

"There is no benefit, they destroyed our farmland"

Selected Land and Livelihood Impacts Along the Shwe Natural Gas and China-Myanmar Oil Transport Pipeline from Rakhine State to Mandalay Division



Report:

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Introduction

The Shwe natural gas project and the Myanmar-China oil transport project, commonly referred to as the “Myanmar-China Pipelines” or “Shwe Pipelines” are two of Myanmar’s largest energy projects that include offshore platforms, offshore and onshore pipelines, and onshore terminals, deep sea ports and storage and processing facilities. The pipelines will transport Myanmar’s gas from blocks A-1 and A-3 in the Bay of Bengal and oil from the Middle East and Africa through Myanmar to China. The pipelines will traverse sensitive marine ecosystems, dense mountain ranges, arid plains, rivers, jungles, villages and towns populated by ethnic Myanmar people and several ethnic nationalities along the pipeline’s path from Rakhine State through Magway and Mandalay Divisions, and northeast through northern Shan State to Yunnan, China. Resources transported through these pipelines will benefit consumers and industry in Yunnan and other western provinces in China and will supply the Myanmar government with multi-billion dollar revenues; little gas and no oil will be directed for domestic consumption in Myanmar. The Chinese National Petroleum Corporation (CNPC), the operator of the pipelines, recently stated that the projects could begin operating in early June, 2013. With significant work remaining, particularly in areas in northern Shan State where attacks against ethnic armed groups by the Myanmar military continues and in several locations where the pipeline has yet to be laid, it is likely that operations will be delayed until later in 2013 or beyond.

Communities and individuals interviewed by EarthRights International (ERI) in the project areas are overwhelmingly opposed to the pipeline projects and ERI, other groups, and individuals monitoring the projects have identified multiple adverse human rights and environmental impacts of the pipelines. This update, drawn from interviews with affected villagers, multiple investigations inside Myanmar, communications with companies operating the oil and gas projects, and public documents, illustrates several examples of the negative impacts of the Myanmar-China pipeline projects in western and central Myanmar.

This periodic update is limited in scope to provide a snapshot of overall project development. However, other impacts have been documented along the pipeline route, including environmental harms, lack of local benefits, and human rights violations, including severe human impacts in northern Shan State. While EarthRights International has not conducted field investigations in northern Shan State, the pipelines are increasing tensions as construction reaches the Chinese border where there is renewed armed conflict between the Myanmar Army and several ethnic armed groups. Reports on these subjects are available through the internet links accompanying this report.

EarthRights International’s aim in releasing this update is to provide information to local communities and civil society in Myanmar while also alerting companies and stakeholders of local perceptions and impacts of ongoing construction. Prior to publication, EarthRights received responses from Daewoo International Corporation (Daewoo International) and South-East Asia Gas Pipeline, Co, Ltd. (SEAGP), controlled by the Chinese National Petroleum Corporation, regarding impacts reported by locally affected individuals. EarthRights has incorporated their official company responses into this publication.

The Pipelines

The Myanmar-China pipelines comprise three separate projects: 1) offshore natural gas drilling platforms in the Bay of Bengal to extract gas from the Shwe fields, offshore natural gas pipelines, and an onshore natural gas terminal; 2) an onshore natural gas pipeline; and 3) onshore deepwater port and oil storage facility and onshore oil transport pipeline. Each project has distinct contracts and ownership structures. The Shwe natural gas field consists of three independent gas discoveries, the Shwe, Shwe Phyu, and Mya fields, and is situated in petroleum blocks A-1 and A-3 located off of Myanmar's Rakhine coast. Daewoo International, a subsidiary of South Korean conglomerate, POSCO, is the majority owner and operator of both the A-1 and A-3 blocks. Daewoo International also has a number of minority partners, including the state-owned Myanmar Oil and Gas Enterprise (MOGE), Korean Gas Corporation (KOGAS) (Korean state owned), ONG Videsh (India), and GAIL (India) which exercised its right to assume 15% ownership in the project. This consortium will operate an 80km (110mi) offshore pipeline constructed by South Korea's Hyundai Heavy Industries (HHI) at a construction cost of US\$1.4 billion. The pipeline is scheduled for completion in 2013 and will provide China 6.5 trillion cubic feet (tcf) of natural gas over the next 30 years.

The onshore section of the Shwe gas pipeline commences at the Onshore Gas Terminal (OGT) and will extend 793km (492mi) to Myanmar's border with China's Yunnan province. The Hong Kong-registered entity SEAGP, created by the China National Petroleum Corporation (CNPC) and the Shwe Consortium members listed above are responsible for construct and operate the onshore pipeline. This pipeline was also scheduled for completion in March 2013 at a cost of US\$1.04 billion. A crude oil pipeline will run parallel to the natural gas pipeline for virtually the entire distance across Myanmar, along with supplementary road and proposed rail projects connecting Kyauk Phyu to Ruili in Yunnan Province, to transport oil from the Middle East and Africa to southwestern China. The oil pipeline project is operated by the Hong Kong registered South-East Asia Oil Pipeline Company (SEAOP), with CNPC controlling 50.9% of the company, and MOGE controlling the remaining 49.1%. According to a 2009 agreement between CNPC and Myanmar government, CNPC is responsible for project construction and operation through the granting of an operating concession, while the Myanmar government is responsible for security.^[1] The project also involves construction of a new deepwater crude unloading port and oil storage facility on Myanmar's Madaay Island. CNPC will own a 50.9% stake in the oil pipeline through a wholly owned subsidiary with the remaining 49.1% controlled by MOGE.

Impacts in Rakhine State, and Magway and Mandalay Divisions

The Myanmar-China pipelines have created multiple adverse impacts on the lives and livelihoods of local communities in western and central Myanmar. Villagers have reported cases of local government and military profiteering and corruption, land confiscations without compensation or adequate compensation, damage to farmers and community land resulting from project-related activities, and damage to fishing areas. Construction projects have restricted local mobility either in terms of blocked traditional routes or inadequate repair of major roads. Interviews with local communities have underlined the project's lack of transparency when explaining compensation schemes and anticipated impacts to citizens. Local citizens have reported instances of the company's corporate philanthropy programs failing to meet local needs and standards.

Land & Livelihood

EarthRights International has documented a pattern of land abuse cases related to the oil and gas projects resulting from military profiteering, the failure to pay compensation for confiscated land, and the outright damage or destruction of farming and community land. Additional cases of corruption involving land compensation have been reported involving the Myanmar Oil and Gas Enterprise (MOGE). These land rights abuses are having a severe impact on local communities ability to maintain their lifestyle and are endangering food security for affected families. EarthRights International has made an effort to separate impacts into distinct categories to assist readers.

In response to an inquiry by EarthRights, Daewoo International disclosed [its land acquisition policy, in English](#). Daewoo International did not produce a Myanmar language version but the company claimed their policy was disclosed and discussed with local communities.^[2] To benefit local communities' understanding of Daewoo's land acquisition policy, EarthRights international has produced a [Myanmar language translation](#).

Profiteering and Corruption

- In September 2011, Major Than Maung from Danyawady Naval Base located near Theak Pok Taun village confiscated 46 acres of hillside garden and pasture land used by generations of 10 local families to grow mango, banana, bamboo, and eggplant, and raise livestock. The families did not hold official land title over their traditional family land because the cost to register land includes excessive taxes that they are unable to afford. As a result, the Navy was able to obtain the official land title from the local Land Registration Department without any initial compensation. After affected villagers complaints reached local media, Major Than Maung compensated each family with only 100,000 kyat. The Navy then sold the tract of land to a SEAGP sub-contractor, Punj Lloyd, for approximately 20,000,000 kyat for uses related to the Shwe onshore gas pipeline project.^[3] Daewoo International confirmed that this allegation involves the SEAGP sub-contractor, Punj Lloyd; no timetable or process for compensation was provided to ERI or Pyay Tar villagers.^[4] In December 2012, the Parliamentary Land Investigation Commission announced that it was looking into cases in Rakhine State, specifically including cases regarding land confiscations by the Danyawaddy Naval Base.^[5]

- In January 2011, the Local Development Council in Gone Chwein village and three landowners holding land titles received notice from Captain Zaw Myint Htoo of Infantry Battalion (IB) 34 that their land would be confiscated by the Army for use as a shooting range. Landowners were not provided compensation and villagers later reported that the land was subsequently sold later in 2011 to Myanmar Golden Crown Company (MGC), a sub-contractor of Hyundai Heavy Industries, itself a contractor of Daewoo International, to establish a cement factory in support of the pipeline project.^[6] Daewoo International states that the issue is limited to a dispute between the Myanmar Army and local villagers and denies MGC acquired land for construction activities.^[7]
- In June or July 2012, several farmers land was damaged in Pyar Tay village and Kye Tin village by Punj Lloyd company building the onshore gas pipeline, as mud from the pipeline trench washed onto and destroyed their fields. These farmers complained to the Kyauk Phyu Township Peace and Development Council, with no response. Later in 2012, complaints were made directly to Punj Lloyd, who agreed to compensate the farmers for this damaged land. Foreign and local representatives from Punj Lloyd inspected the damaged land and agreed to pay 500,000 kyat compensation. Later, in January 2013, the farmers were called to Min Tap Koun, the area where Punj Lloyd has its offices, to meet with MOGE representatives who paid the villagers only around 100,000 kyat. These local farmers believe that representatives from MOGE took the rest of the money from Punj Lloyd intended for the villagers for themselves.^[8]

Confiscation Without Compensation

- In 2010, land on Ramree Island between Mala Kyun and Gone Chwein villages was used to build the pipeline project's Onshore Gas Terminal (OGT) operated by Daewoo International. Local villagers received compensation for the loss of their own tracts of land used by the project, but did not receive compensation for the lost use of Nga Pyi Taung Mountain, a communal area that provided essential firewood, naturally growing fruits and vegetables, and bamboo shoots used as local construction materials.^[9]
- Villagers in the broader Kyauk Phyu Township area claim that MGC and Punj Lloyd are using more farming land than the amount originally specified in compensation agreements. SEAGP through Punj Lloyd provided compensation for sixty foot-wide tracts (approximately 20 meters) of land for the pipeline corridor, but Punj Lloyd is instead using approximately one hundred foot-wide tracts. MGC is also using more land than granted by original compensation agreements to construct buildings and the OGT.^[10] MGC confiscated land in 2010 and 2011, and Punj Lloyd confiscated land in September 2011. Neither company has provided additional compensation.^[11] Daewoo International claimed that their compensation payments are already finalized and that they could not verify whether MGC has ever been involved in land confiscation.^[12] SEAGP confirmed that Punj Lloyd's use of land exceeded sixty foot-wide tracts, and that Punj Lloyd would compensate villagers in December 2012, and that they would return land to villagers for cultivation as soon as possible.^[13] As of February, 2013, Punj Lloyd had not provided compensation for this additional land, and villagers report that this land has been damaged and will take year before becoming usable again.^[14] Reports from villagers in Magway Division report similar practices of companies building the pipeline using more than the 100 feet of land that compensation has been provided for; in some cases using up to 150 to 170 feet without compensation.^[15]
- Myanma Oil and Gas Enterprise (MOGE) and Chinese companies in support of the pipeline project typically use large sandbags to support pipelines above ground before being connected and buried underground. In April 2012, in the southern part of Khon Su village, a part of Pwint Phyu Township in Magway Division, the pipeline preparation area greatly exceeded the originally defined project area and the stacking of pre-fabricated sandbags overtook a local villager's entire property. The villager previously received compensation for the section of his land seized for the originally specified pipeline route, but has received no compensation for the gross overuse of his entire remaining land or for his complete loss of agricultural productivity.^[16]

Damaged or Destroyed Land Impacts

- Pipeline construction crossing Pin Chaung Creek, a tributary of the Irrawaddy River in Mu Can village in Yenanchaung Township, Magway Division has adversely impacted natural hydrological conditions. At the river crossing, construction has flooded farmlands on the upper side of the river and effectively caused droughts in farmlands on the lower side of the river. Farmers who try to salvage their crops are forced to prematurely harvest their fields, resulting in undeveloped seeds that cannot be used in future harvests. Compensation has only been provided to some individuals, but affected individuals state that compensation is inadequate because it only provides payment for one harvesting season per year instead of the traditional three harvesting seasons, and because payments do not compensate for lost seeds that otherwise would have been used in future harvests.^[17]
- Construction of the OGT near Mala Kyun and Gone Chwein villages pushed rocks and debris on to local fields during rainstorms and destroyed 46 families' rice paddies in 2011. In 2012, the same 46 families, along with an additional 14 families, sustained repeated damage to their fields reducing crop yields from pre-construction levels of 500 baskets of paddy per year to 150-200 baskets per year. Compensation was paid to the original 46 families in 2011, and additional compensation was paid in January 2013 to 58 families, including 38 families whose land was damaged in 2011.^[18] Daewoo International stated that the compensation was paid after a joint investigation team organized by the Township Administrative Officer consisting of the Township Land Record Officer, Agricultural Officer, MOGE Representative, MOE Representative, Township Representative Officer from Agricultural Mechanization Department and Daewoo International and Hyundai Heavy Industries (HHI) Onshore conducted a detail survey in the damaged areas.^[19] Daewoo International partially attributed the repeat damage to the original 46 families' failure to conduct restoration work with compensation provided in 2011. Villagers refute this claim and cite that restoration can only be conducted using heavy machinery unavailable in the area and that has been requested, but not provided by Punj Lloyd or other companies.^[20]

- Local Rakhine media reported that from June to July 2012, construction of the SEAGP pipeline corridor and OGT severely damaged 1824 acres of paddy land owned by 161 families in 11 villages near Gone Chwein, Mala Kyun, Pyar Tay, and Eu Toe. EarthRights International's information suggests approximately 150 families' farmlands in these areas were damaged by uncontrolled mudflows caused by heavy rains originating at the onshore gas pipeline corridor in June 2012. Villagers stated that Indian company Punj Lloyd, constructing the onshore gas pipeline corridor for SEAGP, was responsible for much of the damage, and compensation and repair of damaged land was requested by affected villagers.^[21] These families received small amounts of compensation from MOGE in January 2013, but the farming land, covered in some locations by over one foot (30cm) of mud has not been repaired. Without using heavy machinery, the land will remain unusable, and villagers have expressed concern that compensation is inadequate for the long-term impacts on the land. SEAGP confirmed in late 2012 that water control problems were created by construction contractors and that sub-contractors and officials from the Ministry of Energy and MOGE were working to assess and repair damage.^[22] A villager earlier this year in Tha Pru Taung expressed the feelings many villagers whose land has been damaged by the gas pipeline, telling EarthRights International:

In the rainy season, in August 2012, most of the paddy plants which we grew died because the mud from the pipeline areas washed down to our farming land. MOGE already paid the compensation in this month [January 2013]. We have to go to the India Company work site. I received 18,000 kyat for .47 acre of my farming land. It is very low compensation. We have to plow our farming land. We lost time by plowing our farming land. And then, we lost the germination seeds. I don't know what will happen in the rainy season this year; whether we can do farming or not. The mud, it is high, over one foot [more than twelve inches]. We have already requested the India company to remove the mud from our farming land. The bulldozer driver is Burman and he said the bulldozer will be damaged if they use it to remove the mud. I worry if the company leaves this area without repairing our farming land, who will pay the compensation every year? I think it is not very difficult for them to remove the mud from our farming land by using the bulldozer. We don't have too much time for this year. If they remove the mud from our farming land, we don't need the compensation. Although they paid the compensation, we did not receive fair compensation.^[23]

- Between June and August 2012, in Pyar Tay village, run-off in the form of rock, debris, and excess water from Punj Lloyd's elevated construction area on the 46 acres of hillside land (described in the previous "Profiteering" section) covered and destroyed nearby rice paddy fields located around the perimeter of the hillside, halving impacted farmers agricultural productivity. No compensation was paid for these damages.^[24]
- In February 2012, villagers in Ramree Island near Gone Chwein and Mala Kyun villages reported that their traditional fisheries and fishing nets have been ruined by offshore nighttime dynamiting activities related to the gas project and were conducted by a Korean company operating under the name "PSC." Fishermen in Ramree Island are now forced to travel six miles offshore to fish in inferior fishing grounds. No compensation for damage or displacement has been provided.^[25] Daewoo International denied that any dynamite activities have been employed at any point in the Shwe project by PSC, a sub-contractor of HHI, and stated that the company follows international best practice when conducting 24-hour long dredging operations, a possible explanation for nighttime disturbances.^[26] Daewoo International declined to disclose other companies operating in the area that could be the source of the problem. Daewoo International also commented that fishermen who are now forced to fish outside of shallow sea areas are still within legal limits for fishing without providing any plan for compensation for their imposed livelihood relocation.

Transparency

The Myanmar government and companies involved in construction along the pipeline corridor have failed to adequately explain land confiscation processes. On multiple occasions, villagers reported to EarthRights International that they do not understand how compensation payments are calculated, the duration of construction on their land before it is returned to them, or why some parts of their land were worth less than comparable tracts of land elsewhere in their village. Responses from Daewoo International and SEAGP both state that compensation methodology is stated in advance^[27], but evidence shows that their message has not resonated with villagers. The lack of transparency surrounding compensation payments also extends to the lack of disclosure of other critical pieces of information, including environmental impact assessments, social impact assessments, and human impact assessments.

- Villagers have reported to EarthRights that compensation practices are not clearly defined to them in advance of finalizing compensation agreements and that they are unaware of the fact that receiving five-year compensation signifies land acquisition is permanent in contrast to three-year compensation agreements for temporary land use.^[28] Daewoo International stated to EarthRights International that acquisitions are explained and documented in Myanmar language and English language and referred to Daewoo International's 2009-2010 Land Acquisition Activities policy.^[29] Similarly, SEAGP stated that processes are explained to local citizens in Myanmar language and English and two separate agreements are signed with villagers: one for land use and another for land acquisition.^[30]
- To date, no environmental impact assessment (EIA) or social impact assessment (SIA) has been publicly released by the project companies. Following a request for disclosure by EarthRights International, Daewoo International justified the decision to withhold impact assessments because Daewoo International believes that disclosure would, "lead us to an endless, unproductive argument...[with] those who retain a negative view on this project."^[31] In addition, Daewoo International stated that the EIA suggests that the potential impacts are mostly negligible or minor with the exception of pipeline test dewatering and waste discharging that may have moderate impacts.^[32]

Restricted Mobility

Construction along the pipeline corridor has restricted local mobility in the form of security checkpoints, damage to local roads from construction vehicles, and haphazard burial of pipelines under roads. Impacts to transit areas can impose a financial burden on citizens, increase transportation times, and even threaten villagers' safety. Daewoo International and SEAGP have acknowledged the damage caused to local roads and are working to repair damage, but upgrades are not keeping pace with damages.

- In 2010, Kyauk Phyu town police and Light Infantry Battalion (LIB) 542 established a security checkpoint near the OGT between Mala Kyun village and Gone Chwein village. In February 2012, villagers reported having to bribe guards with upwards of 30,000 kyat (~US\$35) to pass through the security checkpoint during nighttime hours due to an imposition of an unofficial curfew.^[33] In comparison, local villagers' average salaries are no more than 2,000 kyat per day. Villagers no longer travel between these villages during restricted hours.
- Local roads have traditionally connected between Mala Kyun, Gone Chwein, and Eu Toe villages. However, construction vehicles have created such extensive damage that roads have become impassable after it rains.^[34] Daewoo International has contracted MGC to repair this damage, but MGC has not adequately corrected all major problems back to their previous condition. Daewoo International has acknowledged this problem, confirmed that MGC is in the process of continually repairing and maintaining roads around Mala Kyun and Gone Chwein, and that Daewoo International subcontracted PSC in March 2012 to make further road repairs, slated for completion in May 2013.^[35]
- The inadequate repair of local roads after burying pipelines by an unknown Chinese Company subcontractor working for SEAGP or SEAOP has created dangerous travel conditions for citizens in Kanga, Daung Oo and Gway Saung villages, Mandalay Division. Villagers claim that three motorbike accidents and two car accidents in 2012 are attributable to the road's poor conditions.^[36]

Deficient Corporate Philanthropy Programs

Since 2006, Daewoo International has supported corporate philanthropy programs both around their project area as well as in other areas of Myanmar focused on education, healthcare, and water sanitation. More recently, CNPC has begun providing donations of money for health clinics and schools. Despite these donations, information received by EarthRights International and others indicates significant shortcomings in these philanthropic programs. As reported in 2011, forced labor was connected to a 2009 Daewoo International funded health clinic in central Myanmar.^[37] Villagers have also claimed that donated facilities are only provided to villages located close to main roads and areas more likely to be seen by outsiders to demonstrate corporate philanthropy, and other communities impacted by the projects in more remote areas have received little to no corporate donations.

- In 2011, a Myanmar company was sub-contracted to build a school in Gone Chwein village as part of Daewoo International's corporate philanthropy activities. Construction of the school was completed in July 2012, but all families in the area refused to send their children to the school because it is a notoriously poor-quality and hazardous structure.^[38] In response to this allegation, Daewoo International denied that the school in question is part of their school construction activities and directed EarthRights to information about its construction of Gone Chwein High School, Sittaw High School, and Mala Kyun Primary School.^[39] Daewoo International expressed to EarthRights that all schools are constructed under the supervision of a third party inspector before being officially handed over to the Myanmar Ministry of Education.^[40]
- Villagers in Kye Tin village, Kyauk Phyu Township claim that construction related to the the gas pipeline, which crosses near their village, has resulted in damaged farming land and uncompensated taking of pasture land, yet they have received little benefit from the responsible companies. Villagers claim that because their village is not near the main road, the companies have not donated any facilities, like schools or health clinics that other impacted villagers have received.^[41]

There is no benefit the Ka Lar [India company] and Chinese companies do for our village. Those companies are working in this area, and our local people lose many things. They destroyed our farmland. You will see the schools from Gone Chwein village, Pjain Sei Kay, Kan De villages which are donated by the Shwe company. They donated to those villages because those villages are along the highway from Yangon to Kyauk Phyu town. If the government leaders come to Kyauk Phyu, they will see those donated schools. Our village is far from the highway. Nobody sees our village.^[42]

- The onshore gas pipeline crosses Pyar Tay village, Kyauk Phyu Township, and farming land has been damaged during construction, with some compensation provided in 2012 and 2013. Villagers state that because their village is not close to the main road, they have not received any donated schools or health clinics or other needed infrastructure from the Shwe or pipeline companies. A local villager told EarthRights International in 2013:

There are about 150 households in our village. There is a small clinic in our village which are opened by Danyawady Navel Base military camp. The companies do not donate anything for us. We faced many problems because of those companies. They donated a little bit to some villages which are situated on the road. We have a government primary school. The children have to go Thake Pot Taung village to attend the middle school.^[43]

Recommendations

To Companies Participating in the Myanmar-China Pipeline Projects

- In accordance with Myanmar civil society demands, including those of the Myanmar-China Pipeline Watch Committee^[44], immediately postpone all project-related work until adequate safeguards are in place to ensure the projects do not have widespread negative impacts, particularly through sensitive areas including northern Shan State and localized benefits including electricity and sustainable employment are provided.
- Engage in meaningful negotiations with impacted communities and the Myanmar-China Pipeline Watch Committee to resolve disputes and address negative project impacts.
- Conduct independent, objective, and verifiable third-party environmental and human rights impact assessments over the entire length of the pipeline during and after the project life cycle. Include the full and free participation of local people and make the entire assessments publicly available in English and local languages.
- Recognize Free, Prior, and Informed Consent as an indigenous human right and consult objective and independent third parties to ensure the right is respected in relation to the company's proposed operations.
- Publish disaggregated project-based data about all payments made to national and local Myanmar authorities, including payments made to Myanmar state security forces.
- Provide adequate compensation to all locally affected individuals and communities for all land and livelihood impacts related to the projects, regardless of individuals holding legal title to impacted lands. Compensation payments should be made directly to impacted individuals.
- Allegations of corruption related to land acquisition and compensation for damaged lands should be investigated by companies participating in the projects, and companies, state agents, and individuals found likely to be involved in corrupt practices should be barred from project-related activities and responsible companies should support prosecution of these suspected individuals to the full extent of the law.

To the Myanmar Authorities

- In accordance with Myanmar civil society demands, including those of the Myanmar-China Pipeline Watch Committee^[45], immediately suspend all project-related work until adequate safeguards are in place to ensure the projects do not have widespread negative impacts, particularly through sensitive areas including northern Shan State and localized benefits including electricity and sustainable employment are provided.
- Permit independent, impartial, and credible investigations of human rights violations allegedly related to the projects, without delay.
- Adopt and enforce laws that require rigorous environmental, social, and human rights impact assessments in relation to any natural resource exploitation project that stands to have significant impacts.
- Adopt and enforce laws requiring payment transparency from oil, gas, mining, timber, and hydropower companies conducting business within Myanmar's borders.
- Adopt and enforce laws to ensure a fair land acquisition, registration and compensation process, public participation in development decisions, and public access to information, including impact assessments, land confiscation and compensation policies and procedures, and disclosures related to project revenues and social payments.
- Continue steps toward membership in the Extractive Industries Transparency Initiative, including the promotion, protection, and inclusion of representative civil society groups and individuals in a multi-stakeholder group; EITI candidacy should only be advanced when broad-based civil-society participation in the multi-stakeholder group exists with the capability to meaningfully participate and influence the reporting template and other critical reporting decisions.
- Enact a moratorium on development in the oil, gas, mining, and hydropower sectors until human rights and environmental protections are enshrined in law and practice, and the people of Myanmar can participate in decision-making and the management of the country's natural resources and natural resource wealth.
- Publish disaggregated project-based data about all payments received by national and sub-national Myanmar authorities, including payments received by Myanmar state security forces.

Citations

[1] Chinese National Petroleum Corporation, *Rights and obligation agreement signed of Myanmar-China Crude Oil Pipeline*, Dec. 21,

2009, [available here](#).

- [2] Email communication with Daewoo International (Jan. 29, 2013). On file with EarthRights International.
- [3] Interviews #013-2012 in Pyar Tay, Myanmar, #034-2012 in Kyauk Phyu Township, Myanmar. On file with EarthRights International.
- [4] Email communication with Daewoo International (Sept. 24, 2012). On file with EarthRights International.
- [5] *Union Commission Investigates 14 More Cases of Land Confiscation in Arakan*, Narinjara, Dec. 10, 2012, at <http://www.narinjara.com/main/index.php/union-commission-investigates-14-more-cases-of-land-confiscation-in-arakan/>.
- [6] Interview #030-2011 in Kyauk Phyu Township, Myanmar. On file with EarthRights International.
- [7] Email communication with Daewoo International (Sept. 24, 2012). On file with EarthRights International.
- [8] Interview #001-2013 in Pyay Tay village, Myanmar. On file with EarthRights International.
- [9] Interview #32-2012 in Kyauk Phyu township, Myanmar. On file with EarthRights International.
- [10] Interview #030-2010, Mala Kyun village, Myanmar. On file with EarthRights International.
- [11] Interviews #010-2012 in Mala Kyun, Myanmar, #014-2012 in Pjain, Sei, Myanmar. On file with EarthRights International.
- [12] Email communication with Daewoo International (Sept. 24, 2012). On file with EarthRights International.
- [13] Email communication with Daewoo International & SEAGP (Nov. 16, 2012). On file with EarthRights International.
- [14] Interviews #014-2012, #015-2012 in Pjain Sei Kay village, Myanmar. On file with EarthRights International.
- [15] Interview #020-2012 in Kun Su village, Min Bu Township, Myanmar. On file with EarthRights International.
- [16] See photo caption (Land Use Without Adequate Compensation).
- [17] Interviews #021-2012, #022-2012 in Mu Can, Myanmar. On file with EarthRights International.
- [18] Interviews #027, 028, 033-2012 in Kyauk Phyu Township, Myanmar. On file with EarthRights International; Email communication with Daewoo International (Jan. 29, 2013). On file with EarthRights International.
- [19] Email communication with Daewoo International (Jan. 29, 2013). On file with EarthRights International.
- [20] Interview #005-2103 in Tha Pru Taung village, Kyauk Phyu Township, Myanmar. On file with EarthRights International.
- [21] Interview #005-2013 in Tha Pru Taung village, Kyauk Phyu Township, Myanmar. On file with EarthRights International.
- [22] Email communication with Daewoo International (Nov. 16, 2012). On file with EarthRights International.
- [23] Interview #005-2013 in Tha Pru Taung village, Kyauk Phyu Township, Myanmar. On file with EarthRights International.
- [24] Interview #034-2012 in Kyauk Phyu Township, Myanmar. On file with EarthRights International.
- [25] Interviews #032-2012 in Kyauk Phyu Township, #08-2012 in Mala Kyun, Myanmar. On file with EarthRights International.
- [26] Email communication with Daewoo International (Sept. 24, 2012). On file with EarthRights International.
- [27] Email communication with Daewoo International & SEAGP (Sept. 25, 2012). On file with EarthRights International.
- [28] Interviews #001-2012 in Kun Su, #022-2012 in Mu Can, Myanmar. On file with EarthRights International.
- [29] Email communication with Daewoo International (Nov. 16, 2012). On file with EarthRights International.
- [30] *Id.*
- [31] *Id.*
- [32] *Id.*

[33] Interview #018-2012 in Mala Kyun, Myanmar. On file with EarthRights International.

[34] Interview #012-2012 in Mala Kyun, Myanmar. On file with EarthRights International.

[35] Email communication with Daewoo International (Nov. 21, 2012). On file with EarthRights International.

[36] Conversations between EarthRights International and impacted villagers from Kanga, Daung Oo and Gway Saung villages, Mandalay Division (June 2012).

[37] EarthRights International, *The Myanmar-China Pipelines: Human Rights Violations, Applicable Law, and Revenue Secrecy*, at 12 (March 2011), available at <http://www.earthrights.org/>.

[38] Interview #032-2012 in Kyauk Phyu Township, Myanmar. On file with EarthRights International.

[39] Email communication with Daewoo International (Nov. 19, 2012). On file with EarthRights International.

[40] Email communication with Daewoo International (Sept. 25, 2012). On file with EarthRights International.

[41] Interview #006-2013 in Kye Tin village, Kyauk Phyu Township, Myanmar (Jan. 2013). On file with EarthRights International.

[42] *Id.*

[43] Interview #007 in Pyar Tay village, Kyauk Phyu Township, Myanmar (Jan. 2013). On file with EarthRights International.

[44] Statement of The Myanmar-China Pipeline Watch Committee, at <http://www.narinjara.com/burmese/?p=2442>; see also *The second statement of Myanmar-China Pipeline Watch Committee on Shwe Gas Pipeline Project (Dec. 24, 2012)*, at <http://www.scribd.com/embeds/118095744/content>.

[45] *Id.*

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