in the democratization process and in Burma's future?
4. Do you see a role for the Japanese government regarding human rights and environment in Burma? If not, why not? If so, what kind of role should the Japanese government play? Is ODA involved in this role? If so, how?

Chapter 3 -- Baluchaung Hydropower Plant No. 2

Mr. Teddy Buri was elected as a Member of Parliament (MP) for Karenni State in the 1990 elections in Burma. Because the military regime refuses to transfer power to the elected leaders, however, he has not been able to take office. He is now the President of the Members of Parliament Union, an organization of elected MPs from Burma now living in exile.

Mr. Teddy Buri gave a presentation about one Japanese ODA project in Burma. This project is to provide a grant to repair the Baluchaung Hydropower Plant, which is located in Karenni State. Since he lived in Karenni State and worked there for many years, he is very familiar with the history and current situation of the Baluchaung Hydropower Plant. This hydropower plant has provided much of the electricity for Rangoon and Mandalay. Because it is now quite old, it is in need of repair. There are many blackouts in Burma now, and some of it is because the Baluchaung hydropower plant cannot produce as much electricity as it did before.

Questions to Consider before Reading:

1. How do you feel about ODA to Burma now? Why do you feel this way?
2. Do you think it is possible for some ODA to benefit people in Burma? If so, what is necessary to make it possible? Are these necessary things available for the ODA project to repair the Baluchaung Hydropower Plant?

SPEECH by MR. TEDDY BURI

Thank you again. Good afternoon friends. First of all, I would like to say thank you to Mekong Watch for inviting me to make a presentation here. It is a good opportunity for me of course to shed some light on what is happening in connection to ODA, ODA which the Japanese government is so keen on providing to the military regime in Burma.

To begin my presentation, I will start with a very simple question. A simple question that will require a very simple, or perhaps not so simple answer. What is it that is most important to you, to all of us? Some might say it is health. Some might say family, some might say money, some might say security. Some might say freedom, of course. But what about electricity?

If there is no electricity, banks, schools, and hospitals will come to a standstill. Traffic will come to a standstill. There will be so many problems. We won't be able to operate computers. So, one can say that electricity is really very important. But to some people, electricity is even more important. It is more important for the military regime in Burma. It is important to them because electricity powers the industries that allows them to earn money. Money with which they enrich themselves. Money with which they can expand their military power. It allows them to power their military industry which produces weapons, which produces bombs, which produces landmines, which they use to suppress the people and prop themselves up to remain in power.

As a matter of fact, the military regime in Burma has killed thousands of people. People who struggle for democracy, and who struggle for freedom. They have killed thousands of ethnic nationalities who have been struggling for equality, who have been struggling for their democratic rights. They have also killed thousands of people who are merely struggling to survive, merely to be able to eat once or twice a day, while the generals are becoming rich. Generals in Burma are millionaires now, and this is possible because of the electricity which powers their industries.

A lot of people know about Aung San Suu Kyi. I am sure you know about Aung San Suu Kyi too. But I am afraid you do not know so much about the ethnic nationalities in Burma, the non-Burman ethnic nationalities who make up 45% of the Burmese population. These ethnic nationalities are being exploited. They are being oppressed by the military regime.

I would like to tell you about some of these ethnic nationalities. And to do that, I would like to focus on the Baluchaung hydropower plant.

The Baluchaung hydropower plant happens to be in my state, Karenni State, and it was the first power plant which was built by the Japanese with Japanese war reparation money. It was built in the 1950's, and it took some years to finish. And no sooner had it been built, there was the first military coup staged by Ne Win in 1962.

With the 1962 military coup by General Ne Win, that was the beginning of the militarization of Burma. The militarization of Burma took place not only in central Burma, but all over the country.

As I said, the Baluchaung was the first power plant built by the Japanese with war reparation money. It is actually still now the plant which produces the most

electricity in Burma.

Although it produces the most electricity in Burma, the electricity goes to Rangoon and Mandalay and the surrounding areas. Or rather, it goes to power the industries in Burma, Central Burma. In other words, the Karenni, the local people, are not enjoying the benefits of the electricity produced there. Very few people, and most of them government servants, enjoy electricity, while the local people do not.

Baluchaung Hydropower Plant No. 2

- A 10.4 billion yen hydropower plant completed in 1960 as Japan's first War Reparation Project.
- Located in Karenni State, along the Baluchaung River.
- Repaired with a 3.53 billion yen loan from Japan in 1986.
- The power plant has a capacity of 168 megawatts (28 MW x 6), and is a main supplier of Burma's electricity.

Another thing I would like the audience to understand is that not only are local people unable to enjoy the electricity there, they have to do forced labor like guarding the power lines. They have to give labor, forced and unpaid labor of course, to the military. People must protect the security of the power plant and also the power lines there. They are forced to do it. They have to carry water, look for firewood, and they have to guard the power pylons and power lines. Why do they have to guard? Because Karenni State, my state, is a militarily contested area. We have the Burmese troops there, as well as the Karenni resistance troops. They are often fighting. And because of that, the villagers have to guard the pylons and power lines.

There are also lots of mines laid around the power plant. More than 20,000 landmines. Because of these landmines, people are not able to travel from place to place. Their cattle are killed. Some people, some children, go to the jungle to look for food. Some step on mines and are killed. And even if they are killed, it does not end there. For each mine that an animal detonates, for each mine that a villager detonates, villagers have to pay 5,000 kyat. These are some of the problems Burmese people are facing. They are not getting electricity and in addition, they are facing all these problems.

Another problem is, to make electricity you must of course run the turbines, and to run the turbines, you need water. The Karenni who are farmers need water too, but water is used mainly to run the turbines. So some farmers are not allowed to use the water. They cannot grow rice and they lose their livelihood.

The grant for the Baluchaung is supposed to be about three billion yen, that's 28 million US dollars. This hydropower plant is so old that it needs renovation, so the Japanese government is bent on giving this 3 billion yen to renovate the plant. If this plant is renovated, there is going to be more security needed. There will be a bigger presence of the military there. With a bigger military presence, there is going to be more forced labor demanded of the people.

And people won't be able to return to the villages from where they have been relocated. As a matter of fact, a lot of villagers were relocated following the building of the second stage of the Baluchaung. Formerly there were just 3 turbines; now there are 6. Once, when they built the second 3 turbines, they removed more than 2 dozen villages from the site. These villages will not be able to move back, there will be more landmines laid, and there will be more forced labor because the conflict has not ended.

What I would like the audience here to know is that it is too early to extend this ODA, this grant to repair the Baluchaung power plant. Before giving aid, the Japanese government should place some conditions there. Conditions that there will be no forced labor, conditions that the money is transparent and accountability used. The grant should be used as a lever to see to it that the talks between Aung San Suu Kyi and the regime make some progress. Unless there is progress in the talks, this ODA should not be extended to the Burmese generals. Unless there is accountability, unless there is transparency, unless there are conditions, this money will go to line the pockets of the military regime. It will go to expand the army which they will use to suppress the people. So I would like to request the Japanese tax payers to use your democratic rights to pressure your MPs and your government not to rush in with all this ODA. Thank you.

Question from Floor: When the Baluchaung was constructed, how many villagers were forcibly relocated?

Response by Mr. Teddy Buri: Actually the villages were not relocated at the same time. It took different times of course. When the second 3 turbines were built, there were 6 villages relocated around the immediate surroundings of the Lawpita area. But as I mentioned, Karenni is a militarily contested area, and the reason why we have a big presence of military is to protect the interests of the SPDC, the military regime. Karenni is very rich in natural resources. You have timber, you have minerals, and you have electricity. So they have to station a big number of troops there. And why do they station these troops around? They

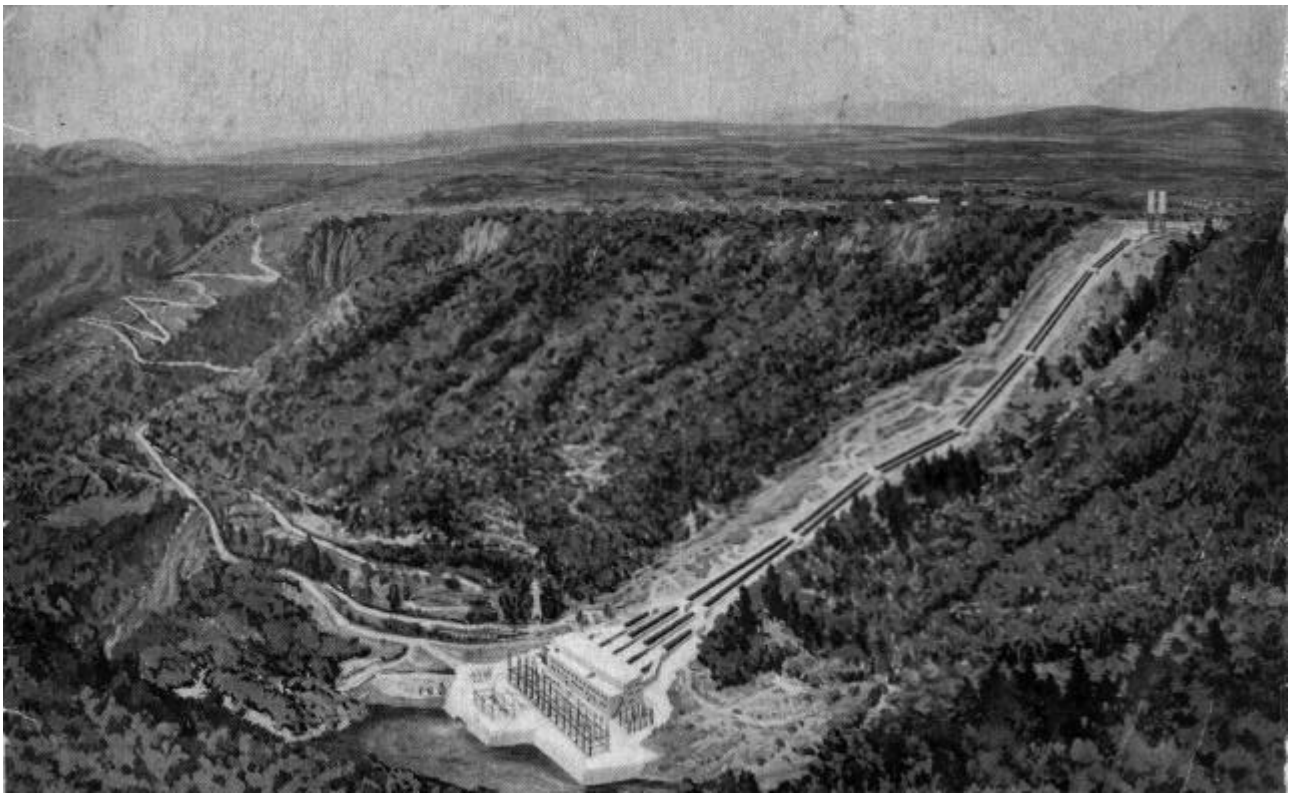
want to get rid of the Karenni troops. So they introduce the four cuts. Four cuts means they cut rations, they cut recruits, they cut information, and they cut supplies. And when they do this, some years back, about 5 or 6 years ago, they moved more than 100 villages. This is not directly related to the Baluchaung, but indirectly it is.

Comprehension Questions:

1. According to Mr. Teddy Buri, why is electricity important to the military regime? Where do they get much of their electricity from?
2. What is the situation for the local people living around the Baluchaung Hydropower Plant?
3. What reason does Mr. Teddy Buri give for the landmines around they Baluchaung Hydropower Plant?
4. Mr. Teddy Buri says that it is too early to give the grant to repair the Baluchaung Hydropower Plant. What are his reasons for this?

Questions for Discussion:

1. How are the opinions of Mr. Teddy Buri and Ms. Takahashi different? Why do you think they are different?
2. Where do you think Mr. Teddy Buri's information about the Baluchaung Hydropower Plant comes from? Where do you think Ms. Takahashi's information comes from?
3. If you consider transparency, accountability, freedom of expression, and public participation, what is the situation of each in relation to the Baluchaung Hydropower Plant repair project?
4. Do you think Japan should provide the grant to repair the Baluchaung Hydropower Plant now? If so, why? If not, why not?
5. The Baluchaung Hydropower Plant and Japan have a long history. The Japanese government does not want to see its past efforts for building and maintaining the hydropower plant go to waste by letting the power plant "die" due to lack of repair. Should this be taken into consideration? If so, how? If not, why not?
6. Mr. Teddy Buri suggests conditions that should be attached if the grant is given. What conditions does he suggest? What do you think of those suggestions? Would you recommend any additional conditions? If so, what would they be?



Baluchaung Hydropower Plant No. 2

Chapter 4 -- Tasang Dam and Yadana Gas Pipeline

Ms. Hsao Tai is a Shan woman from Burma. She is a staffperson of Earthrights International in Chiang Mai, as well as a founder of Sapawa, a Shan environmental NGO. She spoke about the impacts of two foreign investment projects in Burma, the Tasang Dam and Yadana Gas Pipeline projects.

While reading her speech, think about the problems being faced by people around the Baluchaung Hydropower Plant and the problems they may face if the repairs are done. How do the Tasang And Yadana projects compare? How are they similar? How are they different? Are differences due to the fact that one is ODA and the others are investment? Or are there other reasons?

In foreign investment projects, do you think that the companies should be responsible for human rights violations committed by the military regime?

SPEECH by MS. HSAO TAI

Can you imagine coming home one evening to find everyone packing, saying you have to move out of the house the same night? In the evening of 1989, I came home from work and found my mother packing everything we owned. The soldiers in our town had ordered us to move because they wanted our land. We had to leave that same evening. Five hundred other families also lost their homes that day. When we arrived at the relocation site, it was overgrown like a jungle. My family did not get any compensation, and we had no money. For more than a year, we lived in a small bamboo shelter. And at night, it was very cold and very windy, and we could not even keep a candle lit. I will never forget that time in my life. This happens in Burma every day.

My name is Hsao Tai, and I am a Shan person from Burma. The Shan people are one of the many ethnic groups in my country. I am here to talk with you today about how foreign investment and aid impact the people of Burma, causing human rights abuses and environmental damage.

As many of you may know, Burma has one of the worst human rights records in the world. The U.N. and other members of the international community, have criticized the military regime on many occasions for oppressing its own people. Such oppression often occurs during the course of development projects funded by foreign aid and investment. There is a distinguishable pattern that shows how development projects in Burma hurt the people of the country instead of helping them. I will use the examples of the Yadana gas pipeline project and the proposed Tasang dam project to illustrate how the pattern works in reality.

The Yadana field is a natural gas resource offshore Rangoon, the capital of Burma. Two transnational petroleum companies, Unocal (United States) and Total (France), entered into a joint venture with the regime to construct a gas pipeline from the Yadana field to a processing plant in Thailand. The pipeline passes through a narrow land area inhabited by groups historically opposed to the military regime. Construction of the pipeline is complete, and gas is already flowing. A second pipeline has also been built. The international consortium for this project, known as the Yetagun project, include the Japanese company Nisseki Mitsubishi.

The military regime is providing security for both pipelines. In order for the projects to proceed without obstruction, the regime mobilized its military presence in the region. The military moved into the area where there once was no permanent military presence. The Burmese military created a security corridor to protect the pipeline projects and the foreign investments as well as the foreigners, who were in charge of the projects. In other words, the Burmese military was and continues to be the security guards for the pipeline projects.

Yadana Gas Pipeline Project

This is the largest single foreign investment project in Burma, costing about US$ 1 billion. Two transnational oil companies, UNOCAL (US) and TOTAL (France) built this pipeline. TOTAL signed a contract in July 1992 with the military regime for the Yadana project, and UNOCAL joined the contract in 1993. Many human rights violations were committed both before and during construction of the project, and it has become clear through a court case (see Chapter 5) that the companies were aware of these abuses. The project is complete, and Thailand is now paying Burma for gas every year. In 2001, Thailand paid 4.5 billion baht (about US$112.5 million). This is, therefore, an important source of income for the military regime.

In a normal situation, this might be standard practice. But in Burma, with the Burmese military

comes human rights abuses. Here is what happens when the Burmese military provides security. Between 1991 and early 1993, the Burmese military relocated a number of villages, so the army could more effectively control the population. The forced relocations destroyed communities and families as people moved in different directions: to relocation sites, into the jungle, to other villages, and even to Thailand. The military soldiers forced, tortured and killed some displaced people.

The military also forced villagers to provide labor to support their camps and outposts, on roads and other infrastructure related to the pipeline project. Soldiers patrolling the pipeline area also forced villagers to walk with them and carry their heavy loads. Forced laborers and porters got no pay and often had to work without food. Many people were beaten, and some died of exhaustion. Sometimes, the soldiers killed porters who became too weak to carry their loads. The only way for villagers to avoid such forced labor and portering was to pay a large "tax" or "porter's fee" to the regime's soldiers. In spite of the claims by the regime and oil companies to the contrary, these abuses still continue in the pipeline region.

Here is a story of a woman who was harmed by the Yadana project. In order to protect the area, the military regime forced her village to move. It was the village where the woman was born and had spent her entire life. This woman refused to go to the relocation site, and instead she went to hide in the jungle. She became an internally displaced person. One day the soldiers who were protecting the area around the pipeline project found her. At the time, she was cooking and nursing her baby. The soldiers started yelling at her and kicking her, and they knocked her baby into the fire. She fled to a refugee camp in Thailand to get help for her baby, but the baby died.

Despite the claims that investment makes the situation in Burma better, there are 130,000 refugees living in camps in Thailand today. In 1988, when the country opened up to investment, there were hardly any refugees in Thailand. The pipeline projects are not the only example of the impact of investment in Burma. Indeed, they are only the best known examples. The pattern of militarization surrounding investment projects and leading to human rights abuses has happened elsewhere-including in my homeland of Shan State.

*******At this point in her speech, Ms. Hsao Tai used maps and diagrams together with her presentation**.*****

(see figure 1) This shows the flow of refugees. Refugees come into Thailand, into Bangladesh, and other neighboring countries like India. There are now 136,000 refugees in Thailand along the Thai-Burma border.

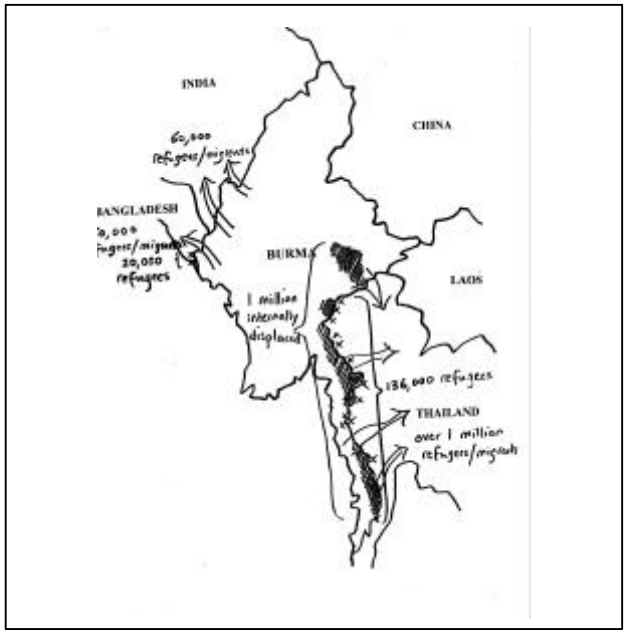


Figure 1.

And now, I am going to go to the proposed Tasang dam Project. (see Figure 2) This is a map of the Salween river passing across Shan State.

Figure 2

The Tasang Dam is a proposed hydroelectric dam on the Salween River in Shan State, northeast Burma. The Tasang Dam would be one of the tallest dams in Southeast Asia, and it will cost at least US$3 billion if it is built. If built, the flood area will cover at least 640

square kilometers. The main investor is a Thai company, but a Japanese public corporation, EPDC, conducted the feasibility study on the proposed dam.

(see Figure 3) And now I am going to talk about forced relocation. Human rights abuses have already been taking place in Central Shan State.. This is a map of central Shan state. There are 10 townships which have been relocated. 1000 villages were relocated in 1996 - 1998.

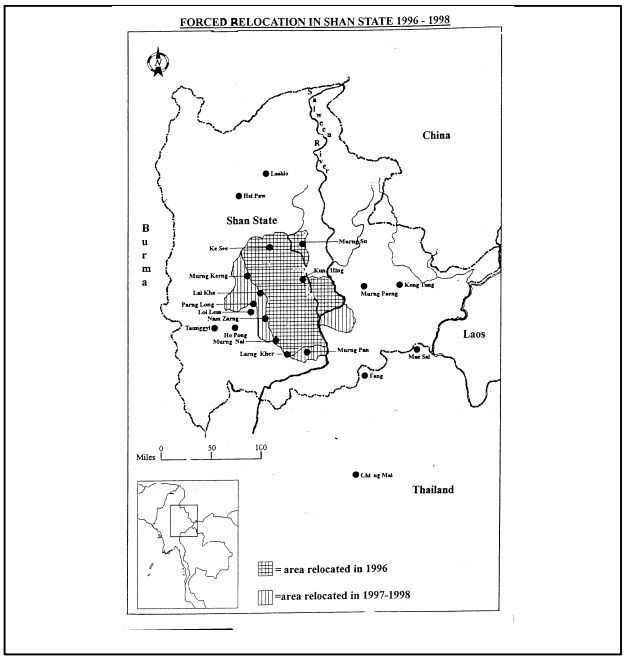


Figure 3

(see Figure 4) This is a very specific map, showing only one township. You may see many villages in this one township were relocated by the military regime in 1996-1998.

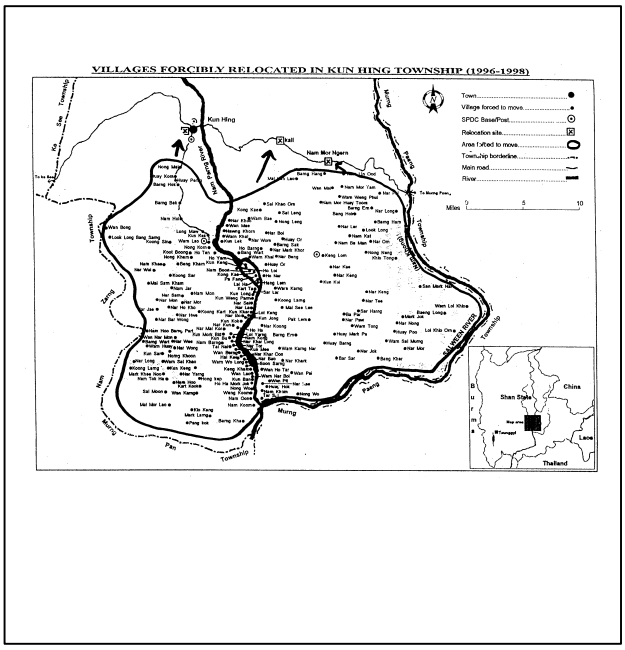


Figure 4

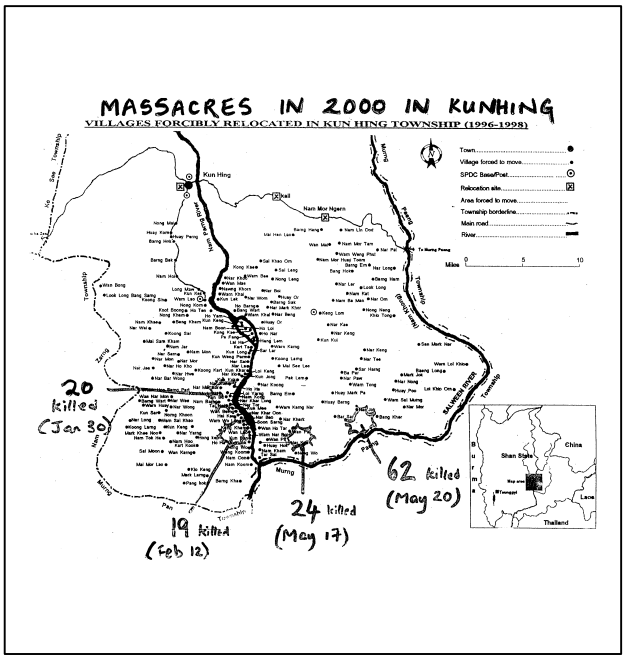


Figure 5

(see Figure 5) This shows where there were extrajudicial killings in 2000. In these areas, there were 62, 24, 19, 20 killings.

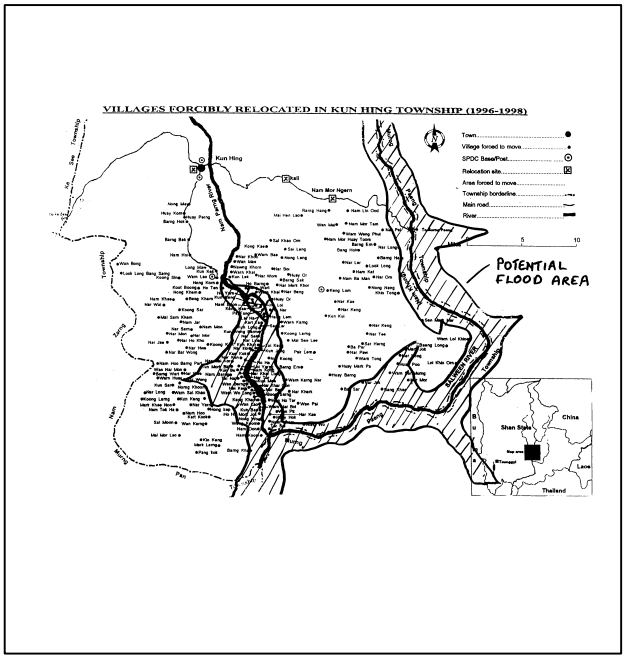


Figure 6

(see Figure 6) And this is the flood area if the dam is built. So here, you can see very clearly, that the killings happened in the flood area. So here is a question: why are human rights abuses taking place in this projected flood area?

Foreign investors cooperate with the Burmese military. In this way, foreign investors cannot be separated from human rights abuses in Burma. This is again an example of how militarization of an area

accompanies investment. This is again an example of how the Burmese military are the security guards for the foreigners who come to invest in the country.

And again, with the increased presence of Burmese soldiers, the number of human rights abuses increases. Near the proposed Tasang Dam Project in Shan State, military troops from the same units providing security have forced people to carry their loads of rice, guns, bullets, and clothing. A villager I talked to said he was forced to carry a load weighing over 48 kilograms. He himself only weighed about 55 kilos. He and the other villagers had to carry the load for several days. They slept for only a few hours on the ground at night, and only had a little bit of food. One villager got weaker, and became seriously ill. And when he could not walk anymore, the soldiers yelled at him because he was slow. Then they beat him and abandoned him. He later died. Unfortunately, such violence is not uncommon in my country.

Today, the future of the proposed Tasang Dam is unclear because there is currently no financing for the project. What is clear is that if the project moves ahead, the military will be mobilized to protect it, and they will again force the people to work for them. And they will abuse the people if they cannot work. This is the way that investment works in Burma.

Development projects such as the Yadana pipeline project or the Tasang dam project also cause environmental destruction. Construction of the pipeline resulted in massive logging, erosion of cleared areas and siltation of streams. The access road that was built along the pipeline and the influx of patrolling soldiers both threaten the animals in the region. There is also a destruction of the habitat in the forest for wildlife, as well as medicinal and flowering plants.

As I have described, development projects can directly cause human rights and environmental rights abuses when there is no rule of law, and where local communities are helpless without any means of public participation. In conclusion, I ask you to help the people of Burma in our struggle for freedom. As Aung San Suu Kyi has asked, do not put your money into the pockets of the generals and their military budget. Do not encourage them to commit more abuses against the people of Burma and our land. Your refusal to invest will make a difference, and will help bring peace to my people and my country.

Comprehension Questions:

1. What human rights abuses did Ms. Hsao Tai mention related to the Yadana Gas Pipeline Project? Who suffered these abuses? Who committed the abuses?
2. What human rights abuses did she mention related to the Tasang Dam project? Who suffered the abuses? Who committed the abuses?
3. Why did the military become involved in these two development projects?
4. What environmental problems does Ms. Hsao Tai mention in relation to the two projects?

Questions for Discussion:

1. Did the companies involved in these investment projects commit any human rights abuses? Are they responsible for environmental damage? If not, why not? If so, what abuses did they commit and how are they responsible?
2. Are there any types of foreign investment projects you think should be made in Burma now? If so, what type? If not, why not?
3. Some people say that if the economic situation in Burma will improve, then the political situation and people's living standards will also improve as a result. What do you think? Is this a good reason to promote investment in Burma? What are the reasons for your opinion?

Chapter 5 -- THE UNOCAL CASE

After Ms. Hsao Tai finished her speech, Ms. Yuki Akimoto spoke about a court case happening now in the United States. Ms. Akimoto works at Earthrights International in Washington DC and is an attorney there. She has been active in working on the Unocal Case. This is a case demanding corporate accountability.

It may be necessary to look back at Lesson 1 and review "accountability." Corporate accountability means companies must take responsibility for their actions and decisions. They must explain what kind of decisions they made and why. If there is a problem, they must take responsibility to fix it. While corporate accountability is very difficult to demand anywhere in the world, because big companies have a lot of money and power, in Burma it may be almost impossible. Some people are trying to hold Unocal accountable through the American court system. The case is not over yet, but it is a very important one.

Questions to consider before reading

Why is corporate accountability important? How can foreign investors be held accountable if their investments lead to human rights and environmental problems?

SPEECH by MS. YUKI AKIMOTO

My name is Yuki Akimoto, and I work at the Washington, DC office of a non-governmental organization (NGO) working to protect human rights and the environment. Today I will talk about the civil lawsuit brought in the United States against Unocal, a company that was involved in the Yadana gas pipeline project.

As the other two speakers have mentioned, the construction of the Yadana pipeline is already complete, and gas is already flowing. This project was not funded by Japanese ODA, and there is no direct involvement by Japanese companies. However, it was a very large project; in fact it is the largest direct investment project in Burma so far. The other point is that, during the course of the lawsuit which I will talk about today, a lot of details about the project and its impact on the local population became known. These two points have made the project worthy of attention.

The subject of my presentation today is corporate accountability. The Yadana project was conducted as a joint venture by a U.S. oil company called Unocal, and a French oil company called Total. Because the project caused severe human rights and environmental abuses, there have been movements to try to hold these companies accountable for their involvement in the project. For example, there have been efforts to criticize Unocal publicly for investing in such a problematic project. There have been campaigns to ask individuals and institutions that are Unocal shareholders not to support such a company, in other words to sell their shares [divestment]. There have also been campaigns to boycott the company's products, which in Unocal's case is gasoline, so that has involved asking consumers not to use Unocal's gasoline stations. Such efforts have been made by NGOs and activists in the U.S. The civil lawsuit filed against Unocal is one of several ways to try to hold the company accountable.

The basic idea behind the lawsuit is that "Unocal should be held legally liable for human rights abuses caused by a project in which Unocal was involved". The plaintiffs' claim, put in very simple terms, is this: When the pipeline was constructed, before and during the construction, the Burmese army provided security for the project, and when it did this it committed various human rights abuses against local people, including the plaintiffs.

Thirteen of the people who suffered human rights abuses became plaintiffs in a lawsuit in a U.S. court against Unocal. One thing to note here is that, it is not that Unocal directly forced local people to construct the pipeline, for example to dig the earth and install the pipeline, but it was the Burmese military troops brought in to secure the pipeline area that committed human rights abuses such as forced labor, forced relocation, torture, rape and so on. The lawsuit tries to hold Unocal legally accountable for abuses committed by the Burmese military. So, it is not that Unocal is being sued for human rights abuses committed directly by Unocal.

A **plaintiff** is someone who decides to make a complaint to a court. In this case, some people who suffered human rights abuses because of the Yadana Gas Pipeline project decided to make a complaint against Unocal in an American court. These people are the plaintiffs in the court case. The person or company that has a complaint made against them, in this case Unocal, is the **defendant**.

There are thirteen plaintiffs. The situation they were in during the project is as follows: As Ms. Hsao Tai mentioned, the military units forced

local people to clear the land and construct buildings necessary for their camps and outposts; to provide tools and materials necessary for military activities, and to accompany the military and carry ammunition, guns and food when the soldiers patrolled the area. There were also many cases where people were relocated without compensation, when the area needed to be secured. Typically, plaintiffs had to perform forced labor or to work as porters many times; were physically abused while performing forced labor or portering; had to abandon farms because of forcible relocation; suffered theft by soldiers of household goods and domestic animals that they were forced to abandon when they were forcibly relocated, and so on. For details on the abuses the plaintiff suffered, please look at the documents listed at the end of my presentation paper.

The details of the legal reasoning behind this lawsuit are a little complicated, so I will not talk about it in depth right now. It is explained in my presentation paper, and of course please feel free to ask me questions later. To sum up - it is said in Japan that "the United States is a very litigious society, and lawsuits are filed all over the place", and it is indeed true in many senses. But even in the U.S., it is not so commonplace that a foreigner [non-U.S. citizen] sues a U.S. corporation in a U.S. court for something that happened outside of the U.S. In fact, the Unocal lawsuit is one of the first such cases. In that sense, this lawsuit has gotten much attention from various fields.

Unocal, the defendant in this lawsuit, is a U.S.-based corporation. But it is similarly possible to sue corporations based outside the U.S. Thus, for example, if a Japanese company conducted an investment project in Burma, it is theoretically possible, for the people in Burma who suffered human rights abuses resulting from the project, to sue the company involved in the project in a U.S. court. It is an interesting case in that sense as well.

The Unocal lawsuit is proceeding in both the federal court and a state court. The cases are still pending, so the legal accountability of Unocal has not been established yet. During the course of the litigation, however, the court found the fact that "Unocal knew and benefited from forced labor", which has been very harmful for Unocal.

As a secondary effect of the lawsuit, the lawsuit also has cost a lot of money for Unocal. Through the lawsuit, many people also found out how Unocal invested in a problematic project, so there was damage to the corporate reputation and image. In this regard, the case has been noticed by other companies that conduct similar investment projects as Unocal. It seems generally that an increasing number of companies are taking care so as not to be sued in a similar manner.

As to the team of counsel for plaintiffs, because the lawsuit requires more money and human resources than ERI alone can provide, ERI works as co-counsel for the plaintiffs with other law firms and an NGO.

A **team of counsel** for plaintiffs is a group of lawyers and experts who argue for the plaintiffs in court, collect information for the case, and give advice to help the plaintiffs with their court case.

Because ERI has an office in Thailand and therefore is in a good position to be in touch with the plaintiffs and to conduct research on the human rights situation on the ground, ERI tends to deal with communication with the plaintiffs and gathering evidence of human rights abuses.

The Yadana project is complete, and there is not much one can do about the operation of the pipeline at this point, but it is a case where through a lawsuit a great deal of detail came to light about the abuses committed against local people. It is a case that governments and corporations may learn from when they plan to be involved in development projects. There should be good, solid research done on the effects that the Baluchaung Hydropower Plant Project and the Tasang Dam Project would have on the local populations, before such projects are allowed to proceed. The Yadana project taught us that lesson. This is short, but I will end my presentation.

Question from the floor:

Your presentation paper says that Japanese companies that are investing in Burma are sued in the U.S. I don't understand why they can be sued like that.

Answer by Ms. Akimoto:

It is not that any Japanese company has been sued by Burmese people in the U.S. yet, but that it is theoretically possible. The law makes it possible. The U.S. has something called the "Alien Tort Claims Act" where a foreigner (non-U.S. citizen or corporation) can sue a tortfeasor in a U.S. court for a tort committed outside of the U.S.

A **tort** is a legal word. It is one type of illegal action. So someone that does this type of illegal action can be taken to court. A person or corporation that commits a tort (in other words, breaks the law) is a **tortfeasor**.

Question from the floor:

So you are saying that the U.S. court can handle lawsuits against not only U.S. citizens but also anyone in the world who violated international law?

Answer by Ms. Akimoto:

In theory. In practice, in order to bring a lawsuit, there are many other conditions that must be met, but basically, yes, although the idea is a little unnerving.

Question from the floor:

Would you say that it [the system under ATCA] is an existence like the International Court of Justice, only more effective?

Answer by Ms. Akimoto:

I don't know if one could say that much. There is an explicit movement to try to hold corporations accountable through the use of ATCA, through cases like the Unocal case.

Question from the floor:

When one brings a lawsuit, are there conditions? For example does the defendant foreigner have to be in the U.S.? Also, are there other cases like the Unocal case?

Answer by Ms. Akimoto:

Regarding the first question, whether the defendant is present in the U.S. is an issue. If the defendant is a corporation, there needs to be a "minimum contact" between the corporation and the U.S., or else the U.S. court will not have jurisdiction over the corporation. So it would be difficult to sue a [Japanese] company that operates only inside Japan. If the defendant is an individual, if s/he is physically in the U.S., s/he can be sued.

Regarding the second question, after the Unocal case was brought, there have been many cases where corporations were sued in a similar way. For example, Royal Dutch/Shell and Chevron that are in Nigeria have been sued, as well as Texaco, Exxon-Mobil. Many are oil companies, and they have been sued in U.S. courts for causing human rights violations outside of the U.S.

Question from the floor:

I heard that Nisseki-Mitsubishi is providing funding for the Yetagun pipeline, which I believe is another Unocal project. Do you have more information about this project?

Answer by Ms. Akimoto:

Unocal is not involved in the Yetagun project. The reason the Yetagun project is often mentioned along with the Yadana project is that, although there are two separate gas fields [Yadana and Yetagun], the Yadana and Yetagun pipelines parallel each other from the point they enter Burma until they reach the Thai border. The two pipelines caused negative impacts on the same local population, so they are often mentioned together. I did not talk about the Yetagun project today because it is not a Unocal project. It is true that Nisseki-Mitsubishi is funding Yetagun.

Question from the floor:

I think that the people who are subject to abuses like these [in the Yadana project] are in very weak positions, but I would like to know the process in which they were able to bring a lawsuit.

Answer by Ms. Akimoto:

ERI has a Karen staff member, and he was involved in documenting human rights abuses in Karen State [where the pipeline runs]. I believe the possibility of suing Unocal came up as he and the local people were discussing what they could do about the human rights abuses.

Question from the floor:

The ATCA is an American law, but are there similar laws in other countries? For example, if a British company caused a problem in a former colony, is it possible to bring the company to justice under British law?

Answer by Ms. Akimoto:

As far as I know, only the U.S. has a law like the ATCA. I don't think that there have been similar lawsuits in Britain. However, even without a law like the ATCA, if the plaintiff is British, then it may be possible to bring a suit against a British company that caused problems outside Britain by using, for example, British tort law. A distinguishing feature of ATCA is that the plaintiff does not have to be U.S. citizen.

Royal Dutch Petroleum/Shell, which is a British company, has been sued in the U.S. under the ATCA in the same way as Unocal. This is regarding human rights abuses committed by Shell's Nigerian subsidiary in Nigeria. This was possible because Shell as a whole is a large company, and even though the defendant was technically a British company, the court found that it had enough contact with the U.S., so the lawsuit was allowed to proceed.

Comprehension Questions:

1. Ms. Akimoto mentions several ways NGOs and activists in the United States have tried to hold Unocal accountable for their work in Burma. What are these different ways?
2. There are 13 plaintiffs in the Unocal Case. . What is their complaint against Unocal?
3. The 13 plaintiffs are from Burma. Unocal is an American company. What makes it possible for people from Burma to file a suit against an American company for problem that happened in Burma?
4. Why are other companies interested in this court case? How could the result affect them?

Questions for Discussion:

1. In this case, the Burmese military committed the human rights violations. Why is the court case against Unocal? Do you think Unocal should be held responsible for the military's actions?
2. Can corporate accountability be demanded in a Burmese court? What makes this difficult?
3. If Unocal loses the court case, how could it affect foreign investment in Burma?
4. This is one example of how some people have tried to demand corporate accountability. Can you think of other ways to demand corporate accountability in Burma today?
5. American law makes it possible to have a court case like the Unocal case in the United States. In the future, what kind of laws would you like to see established in Burma to guarantee corporate accountability?

Chapter 6 -- Panel Discussion

After the individual presentations by Ms. Takahashi, Mr. Teddy Buri, Ms. Hsao Tai, and Ms. Akimoto, a video entitled "No Peace No Mercy" about internally displaced people in Burma was shown. Then, an video interview with an individual originally from Loikaw and who is familiar with the area around the Baluchaung Hydropower Plant was shown.

Next, a panel discussion was held. A member of the Japanese Parliament, Mr. Nobuhiko Suto, and Mr. Shigeru Nakajima, Executive Director of the Department of International Affairs, Japanese Trade Union Confederation (RENGO) joined the panel with Mr. Teddy Buri and Ms. Hsao Tai. The discussion moderator was the director of Mekong Watch, Mr. Satoru Matsumoto.

During the discussion, the speakers shared their thoughts about the role of Japanese ODA in Burma, current developments in the forced labor situation, and the situation of refugees along the Thai-Burma border. Each speaker had a different perspective, reflecting his/her background. Some questions from the audience were also introduced by the moderator.

Questions to Consider While Reading:

What is the position of each speaker about ODA, investment, and human rights in Burma? How are their ideas similar? How are they different? What factors do you think have shaped the ideas they have?

PANEL DISCUSSION

*******The panel began with remarks from Mr. Nobuhiko Suto, a member of the House of Representatives on the Japanese Parliament. He is the only MP from Japan who has visited the Baluchaung Hydropower Plant.*******

NOBUHIKO SUTO (MP): When I began my career as a social scientist, one of the first issues I encountered was that of the significant environmental, economic, and social impacts of dams. At that time, in the 1970's, the problems of the Aswan High Dam were not well understood. In those days, it became known that when dams are built, there are environmental problems, and in addition, though they are supposed to bring economic benefits, they actually use up a lot of economic resources. I was studying economics at the time, and this discovery brought many doubts to my mind about many of the economic theories I had learned before. Since then, I have been very interested in dams, and generally I am rather negative towards them. I do not think many of them should be built in Japan either.

However, there are of course areas lacking in water, and it is necessary to use some way to store and provide water in these areas. Also, there are some places that do not have electricity, but have abundant water, and in order to generate electricity, these countries must choose either to import resources from abroad, or to use their water resources. For places like this, dams are very important.

Since becoming a member of the House of Representatives, I have examined Japanese ODA projects in various regions. My party, the Democratic Party, has begun considering a 30% reduction in the ODA budget. It is actually very difficult to decide the best way to make this reduction. One possibility is to reduce Japan's contribution to multilateral aid. But there is a problem not only of ODA, but of aid as a general issue. If you look at individual cases, you can find that there is a lot of history, and it is not easy to cut those ties. There are many people in the world as a whole who are very poor and they are not getting enough aid. So even though Japanese aid has many problems, I think that it is better than doing nothing.

So, where can we start cutting ODA? One way could be to first cut aid to military states, and then countries with extreme human rights abuses, then countries who do nuclear tests. While this is a matter of course, this would bring Pakistan and India to be among the first cut. But as everyone here knows, since the terrorist attacks on September 11th, rather than decrease aid, more and more aid has been given to Pakistan. We face contradictions such as this.

Next, if an issue came up in the newspaper about protest from local residents, or if there are complaints about corruption, then that could lead to a rationale for reducing aid.

In regard to the Lawpita power plant, it is on the Baluchaung River. "Baluchaung" means "the river of ogres." In Japan, we also have the

"**Lawpita**" is another name sometimes used for the Baluchaung Hydropower Plant. The area around the hydropower Plant is also called Lawpita, and near the plant are the famous Lawpita water falls, now off-limits due to the security issues at the hydropower plant.

Kinukawa, and I think the concept is the same as the Baluchaung. The Baluchaung drops suddenly from the Shan highlands by 700 meters, and part of this is used for hydropower. Such a plan existed 100 years ago, but was realized in the 1950's. There are few people who have been to this place, and not much information regarding the Baluchaung Hydropower Plant No.2 is available on the internet. There are only old documents such as on Kashima Construction's homepage. I wanted to know the real situation, so I finally decided I needed to go and see it myself.

I went to Loikaw from Shan State, and then to the Baluchaung site, following the transmission lines and water intake, and also saw the Maw Bye Dam. This is where I did my investigation. I was there three days, so while it was a short visit, it was also an adequate amount of time to get some information. I will explain what I saw during that time.

Earlier, you were shown a video, and this documentary is very valuable. But at the same time, you must remember that such images are only one aspect of reality. Just as each person has his or her own opinion, this image is just one part of the story. I say this because images from the September 11th terrorist attack had a very strong impact. People have a tendency to think that the whole truth is in those images. This is why it is important to look at many different perspectives.

One common misunderstanding is that this Baluchaung Hydropower Plant No. 2 project is going to result in a new dam or that the plant will be enlarged. This is not the case. This project is only to replace the turbines, which Japan originally provided, and which have deteriorated from 20-30 years of use. Gaps have grown in the turbines between gears and water wheels, and efficiency has been greatly reduced. So the project is just to put in new parts, and so there will be no new burden placed on the environment.

Then, an issue that always comes up, and which the person from Rengo will probably talk about, is forced labor. I also asked various people about this. Of course I cannot speak Burmese or other ethnic languages, so I asked Japanese people or people who could speak English. Many of them said that recently, there is no forced labor. Experts talk to many people doing work such as road repairs, and when I asked those experts, they said that though the amount is small, recently people are being paid.

But if you consider the areas in the mountains, especially along the border, I think that forced labor there still exists. This is because it is common knowledge that when the army moves, there are always people who have to carry their food, water, or tents. If soldiers had to carry all this themselves, they would not be able to move, so they conscript people to do it for them. The soldiers also don't have money, so they hunt up villagers to work for them. It must be said that this situation is common knowledge in developing countries. So, when the army moves on a large scale, I think that this kind of problem remains.

Now, if you ask how the military is protecting this Lawpita Dam, it is of a large scale. There isn't a fence surrounding the area, but there are infantry divisions and battalions, and there are many large barracks. Among these barracks you have the dam. This is the way it is. So there won't be new battalions being brought in for construction.

About landmines, I have been taking up the landmine issue from Mozambique to Cambodia, and as far as I could see, it seemed there were no landmines [at the Baluchaung hydropower plant], at least in the places where people like myself would go.

Landmines are terrible things, so there are always some kinds of marking. If there is nothing, then children who are playing or chasing animals get injured, so where there are landmines, there are definitely signs. But as far as I could see, even around the transmission lines, there were none of the usual red danger signs. Such signs were not removed just for us because we were visiting the area and then put back, so in regard to landmines and the hydropower plant, I don't think they are there.

But in the mountains, there are definitely landmines, because there are landmines where there is war. And with forced relocation, after villagers are forced to move, landmines are planted to make sure the villagers do not return. This is certainly inhumane, but that's the way military operations are.

There was a problem with water, but water is a serious problem everywhere. In regard to this Baluchaung dam, there is not an artificial reservoir, but there is a large natural lake called Inle Lake. Because of this lake, the amount of water is relatively stable and abundant. If there is a serious drought, however, then there is not enough water. There needs to be some monitoring to make sure that water for agriculture is not reduced at times like this.

Last, there are dramatic changes going on now. The problem in this area is related to what the Karen people are going to do. Are they going to demand independence? In Asia now, there are two large ethnic groups who do not have their own country. One is the Taliban's Pashtun, and the other is the Karen. So, are they going to demand independence, or will they call for

autonomy? And how will the Myanmar government deal with this issue? This must be carefully thought out, because changes in this world are very rapid. It cannot be denied that in an instant, people fighting for their ethnic cause could become "terrorists" and attack from neighboring countries like Thailand. So it is very important to think now about how to enable these people to live in peace and make Burma into a safe and democratic country. There is not much time left for us, so in response to rapid developments, we must also take quick action. This is what I think.

SATORU MATSUMOTO (moderator): Thank you. Now, Mr. Nakajima.

SHIGERU NAKAJIMA (Rengo): I would like to speak about the problem of forced labor in Burma.

As you know, the ILO is made up of three groups, the Governments, Workers, and Employers. We, the representatives of labor unions, are also involved in ILO discussions. I personally, as one of the representatives of workers in Japan, am on a Committee on the Application of Conventions and Recommendations. Simply put, this Committee judges whether or not governments are respecting and implementing the conventions they have ratified.

In this Committee, we also look at ILO Convention 29, which prohibits forced labor. In 1998, the ILO adopted a declaration which says that this Convention is among the eight core conventions of the ILO. The eight are divided into 4 categories, and the first contains Conventions 87 and 98, which guarantee rights of free association and collective bargaining. The second category is the prohibition of forced labor containing Conventions 29 and 105. The third is the prohibition of child labor by Conventions 138 and 182. Then last are the Conventions on equality and anti-discrimination, Convention numbers 100 and 111. In regard to these eight conventions, the ILO declaration says that regardless of whether ratified or not, all ILO members must respect these conventions. So in our Committee on Application of Standards, one of our main tasks is to check to see if these 8 conventions of these 4 categories are being upheld.

As for Conventions 29 and 87, the conventions guaranteeing the right to freely establish labor unions and carry out their activities, Burma has many violations and these issues were raised every year in the Committee on Application of Standards.

Because the Burmese government followed none of the recommendations made by the Committee and made no reforms, the Workers put forward a complaint based on Article 26 of the ILO Charter. This was the start of current developments. Until the General Conference in 1999, there were recommendations made to the Burmese government every year, but none were followed. So in June of 1999, it was decided that if the Burmese government would not follow the recommendations, then Burma would lose the right to all services from the ILO, such as the seminars, technical assistance, and other benefits the ILO provides. The Burmese government had to show some commitment to make reform by the November 1999 meeting of the Governing Body, or the ILO would be forced to take the road towards sanctions.

Unfortunately, the Burmese government did not follow any of the recommendations, so the Governing Body in 2000 decided that, simply put, Burma would lose their rights as a member of the ILO.

Based on this Governing Body decision, pressure on Burma was intensified, and one of the biggest issues was whether or not Burma would accept a survey by a high level team to examine the situation of forced labor. In September 2001, it was agreed, and from September 17-22, a High Level Team did a survey in Burma.

In the results of the survey, which Representative Suto also referred to, the situation of forced labor seems to have improved in comparison to the past. But it was also clear that the forced labor still existed.

This Team also released a very carefully written report. In order to carry out their investigation efficiently and broadly in all regions of the country, they used chartered planes and 4-wheel drive vehicles. When they used the chartered plans, 48 hours advance notice had to be given to the Burmese government, explaining that they would go from this airport to that airport, in order to guarantee that a safe plane could be secured and that the airport would be in use. This is written in the report too, but this gave the military regime a 48 hour grace period. Therefore, if certain measures were taken in those 48 hours, it could look like there was no forced labor even though in reality there had been, and the High Level Team went so far as to make these reservations clear in its report.

The report made very clear the conditions under which surveys were done and the context of their statements. So regarding forced labor on engineering projects, for example, the report says that in comparison to a survey in 1998, there were few instances where they saw clear indications of forced labor.

But, as Representative Suto also said, and as is written in the report, the regime knew in advance that the Team was coming. Even if told suddenly that the Team would like to visit a certain area, the regime still

had at least 48 hours grace before the plane could fly, so it is therefore necessary to have continued monitoring and follow-up. For this reason, the ILO wants to establish a permanent mission in Burma, and whether this can be done or not will be a key to these next steps. We believe that in order to achieve this, we need to increase international pressure on the Burmese government and create a system for constant monitoring to lead to the final elimination of forced labor.

Also in regard to the eradication of forced labor, it cannot be done unless there is freedom of association, with the right to speak your own opinion and the ability to express an opinion against something. We have ratified the Conventions guaranteeing the freedom of association, so we need to continue increasing pressure on the military regime to not only ratify the Conventions, but to implement them.

In regard to Rengo's position on ODA, in particular the Baluchaung Hydropower Plant project, I would like to explain more during the discussion to follow.

MATSUMOTO (Moderator): Thank you. I would like to introduce questions from the audience before continuing the discussion.

Here is one comment from the floor: "I understand now that there are many problems in Burma, but does this really mean that ODA should be stopped, or that all private investment should be stopped? What about basic education? I think that there are some areas that we should give assistance to." Another question raised is, "if there is a problem of forced labor, is it possible, as Mr. Nakajima said, to monitor the situation so that forced labor cannot be used, and then give ODA?"

First I would like Teddy and Hsao Tai to respond. Considering the human rights violations in Burma, would you say that you do not want any ODA from Japan, or would you say that if certain steps are taken, even though under the military regime, that you could agree to some assistance for the people living in Burma. And what about investment? Could you please share your opinions?

TEDDY BURI : As a member of the opposition to the military regime, we have never been against investment per se, and we have never been against development programs. But on the other hand, our concern is the longevity of the regime in Burma. Hence, if any investment or development programs would go to prolong the dictatorship in Burma, we would be against it.

We do recognize that we have problems inside Burma and that we need development. In that case, perhaps it is possible to prioritize some areas, and then have some ODA go in. But it must be with very specific conditions. For example, there needs to be accountability, there needs to be transparency, there needs to be consultation with stakeholders, and there needs to be independent monitoring groups to see that there is transparency and accountability, and to see that this consultation is taking place and is continuing to take place with stakeholders there.

And another point is, we are in the midst of a struggle for change. Whatever these development programs do to Burma, they should enhance and contribute to change. Programs should not go to benefit the military and give the wrong message that they can go on clinging to power and that they have friends lending them money and helping them, and not taking change seriously. A case in point is the talks taking place in Burma between Aung San Suu Kyi and the military regime. If ODA goes in too early, then the military would not take the talks very seriously. As a matter of fact, the talks are taking place because of international pressure, particularly ILO pressure. If it weren't for that, the SPDC wouldn't be serious about the talks. So ODA should, to a big extent, lead to political change. This should be the condition. There should be progress first. Unless there is progress, ODA should not go in. If it goes in prematurely, then it will derail even the talks that are taking place.

HSAO TAI: I would not say all investment is bad. But we have to look to see if it goes into the people's hands or not. If there is a plan for investment in an area, we must look to see if the people would like that investment in their area or not. And if the benefit would go to those people or not. How much, and how? So you should look at this point regarding investment in Burma. In Burma, as you know, we first need the rule of law in order for people to be able to be involved and to participate in development in the region. This is really important. We don't say that all investment is bad. Maybe in the future, we will need it. If we have the rule of law and people can participate, and the benefit will really provide for the people's health and education, then it is really good. And for aid, I think it is also the same. You may think that aid is good, but actually in some cases it can cause many people to suffer. It is important to distinguish clearly if aid is helping or not.

MATSUMOTO (Moderator): Here is another question from the floor. "After the presentation from

Director Takahashi of the Foreign Ministry, I listened to the three presentations, and found a huge difference in their perceptions of reality. How can I understand this?"

I would like to suggest 2 points to help. One point is, to what degree is real information gathered from the area? Mr. Nakajima of Rengo explained that in the ILO report, the conditions and restrictions under which information was gathered was very carefully documented. The reasons for their perception is therefore clear. If one knows exactly what kind of information that perceptions are being based upon, it becomes clear how people develop their understandings of a situation.

The second point is regarding ODA. Is the main purpose of ODA to be used only as political leverage to promote democratization? Will the possible social impacts of ODA going to be examined?

Without examining these two points, I think there can be much confusion. I would like to ask Representative Suto how he views these two points. And during his recent trip to the Baluchaung, what difficulties did he encounter in collecting information. I would also like to ask him if now is an appropriate time for Japan to give more ODA to Burma or not.

SUTO (MP): Regarding collecting information, if you decide you want to do it, it can be done.

I am the only politician who has gone all the way to the area in question, and it is of course difficult as a member of the opposition, though members of the Liberal Democratic Party go to Burma quite often. But they don't go to the actual project site because it is far away. It may be difficult and tiring, so not many go, but if you want to go, you can.

There are also many tourists now [in Burma]. Not only tourists from Japan, but there are many coming from Italy, and even from Argentina, the other side of the earth! And they go to various places, like Shan State. Shan State was, until just recently, a difficult place to go because it is part of the Golden Triangle. But that also makes it ethnically diverse, and there are trekking courses now. So there are many people coming to see Burma now. You may say that tourists are only allowed to see a limited area. But though there are restricted areas, there are Burmese people coming from these areas, so if you ask, you can find out many things. So I think it is a mistake to look at Burma as a closed, dark society. I feel that if you want to gather information, you can.

As for the ILO and their survey, well, if experts go from one place to another, they can understand a lot from comparisons. So it does not have to be the ILO. Other UN experts go too. For example, there are many people with the UN working on the drug issue and they are visiting remote areas of Burma. Even if you ask them about forced labor, they don't seem to see it. So it is not a simple problem of a lack of information. If you want to collect information, there is a lot you can collect. If you demand to see everything, there is no country that will want to show it all. Gathering information is like collecting papers one page at a time. Here one page, there one page, and after a while, you can gain an overall understanding. I cannot get angry just because information was not given to me at one point. We are now in an age where everyone should go and collect various kinds of information.

As for the political question, this is very difficult. Today, I just returned from Beijing, and on the front page of the newspaper in Beijing was an article about the Chinese president's visit to Burma. President Jiang Zemin is visiting Burma. To speak frankly, though Burma is not ruled by China, China's influence is growing. One of the issues facing us now is how to balance China's influence. And it is in this context that the military regime is expected to change. Behind this change, it is better to also look at China. I think that this is a time where democracy and international politics need to be considered in this context.

About this hydropower plant, I talked to the NLD, and as Teddy said, they are not against it. They just say it is too early and that it is important to match aid with the pace of democratization--this is what they want. This is what the NLD is saying too. So it is really not that big of a difference. So, as Teddy said, we need to make sure there is accountability and transparency, and to see who really benefits. This is what we need to consider.

And as was pointed out in the question earlier, everything is below standard. For example, with health care, it is said that HIV is a hidden crisis in Burma, but if you go to the hospital, there is no equipment to automatically check blood. So what is to be done? Take blood samples one by one to the test lab for examination? If you think about it, fundamental medical equipment, and electricity--the Baluchaung is related to this--these basic things should be done as soon as possible.

Democracy is important, but there are some things which need to be taken care of first. I am also involved with Afghanistan, and Dr. Nakamura has written a book entitled, "First you must survive; Illness can be cured later." What this means is, if water is not

made available and people cannot drink, then they will die. Diseases can only be taken care of after water is provided. This applies to Burma too. The country is hurting badly, so we must do something quickly. This is an age of upheaval in Asia, and we must take quick and resolute steps.

MATSUMOTO (moderator): Thank you. It seems Teddy has something to say, so we will begin with Teddy to remark on Mr. Suto's comments. Mr. Nakajima from Rengo also mentioned he would like to speak more on the 3 to 3.5 billion yen to be granted for the Baluchaung Hydropower Plant No2, so following Teddy, I would ask Mr. Nakajima to speak.

TEDDY BURI: Earlier, Mr. Suto talked about the video as part of a story, a small story. Not a big truth. But I would say maybe that is not the correct choice of words. I think the video is part of a big truth. Mr. Suto also mentioned about not seeing mine fields when he was in Lawpita. I come from Loikaw which is near the Lawpita area. When you talk about mine fields, of course they are not going to be near the roads or near the villages. In fact, I don't think the military would take Mr. Suto very far from the road, so I am not surprised that he did not see mine fields with signs sporting skulls and crossbones.

Another point Mr. Suto mentioned was about the ethnic nationalities. He seems to fear the Balkanization of Burma. As a matter of fact, the military regime has always said that if it weren't for the military regime in Burma, Burma would have disintegrated, and that Burma would not be what it is today. But this is pure propaganda which the military regime has been able to sell. It is falsehood. It is all falsehood. The ethnic nationalities, as a matter of fact, joined the Union voluntarily in the first place when they signed the Panglong Agreement. And we are still committed to being a part of Burma. We are still willing to be a part of the Union of Burma, and this is why we are preparing ourselves to join the Federal Union of Burma. So I would like Mr. Suto not to be concerned about the Balkanization of Burma because of the ethnic issue.

About water from the dam, of course the Maw Bye dam is upstream. Mr. Suto was talking about the possibility of the villagers using the water for irrigation. When there is enough water, it is ok. But at times, it is very hard, particularly when there is less rain. Then remember you have to run 6 turbines at the hydropower plant. At times like this, the farmers are not permitted to use the water from the dam. Just below the dam, there are 2 irrigation canals that were actually built with money from the Australian government for 6 million Australian dollars. And when these 2 canals were built, it was with the understanding that there would be at least 2 crops available. But sometimes even one crop is impossible because of the lack of water. The water is prioritized for the 6 turbines of the Baluchaung Hydropower Plant, so the farmers are not permitted to use the water to irrigate their farms. This is another problem we have seen there.

As far as forced labor is concerned, I agree with Mr. Suto that in some areas, you see less forced labor, and in some areas maybe you wouldn't see any forced labor. But this is not true in every area. It depends on the area where you are, on the States where you are. It depends on how big a presence of military you have there, and on whether the area is heavily or slightly contested militarily. You have forced labor where you have a presence of the military. I do agree with Mr. Suto that the 3.5 billion yen is for renovation. Because it is renovation of the turbines, of the power plant, there wouldn't be very much environmental impact. But then, once the power plant is renovated, you have to think about the forced labor, the human rights abuses. This will happen there, and it may even increase because there is going to be more need for security. There is going to be a need for more military presence there. With a bigger military presence, there are going to be more human rights abuses. There is going to be more forced labor, daily forced labor like fetching water, running errands for them, guarding the power lines, and all sorts of things will continue. It may possibly increase. This is a possibility. And of course the landmines. Mining of the area will be intensified. It will be calculated because once you have the power plant renovated and once it is able to generate electricity, there is a need for the military to increase security. So there will be heavier mining. This can lead to environmental desecration, I think. The mines can kill wild animals and so on. It will also curtail the movement of the local people there.

NAKAJIMA (Rengo): First, I would like to comment about Japanese ODA, including the Baluchaung project. As Mr. Suto said earlier, countries receiving ODA are sometimes military states, countries with bad human rights records, or countries carrying out nuclear tests. And in the case of aid from Japan, we also give aid to countries like China which in turn gives aid to other countries under military rule or who commit human rights violations.

The Japanese government has four basic principles for aid which are written in the ODA Charter. This

Charter also contains humanitarian guidelines. We, at Rengo, are calling for the ODA Charter to be strictly adhered to.

I cannot help but have doubts about whether this Baluchaung Hydropower Plant repair project is really within the humanitarian framework. I have had discussions with officials at the Foreign Ministry, with the Director of the Asia and Oceanian Affairs Bureau, and with Ms. Takahashi, who was here earlier. It seems that even within the Foreign Ministry there is some confusion about whether or not this Baluchaung project can be considered humanitarian or not. But as you also heard Ms. Takahashi say, the Foreign Ministry also considers using ODA as a tool to convey the opinions of the international community to the military regime, and the Baluchaung is also being considered as such a tool. And maybe for this reason too, it has been squeezed into the range of humanitarian aid.

Even if we give them the benefit of the doubt and accept this definition, can we be certain that forced labor will not be used? If we provide ODA, we must make sure that forced labor is not used, and the Japanese government has the responsibility to explain this not only to the citizens of Japan, but to the international community.

If the military regime can promise that forced labor will not be used in relation to the repair of the Baluchaung dam, then the acceptance of a monitoring team must be a condition to be strictly met. We have proposed this, but unfortunately, we have not received a clear response at this stage.

As for basic human needs, and for a strong social base, we think that education and health are very important. As Mr. Suto also mentioned, HIV is a very serious problem. But when aid it given, it is important to ensure that it is used for the ordinary people, and we believe that it is also essential to put a system into place that will make sure aid is used for those people.

From this perspective, if we look at the Baluchaung one more time, it is true that in a situation where electricity is poorly distributed, the military has priority use. For electricity fees, there is a 10 time difference between the fees paid by ordinary citizens and military or government officials. Some say that electricity is needed for Burmese people's livelihood, and for hospitals, and I do not disagree. But if this is the case, then it is necessary to make sure that that is where the electricity goes, and not for military use. This is the responsibility of the donor, and this is the position that we are taking.

MATSUMOTO (moderator): Thank you. Finally, I would like to give each panelist an opportunity to give some last comments. I would also like to put forward some questions based on those from the floor.

To Mr. Suto, could you please talk about the need for monitoring and the possibilities for monitoring in the world of politics in Japan? Also, what kind of position should Japan take to help promote democracy in countries ruled by military regimes?

And to Ms. Hsao Tai, several questions have been raised. There are many people who have fled from Shan State, and one could consider them to be victims of Burma's current condition. Could you please explain the daily life of Shan people living in Thailand and the kind of difficulties they face? Considering this situation, is there something you would like Japanese people to do for Shan people?

And last, to Mr. Teddy Buri, there are many questions about the military regime. While the existence of the military in Burma cannot be denied, it seems the military has monopolized much of the economy. Could you explain concretely what has happened and to what extent the military has expanded? Also, as mentioned in Ms. Akimoto's presentation, do you think that Japan has created enough problems in Burma so that there are Burmese people who would like to file court cases against Japanese companies?

Now, Ms. Hsao Tai, Mr. Suto, and then Mr. Teddy Buri, please give your comments.

HSAO TAI: I would like to explain the situation of Shan refugees in Thailand first. As you know, in 1996-1998, and even now, people in Shan State are fleeing into Thailand. There were 300,000 people relocated in those 3 years. In 1996, 100,000 Shan refugees fled into Thailand, and right now, the number of Shan refugees has increased. There are 150,000 in Thailand already. And they are not provided refugee camps like other ethnic minorities, so they came across the border illegally, and they stay on the border. There are some Shan villages on the border, so at first they rely on these, their old neighbor's house, and look for jobs. As refugees, they flee into Thailand as families, with old people and children. They try to find places on farms, like fruit farms or onion farms, along the border side. Sometimes they get jobs on those farms, and they work on fruit farms and also other factories. They are illegally in Thailand and considered as illegal migrant workers. Some say they are not refugees, but actually, they come to Thailand as refugees.

So their situation is that they are not provided with any aid for health and education, and food. They don't get any assistance like other ethnic minorities, other

refugees like the Karen or Karenni or Mon. They get paid very low wages on the farms and in factories because they are illegal workers. They don't have any laws to protect or help them. As you know, most of the farms along the border in Thailand use a lot of pesticide. They produce many vegetables and fruits, and they use pesticides a lot. Those illegal Shan workers don't have any knowledge of how to protect themselves from pesticides. So it affects their health, and some people die from use of pesticides. They come to the clinic with many health problems. These problems have not been documented until now.

Some Shan refugees came into Bangkok or to Chiang Mai because they save some money on the border. If they have money, they can pay for agents to take them further from the border. They pay so much money to them, and then they come into Chiang Mai and work in a restaurant or even in entertainment. Some women go into prostitution as well. So this is a problem for Shan refugees. Also, for the children, they came with their parents and they don't get any education because they do not have any refugee camps. They stay in Thailand illegally, so it is very difficult to provide Shan refugees with education. They can be arrested as illegal people in Thailand any time. So that is the problem of education for Shan refugee children.

As for the role the Japanese government should play for Shan people, actually I don't know much about that. But I think that the Japanese government could provide aid to Shan and other people on the border, as Japanese may know of our problems. Maybe the government should find a way to help those people. Right now, because of the dialogue, the Thai government is planning to send refugees back to Burma within 3 years. They plan to send 100,000 refugees back soon. Things like this happen because although the international community supports the dialogue, there is no fundamental change inside Burma at all. So the military regime is still in power, and people do not yet have the power to take the democracy movement forward at all. So governments should find a way to help those people, not force them into more trouble by sending them back too early. For those refugees, if they are sent back, if this starts now, how can we know exactly what happens to those people if they go back? We cannot make sure they will be safe.

SUTO (MP): As someone involved in politics, I have constantly demanded accountability and transparency, and this is why I decide to go and visit places myself.

For example, in regard to landmines, there are almost no surveys of landmines (in Burma), so this is something that Japanese ODA should be used for. First, survey for landmines and determine if they are there or not. If they [the authorities] say there are no mines, then suggest they do a survey to make sure. This is what I think.

Then regarding agriculture, there are some agricultural fields which were destroyed due to the dam, but there is also agriculture which has expanded because of the dam. And sometimes there is not enough water. This is the case anywhere in Southeast Asia, but sometimes water cannot be used because there is not even a small pump. So in this sense, if a well is dug and a small pump--a diesel pump--is provided, then that is really enough. I think there are many techniques that can be used. From Japan, we can send many people from JICA to check for these problems and give this kind of assistance.

About electricity, someone mentioned that much of the electricity supply goes to the military, but I do not think this is the case. Electricity is provided in a circuit which goes around the entire country, and if you look, there is electricity being used in various places by everyone. It is even being used for tourism. Even outside the cities, for example from Lawpita, there are 110 volt or 210 volt power lines going to various places, and you can see many television antennas. So it is not just the military using electricity, and it isn't the case that the military gets discount electricity fee rates. As a matter of fact, Japan's Kansai Electric Company and European consultants are also active there. Of course, civil servants get a much cheaper rate, but depending on the amount used--there is a difference between a civil servant's home and a company, for example--it is actually quite a rational system. If you examine the situation carefully, you will find that this is not actually a useful criticism.

Regarding forced labor, there is also a cultural background. Basically, you can compare it to Japan when people gathered in front of a temple and got together to work. From a western perspective, this might be forced labor, but in my generation, if you were in the countryside, it was not much different. Of course there were some people who felt it was forced labor and refused to go and were ostracized as a result. Some people who did not want to go paid money instead. I think that this is just a part of Asian society.

The most important is the military problem. They [Burma] aren't planning to try to attack China. It really is a domestic problem among ethnic peoples, and to solve this, they have built up a large army. In other words, if there are no longer problems among ethnic groups, they will not need the military any more. So

this is the most important point, and the biggest issue is the Karen. Mr. Teddy Buri also spoke about it, but when General Aung San held the Panglong Conference, the Karen did not participate, and so this problem has continued to today. Something must be done about this ethnic problem, and it requires effort to solve. Even if the military regime fell tomorrow, and Aung San Suu Kyi became president the day after tomorrow, the same problems will arise if the ethnic issue is not dealt with.

What is important to think about as a politician is how to return Burma to a peaceful country. This is difficult. If we say the American way is good and that Burma should open up, have a free market economy, and democratize, then before democratization we will probably see lots of McDonalds all around the country. Now, Shan State grows lots of vegetables and can sell them to India, and this is profitable. It would be a shame if all this was crushed by globalization. It may sound strange, but thanks to the military regime, foreign capital does not flow freely into the country, but if we do not consider this point carefully, Burma will never be at peace.

So, this is a crucial time. I think there are many people from NGOs here, and it is important that you speak up from the outside. This really is important. In addition, it is important to support the people of Burma who are working in Thailand and other countries. But now, even if it requires some compromise, I think it is most important to go in and work inside Burma. For example, Thailand is now very severe towards the refugees, so someday the refugees will be returned. At that time, Burma needs to be ready to accept them. So I think the time has come now to work inside.

Last, the Foreign Ministry, a politician like myself, refugees, and people from Burma have come to this event. Here we have been able to have a discussion, and this too is also very important. This kind of event should happen many times, and in this way, we can contribute to the future peace of Burma.

TEDDY BURI: Somebody asked about the military in Burma. In response, I will try to be as brief as possible. In 1962, the military staged a brief coup. At that time, the strength of the army was 85,000. In 1988, it staged a second coup following the popular uprising. At that time, the army was 185,000. You had 100,000 more. And now, after 12 or 13 years, some put the figure at 400,000. But I think it could be between 300,000 and 400,000. If you look at the figures, does Burma really need an armed force this big? Do they really need it?

In particular, the regime boasts of having entered ceasefires with 17 groups. If they have these ceasefires, why do they need such a big army? It is because they are hated by the people. It is because they have interests to protect. If you look at the defense budget, it is more than 45 to 50 percent. There are hidden budgets. For example, around the Baluchaung hydropower plant, Battalion 72 is there. This Battalion is paid not by the defense ministry, but by other industries.

Any battalion which looks after the safety of mining, for example, is paid by the mining industry. So you have all these hidden budgets. If you put this together, the military budget may actually be about 60% of the national budget. But health and education combined are less than 10% of the national budget.

Today we are talking about ODA. We are talking about grant money. Burma is so rich, does it really need all this ODA? If the government were accountable, if it were responsible, if it were transparent, if it really looked after its people--Burma is so rich in natural resources, why has it become so poor? Why hasn't it become one of the most developed nations in the world? In 1978, it became one of the least developed countries in the world. It is so rich, it does not need to be one of the least developed countries. It should not need ODA with all the resources it has.

So why are we are talking about this ODA now, when Burma is so rich? Unless there is change in Burma, unless democracy returns to Burma, no amount of ODA, no amount of investment, no amount of help from the international community will help us. It won't help at all. So when will leaders change in Burma? What we need from the Japanese government, from people like Mr. Suto, and trade unions from around the world, is persuasion. If you don't like the word "pressure," use the word "friendly persuasion." Use your clout. Japan is in a very strong position as a G8 member, as a dialogue partner of ASEAN, to steer Burma to change. Particularly given the historical relationship between Burma and Japan. There has always been a cozy historical relationship between Burma and Japan. Japan should use this relationship to help bring change in Burma.

So, where does all this money go now? For example, in 1996-97, direct investment to Burma was 3.5 billion US dollars. In 1997-98, it came down to 800 million US dollars. The next year, it came down to just 38 (million US dollars). And where has all this money gone? Why do we have more than 1 million people working in Thailand? Why do we have all these refugees languishing in Thai refugee camps? It is

because of the mismanagement of the economy. It is because of the human rights abuses back home. The Japanese people should know that. The Japanese government should know this and use its good relationship to help bring democratic change to Burma. Thank you.

MATSUMOTO (moderator): This discussion could continue for another hour, but we must come to a close.

Participants here came from very different positions, and of course, Mekong Watch, the organizer, also has its own position. But it is important for everyone to be aware of these various opinions, and this is one reason for organizing such a forum.

Today, we had a panel discussion, a presentations including that by Ms. Takahashi of the Foreign Ministry. You may have been struck by the differences in content. I hope that you will take what you have heard home and think about your own position on the issues you have heard today. Then I hope you will also take some action. Common themes raised today were Burma's democracy and human rights, and the need for support from Japan. Considering this, what should we do as individuals, as companies, and as government agencies? What can we do? I hope this symposium has been an opportunity to think about this. Thank you for spending time with us today.

Comprehension Questions:

1. What is Mr. Suto's general opinion about dams? How is his opinion about the Baluchaung hydropower plant different from his general opinion?
2. Mr. Nakajima explained some of the ILO's activities regarding Burma. What approach has the ILO taken towards Burma?
3. During the panel discussion, all of the speakers mentioned what they think are some necessary conditions for ODA to Burma. What are these conditions?
4. Ms. Hsao Tai explained that Shan refugees in Thailand do not have refugee camps to live in. What kinds of difficulties do they face as a result?
5. Mr. Teddy Buri explained the changes in the military since 1962. How has the military changed? What does the military regime use most of its money for?

Questions for Discussion:

1. Looking back at Comprehension question #3, do the speakers agree about the conditions? How are their opinions similar or different? What do you think are necessary conditions for ODA and investment?
2. What is Mr. Teddy Buri's understanding of the human rights situation around the Baluchaung Hydropower Plant? How is his understanding similar and/or different from Mr. Suto's? Both of them have been to the area around the Baluchaung hydropower plant. What do you think are the reasons for their differences in opinion?
3. Do you think Burma needs ODA? Does Burma need investment? If so, what kind of ODA/investment does Burma need and how should it be given? If not, why not?
4. Considering the issues of transparency, is the ILO's approach to the forced labor issue in Burma transparent? Is it accountable? If so, what makes this approach transparent and accountable? If not, what is not transparent and not accountable?
5. How successful do you think the ILO's approach is and why?
6. Towards the end of the discussion, Mr. Teddy Buri said that Burma is rich in resources and should not need ODA. What do you think about this opinion? Right now, due to the political situation, there is very little ODA going to Burma. When there is political change, is there a way to improve the livelihood of people in Burma without receiving ODA? If so, what do you think should be done? If not, why not, and what kind of ODA do you think will be needed?

Chapter 7 -- Development in Other Countries

Pak Mun Dam (Thailand) & Narita Airport (Japan)

This Chapter introduces two cases from outside Burma. These cases were not discussed at the symposium in Tokyo, but we have included them in this report for your information. There are many different kinds of development projects. While there may be projects which have brought benefits to many people, there are also projects that have made life more difficult. Here are two examples of projects that can be debated. Have they brought benefits? Caused too much harm?

Large scale development projects have large impacts on environment and society, no matter where they are. But unfortunately, there are many cases where people affected by these projects are not asked for their opinions about them. This was the case for the three cases from Burma you have read. This also happens in many other parts of the world.

The Pak Mun Dam in Thailand is an example of a large project that had very big impacts on many people's lives. People from the area around this dam have continued a strong movement against it for ten years. Narita International Airport is a very busy airport. People from many countries take off and land at Narita every day. But there is also a story behind the airport. Please read about the next 2 cases.

Question to Consider:

What is happening in Shan State and around the Tasang Dam? Keep this in mind as you read about the Pak Mun Dam in Thailand. What are the similarities in the two projects? How are the situations different?

Pak Mun Dam (Thailand)

The Pak Mun Dam was built in 1994. It was built in Ubon Ratchatani Province of Northeastern Thailand near the mouth of the Mun River. The main developer of this dam was Electricity Generating Authority of Thailand (EGAT), but 13% of the funds for this dam came from the World Bank. The Pak Mun Dam is what is called a "multipurpose dam." It was built for hydropower, fisheries, and other purposes, but the main purpose of the Dam was to generate electricity.

While this Dam was planned to bring many benefits, in reality, it has not worked as well as was expected. The Dam was supposed to produce 136 megawatts of electricity, but after being built, it produces only 20% of that amount. The Dam was supposed to increase the amount of fish people could catch too. But in reality, the number of fish has decreased a lot. Before the dam was built, many people depended on the river for their livelihood. They caught and sold fish for their income. But after the dam was built, fish could not migrate and the number of fish decreased drastically. But because they could not catch enough fish any more, villagers had to look for work in other places, like the cities.

After the Pak Mun Dam was built, the Mun River changed. Before the dam, there were rapids. These rapids were very important habitats for fish. After the dam, however, the water level rose, and the rapids disappeared. As a result, some of the fish cannot live there any more.

This dam also affects agriculture. Because the dam blocked the river and the water level changed, people cannot grow vegetables along the river as they did before. Forests along the river were also damaged or destroyed. Many fields were also destroyed, so people could not make a living by agriculture any more. Some people had to sell their farms and animals.

Many people were relocated for this dam. In the beginning, 262 households were supposed to be relocated. But in reality, about 1700 households had to move.

These problems of course had large impacts on communities. Some places that were important for traditional ceremonies were covered with water. Also, villagers were divided between people who supported the dam, and people who were against it. Before the plan to build the dam, villagers cooperated with each other and supported each other. But when the dam project started, the community was divided, and there was discrimination against the people who were against the dam.

As a result of the construction of the Pak Mun Dam, the people who lived around the dam suffered a lot. Before the dam was built, a study called an Environmental Impact Assessment (EIA) was done. This study was done to check how the environment would be affected by the dam. But the study did not include information that would make the affects of the

dam clear. Not enough research was done. As a result, there is also little information on the natural condition of the river before the dam was built. This means that there is not enough data to analyze exactly how the situation changed after the dam was built.

The Anti-Dam Movement:

People had organized a movement against the Pak Mun Dam even before it was built. This dam has gates called "flood gates." When these gates are closed, they block the flow of the river. When the gates are open, it allows the river to flow more freely. There was a people's movement against this Dam even before the flood gates were closed for the first time.

EGAT, the main developer of this dam, explained the Pak Mun Dam project to only a small number of people. They focused on the benefits of the Dam. Because the negative impacts of the dam were not explained, many people did not expect the dam to cause so many problems. After the Dam was built, the damage became clear, and a people's movement against the dam also grew. As a result of the people's movement, 90,000 baht was paid to 4,000 households in 1995. This money was compensation for the damages people faced during construction. While compensation for damages is important, it is not enough to continue living if the main way of livelihood is destroyed.

In January 1997, there was a demonstration for 90 days in Bangkok, so in April, more compensation was promised. But the following year, the government changed, and this promise was broken. So in 1999, people started demonstrating again, and 5000 people occupied the dam site. The same year, some people started criticizing the anti-Dam movement. They said that people in the anti-dam movement only wanted money. To show that this was not the reason for the demonstration, the people changed their strategy. They stopped asking for compensation. They started demanding that the flood gates be opened again. They wanted the gates to be open so that the Mun River could flow freely again. If the river can flow freely again, the people hoped that the natural environment would recover.

In 2000, EGAT gave compensation of 60,000 baht to 2,200 more households. EGAT hoped that with money, the people would stop protesting. But compensation like this does not last. Before, people could grow vegetables along the river and catch fish. They could make a livelihood this way. But after the dam was built, they could not grow vegetables along the river, and they could not catch enough fish. They needed more money to live, but at the same time, the dam took away their source of food and income. If people get compensation once, it might be enough for a little while. But what happens when the money runs out? If people's way to earn a livelihood is destroyed, then even 60,000 baht is not enough. EGAT tried to solve their problems with money, but money was not the answer. This is why the people demanded that the flood gates be opened.

The Thai government reacted strongly against the people's demands. Eight-hundred people held a demonstration in Bangkok and took over the Prime Minister's Office. Two-hundred people were arrested and released the next day on bail. After the arrests, people increased their pressure. The people built barracks outside the government building and started a live-in demonstration.

Finally, in May 2001, the Thai government decided to open the gates of the dam for four months. The gates were opened in June. The gates were scheduled to close after four months, but the people organized again and demanded that the gates stay open. The Thai government decided to extend the time period for one year, so the gates are still open. Some types of fish which have not been seen since the dam was built are returning to the Mun River. This shows that there is a chance that the natural environment can be recovered. Villagers and NGOs are working together to document how the natural environment is changing with the opening of the gates. They continue to demand that the gates stay open.

Narita Airport (Japan)

After World War II, Japan entered a period of rapid economic growth. During this time, many development projects were planned and carried out in Japan. Among these projects, there are examples where people to be affected by the projects were not consulted and became victims of development.

Narita International Airport is one example of this. Many people who lived in the area of the airport were against the plan, and some deaths resulted. The airport was constructed and many years have passed. The movement against the airport still continues today.

Question to Consider:

What are your impressions of Narita Airport? What are your impressions of international airports in general?

Do you know what the area around the airport closest to you was like before the airport was built?

Narita Airport and People's Protests:

Narita Airport is located in the northern part of Chiba Prefecture in Japan. It started operation in 1978. In 1965, the government decided to build a new international airport in a place called Tomisato, also in Chiba Prefecture. The residents of Fukuzato did not want the airport built there, and they protested. Because the protest was strong, the location for the airport had to be changed. The government decided to move the site for the airport to a place called Sanrizuka. The government did not want a people's movement against the new location, so the decisions was made and announced without consulting the people of Sanrizuka.

Two-hundred-fifty households had to move to make space for the airport. Many of them were farmers. They formed groups against the construction, and came together in the Airport Opposition League.

In 1969, 220 households received compensation and moved. Students also supported the opposition movement. The movement against the airport was strong. The government brought in riot police and put pressure on the farmers. Land was surveyed before the farmers agreed to give their land, and some of the land was forcibly taken away from the farmers. Clashes between farmers and the riot police broke out. Three riot police were killed, and one farmer commit suicide in despair. Over the years, a total of about 3,800 people were injured in clashes with police, and about 3,500 people arrested.

In spite of many protests and outbreaks of violence, the airport began operation in 1978. But this did not end the protests. Many strong actions were taken against the farmers, and this resulted in some taking violent actions in return. The original plan for the airport contained three runways. Due to the protests, only one was completed, and the plans for the other two were stopped. From November 1991 to May 1993, farmers, airport authorities, and government officials met together to try to come to a peaceful solution to the problems. They met again 12 times between September 1993 and October 1994, and agreed they should not use forceful ways to solve problems any more.

However, in 1996, the Transport Ministry announced that it would complete the second runway at Narita airport by the year 2000. The Transport Ministry says that they consulted local residents, but residents say that their opinions and wishes were ignored. The residents and farmers feel that the government is repeating the same mistakes of 33 years ago.

Protests began again. In 1999, plans for the second runway were changed. It was decided to make a temporary runway shorter in order to avoid land owned by people against the airport.

A public hearing about the airport was held, where many people said they supported the airport and the new runway because it was good for the economy. There were a few others, however, who were still against the airport. Now, in 2002, the second runway has been completed, and airplanes are flying 40 meters directly over people's homes. Many of these people are doing organic farming.

Farmers in Sanrizuka have developed organic farming and feel very strongly about their land. They spent many years developing both the soil for farming and their communities. This is not easy to do again. If they must move, they must begin their lives all over.
One farmer who does organic farming in this area said, "This temporary runway has not followed democratic procedures. They say that they planned the runway after consulting with us. But actually they never listened to our opinions." The farmers are worried about the effects of the loud noises and air pollution.

Comprehension Questions:

1. Why are farmers protesting against the airport and new runway?

Questions for Discussion:

1. If you could speak to the farmers in the Airport Opposition League, what would you talk about? What would you ask them?
2. Why do you think the clashes between protesters and riot police became so violent that people were killed?
3. How could the deaths and injuries have been prevented?
4. What do you think should be done about Narita Airport construction in the future?

Chapter 8 -- Reviewing Development (both ODA and Investment driven)

In this lesson, there are more questions than answers. We hope that these questions will be useful for you to stimulate discussion.

What is development?

- Many people say Burma needs to develop. Or Burma needs to be developed. What do you think they mean? Do they mean Burma needs more cars, better roads, internet, airports, and electricity? Or do they mean Burma needs democracy? Better education and health care? More trade with other countries? Bigger cities like Bangkok and Tokyo?
- What does the word "development" mean to you?
- What is most important to you in your life? Are these things related to development?

ODA and Foreign Investment

In the previous lessons, you read about one ODA project (repair of the Baluchaung Hydropower Plant) and two investment projects (Yadana Gas Pipeline and the Tasang Dam). What do these projects have in common? How are they different?

Who are making decisions?

- Who decided that the Baluchaung Hydropower Plant needed to be repaired? Who is deciding how it should be repaired and who will repair it? Who is deciding when the repairs will happen?
- In the case of the Tasang Dam, who wants to build the dam? Who did the feasibility study? Who will provide the money for the dam? Who is controlling the area the project is in?
- In the case of the Yadana Gas Pipeline also, who decided it should be built? Who built it? Who protected it?
- In all of these projects, are there people who are not participating in decision-making who should be? If so, who are they? Why aren't they participating? Why is it important that they participate?

What do you think? Are the people making decisions about ODA the same or different from people making decisions about foreign investment?

What are the results of the decisions being made?

- In the case of the Baluchaung project, are there any people facing difficulty because of this project? Who are they? What difficulties are they facing? Why are they facing these difficulties?
- In the case of the Yadana Gas Pipeline, we can ask the same questions. Who faced difficulties because of the project? What difficulties did they face, and why did they have these difficulties?
- And for the Tasang Dam, even though the dam has not yet been built, some people are being affected by the project already. Can you imagine the difficulties they will face if the project continues?
- Many people whose livelihoods are affected by these projects live traditional lifestyles. What happens to their lifestyle and culture? How does this affect ethnic groups as a whole? Should culture be protected? If so, how?

What are the benefits of the projects?

- Some difficulties result from the projects, but some benefits result too. What are these benefits? And another important question is, who receives the benefits?
- Are the people who benefit the same people who make the decisions? Are they the people who face the difficulties? Are the benefits for many people or only a few?
- Is it possible to balance the benefits with the problems? If so, who should decide how to balance them? How should these decisions be made?

Human Rights and Environment

As you saw from the three examples of development in Burma, it is possible for people to suffer a lot from "development projects." Sometimes there are human rights abuses. Forced labor, extrajudicial killing, torture, rape, forced relocation, theft--these are some abuses that many face when large-scale development projects are done in Burma. Who suffers these abuses? Who commits them? Why are these abuses committed? How do these abuses affect traditional lifestyles and culture?

As you also learned from the previous lessons, there are also environmental problems with development projects. How is the environment affected? Who is responsible? What happens to people when the environment is destroyed?

From the examples given in Chapters 7, local people have faced difficulties as a result of development projects too. Why do you think these problems occur? What similarities and differences do you see among Thailand, Japan and Burma in relation to how people are affected and how they try to demand transparency and accountability?

What should be done? What can you do?

- Think about what you have discussed in the in the last chapters. What do you see as the biggest problems in development in Burma? What are the biggest problems of development in general? In the future, how can these problems be prevented?
- Some people ask about alternatives. Are there alternatives to the way development is done now? Is refraining from doing these development projects an option?
- Considering these things, what is your vision for the future of development in Burma? What is the role of governments in your vision for Burma? What is the role of NGOs? What is the role of companies?
- What is your role in the future of Burma?

REFERENCES

Below are some websites and organizations which may be useful for further information.

Useful websites with information about development, Japanese ODA, and cases mentioned in this booklet:
EarthRights International (English & Japanese): http://www.earthrights.org/
FoE Japan (English & Japanese): http://www.foejapan.org/aid/
International Rivers Network (English): http://irn.org/index.html
Mekong Watch, Japan (English & Japanese): http://www.jca.ax.apc.org/mekongwatch/
Rivers Watch East and Southeast Asia (English, Japanese and other languages): http://www.rwesa.org/

Websites for information on Burma:
Burma Library (English): http://www.burmalibrary.org
Burma Info (Japanese) http://www.jca.apc.org/burmainfo/
Official website of Military Regime: http://www.myanmar.com/e-index.html
New Light of Myanmar: http://www.myanmar.com/nlm/

Websites of Japanese ministries and development agencies:
Japan Ministry of Foreign Affairs: http://www.mofa.go.jp/
Japan Bank for International Cooperation: http://www.jbic.go.jp/
Japan Ministry of Finance: http://www.mof.go.jp/
Japan International Cooperation Agency: http://www.jica.go.jp

International Labor Organization:
International Labor Organization: http://www.ilo.org/
Report of the ILO High Level Team on Forced Labor in Burma:
http://www.ilo.org/public/english/standards/relm/gb/docs/gb282/pdf/gb-4.pdf
Appendices to HLT report:
http://www.ilo.org/public/english/standards/relm/gb/docs/gb282/pdf/gb-4-ax.pdf

Organizations focusing on Burma in Japan:

People's Forum on Burma (PFB)
Tel: 03-3832-4527 / Fax: 03-3832-4523
Address: Izumibashi Law Office, Sawa Bldg. 3rd Fl.
1-10-6 Taito, Taito-ku, Tokyo
pfb@mb.neweb.ne.jp

Burma Office (Japan)
(Umbrella group for Burmese groups in Japan)
2-6 Kanda-awaji-cho Awaji Bldg. 5th Floor
Chiyoda-ku, Tokyo 101-0063
Tel: 03-5296-3010
Fax: 03-5296-7903

Burmese Relief Center--Japan (based in Osaka)
e-mail: brcj@syd.odn.ne.jp

Amnesty International Japan (Burma Team)
7F Ogasawara Bldg., 2-7 Kandatsukasacho, Chiyoka-ku,
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