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Military, political and business cronyism at heart of ethnic minority land seizures in Myanmar

Foreign investment in Myanmar's land sector risks fuelling human rights abuses and playing into hands of former dictatorship

A new Global Witness exposé reveals the military, business and political actors behind mass confiscations of ethnic minority land in northeastern Myanmar, near the border with China. Those responsible include Myanmar's current Minister of Agriculture and Irrigation, U Myint Hlaing, the country's ruling Union Solidarity and Development Party, and Sein Wut Hmon, a rubber company which collaborated with the former military junta to gain control of land. These revelations come as Myanmar's government finalises the drafting of a national land policy, the country's first.

The result of an eighteen-month investigation, ***Guns, Cronies and Crops*** details the collusion and cronyism at the heart of a number of operations carried out by Myanmar's armed forces, the *Tatmadaw*, in which large swathes of land were taken from farming communities in the mid-2000s and handed to companies and political associates to develop rubber plantations.

The report documents the toxic legacy of these land grabs on an already marginalised ethnic-minority population for whom little has changed since the country's much-lauded transition to civil democracy in 2011.

"Following almost 50 years of military rule, Myanmar's politics and economy is supposedly being disentangled from the Tatmadaw's grip," said Josie Cohen, Land Campaigner for Global Witness. "But in many cases the army has merely swapped its uniforms for suits, with military officials and their cronies retaining firm control of the country's land sector. As foreign agribusinesses are now poised to invest in Myanmar after decades of trade sanctions, their money risks fuelling human rights violations and playing into the hands of the former dictatorship."

Most of the land confiscations investigated by Global Witness took place in 2006 when, under the veneer of the nationwide 'Privatisation Programme', Generals were transferring public assets and natural resources into private ownership, reportedly to ensure that they and their associates retained economic control post-transition.

By 2013, 5.3 million acres of land - 35 times the size of Yangon - had been leased to investors for commercial agriculture. Driven by rising demand from China, more than a quarter of this total is now covered by rubber plantations. This is having a dire impact in a country where 70 per cent of people rely on farmland and forests.

Evidence unearthed by Global Witness implicates the following actors in land seizures in the Lashio District and Wa Self-Administered Division of northeastern Shan State:

- **U Myint Hlaing**, Myanmar's current **Minister of Agriculture and Irrigation**, was the head of the Tatmadaw's North East Regional Command when it carried out these confiscations. While Commander, he was reportedly ruthless in his dealings with ethnic minority groups and is one of the most powerful and controversial ministers in the current government. He has been widely criticised for pushing industrial-scale agriculture at the expense of Myanmar's smallholder farmers.
- The **district-level government** was also complicit. Officials from the Land Statistics Department in Lashio, northern Shan State's largest town, accompanied soldiers during confiscations. Global Witness investigators obtained a government document that lists allocations of 'vacant and fallow land' to a variety of actors in 2010 and 2011. Satellite imagery appears to show, however, that this land had already been converted into rubber plantations three to four years earlier, suggesting an attempt by the Ministry of Agriculture and Irrigation to retrospectively legalise land grabs.
- **Sein Wut Hmon** is a private, domestic company and the main beneficiary of these seizures. It colluded with military and district government officials to gain control of 4608 acres (1865 hectares) of plantations, more than any other rubber company in northeastern Shan State. North East Regional Command officer who led many of the confiscations, Major Myo Yee, now works for the company.
- Government documentation proves that the ruling **Union Solidarity and Development Party** was illegally allocated a separate 1300 acres of state-owned land in July 2010. This was seven weeks after the Party formally registered as a political party, by which time it was supposed to have rid itself of all state assets.
- Beneficiaries also include a long list of other private companies, the armed group, the **Manpang People's Militia**, and current **Members of Parliament U Shauk Chang and U Kyin Wong**.

The land confiscations investigated were conducted without the consent of local villagers and with almost no compensation. Sein Wut Hmon has done nothing to develop infrastructure in the area and not a single interviewee from the local villages had been employed on the company's plantations. Some who lost land are now struggling to feed their families and have sent their children abroad to find work.

Villagers also said they were too scared at the time to resist the confiscations due to fear of retribution amid on-going armed conflict. Since Myanmar's transition, villagers have written to the authorities requesting the return of their land, but not one has received a response.

"What we've seen in Myanmar's land sector is a transition from military rule to a form of gangster capitalism, with elites able to grab land with total impunity" said Cohen. "Myanmar's new land policy and subsequent land law present a major opportunity to secure a more equitable future for the country's citizens. International donors must use their leverage with the Myanmar government to ensure that new legislation puts an end to the land grabs that are blighting the country's reform effort. But true reform must also redress the problems of the past. The government and its cronies must be held to account for the abuses of the previous era and ensure that impacted communities receive restitution."

In February 2015, Global Witness wrote to Sein Wut Hmon's owner and director, U Maung Myint, asking for comment. In his response, U Maung Myint dismissed information given to Global Witness as hearsay, denied that the company had used military connections to acquire villagers' land and insisted that it had consulted with local people and provided jobs and development. Global Witness also attempted to contact the Minister of Agriculture and Irrigation, U Myint Hlaing, and all other groups and individuals named in Guns, Cronies and Crops. None of them responded.

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