



1. Are there dated reports of the military or police misappropriating donations to cyclone victims?

Cyclone Nargis hit Burma's Irrawaddy Delta on 2 May 2008, causing over 140,000 deaths and affecting a further 2.4 million people.¹ It has been widely reported that the Burmese junta, the State Peace and Development Council (SPDC), initially prevented humanitarian agencies from entering the country and accessing the affected areas, and blocked foreign aid. Many people were detained for attempting to deliver aid to cyclone victims.^{2 3 4 5 6 7}

Following "intense diplomatic lobbying" by the international community, Burmese officials agreed to accept foreign assistance almost three weeks after the cyclone hit.⁸ However, not long after the relief efforts began, reports emerged of irregularities in the handling of aid. According to the Human Rights Documentation Unit, "a measured optimism on behalf of the international community was dampened by reports that emerged from witnesses inside Burma who claimed that foreign aid was being appropriated, sold on the black market for profit and that aid was being kept for the military while inferior goods were being handed out to survivors". It was reported that "[s]upplies were being warehoused and hoarded by the regime in Rangoon... such that it could be delivered by the military instead of international actors".⁹

A number of sources corroborate the claim that the Burmese authorities misappropriated funds donated to the victims of Cyclone Nargis. According to Freedom House, "[d]onated materials were confiscated by authorities, and there were numerous reports of authorities or soldiers selling relief items at markets or to cyclone victims".¹⁰ *BBC News* reported that an independent inquiry into the cyclone response by researchers from Johns Hopkins University and local volunteers accused Burmese military generals of "deliberately blocking aid [and] selling on relief materials". A June 2008 article in *The Irrawaddy* described dozens of letters sent by local residents to the government accusing local officials of "pilfering scant relief

¹ Freedom House 2009, *Freedom in the World 2009 – Burma (Myanmar)*, 16 July – Attachment 1

² Freedom House 2009, *Freedom in the World 2009 – Burma (Myanmar)*, 16 July – Attachment 1

³ International Crisis Group 2008, *Burma/Myanmar After Nargis: Time To Normalise Aid Relations*, Asia Report N° 161, 20 October, p.i – Attachment 2

⁴ Human Rights Watch 2010, 'After cyclone, repression impedes civil society and aid', 29 April <http://www.reliefweb.int/rw/rwb.nsf/db900SID/VVOS-84VP76?OpenDocument&RSS20=02-P> – Accessed 11 May 2010 – Attachment 3

⁵ Amnesty International 2010, *Annual Report 2010 – Myanmar*, 28 May, p.237 – Attachment 4

⁶ 'Nargis volunteers, including reporter arrested' 2009, *Mizzima*, 28 October <http://www.mizzima.com/news/inside-burma/2973-nargis-volunteers-including-reporter-arrested.html> – Accessed 29 October 2009 – Attachment 5

⁷ 'Cyclone relief coordinator sentenced to 17 years' 2009, *Democratic Voice of Burma*, 12 March <http://english.dvb.no/news.php?id=2321> – Accessed 12 March 2009 – Attachment 6

⁸ McGeown, K. 2009, 'Did the cyclone change Burma's junta?', *BBC News*, 4 May – Attachment 7

⁹ Human Rights Documentation Unit 2009, *Burma Human Rights Yearbook 2008*, November, p.486 – Attachment 8

¹⁰ Freedom House 2009, *Freedom in the World 2009 – Burma (Myanmar)*, 16 July – Attachment 1

resources”, selling aid supplies to locals, and replacing supplies with inferior products.¹¹ According to *Asia Sentinel*, the Burmese government continued to “skim off aid relief funds” six months after the cyclone.¹²

Human Rights Watch (HRW) similarly identifies numerous credible reports of aid diversions by military officials either for personal profit, to supply their own military units, or to favour particular communities. A local in Laputta told HRW that the leader of her village “did not allow the full distribution of the foreign aid, it all had to come through him and he kept about one-third of the goods”. A Burmese doctor working for Médecins Sans Frontières (MSF) reported the army’s attempts to control the distribution of MSF’s aid supplies, while a HRW photographer on assignment in Burma claimed that he observed aid diversions by the navy.¹³

The Human Rights Documentation Unit reported that many local residents observed aid supplies being sold in markets by SPDC and Village Peace and Development Council (VPDC) officials. Some locals described seeing “army trucks from the Navy supplies Depot, in Mingaladon, Syriam and Laputta bringing the relief materials to the markets”, indicating a higher level of collusion among the military than just a few individuals. It was also reported that local authorities “intentionally inflated the numbers of people in their villages in order to secure greater amounts of aid from distribution centres...and then had gone on to sell the aid”. In addition, food supplies donated by foreign organisations were reportedly appropriated by the military and swapped for lower quality, locally produced goods, which were distributed to the cyclone victims.¹⁴

According to a 2010 journal article in *Conflict and Health*, reports of the Burmese authorities diverting and misappropriating relief and reconstruction materials continued into 2009. Village leaders reportedly kept high quality clothes for their families and gave poor quality replacements to the cyclone victims. Funds donated for housing were also pocketed by the government, with officials charging donors four times the cost of building a house and keeping the balance. In addition, supplies were required to pass through official channels for distribution, resulting in a significant amount of donations failing to reach their intended recipients.¹⁵

However, *BBC News* reported that some observers found “little evidence of sustained corruption in the delta region, certainly after the first few months of the relief operation”. A Burmese events monitor for the Mizzima news website, run by Burmese exiles in India, stated in May 2009 that “[a]t the beginning, some soldiers were taking aid back to their families, but that doesn’t really happen now”. In addition, many relief workers in Burma were reportedly “frustrated by the common perception that money donated to Burma goes straight into the pockets of the military”. Save the Children’s director in Burma, Andrew Kirkwood, noted that “[t]his is a difficult place to work – no one’s denying that. But it’s not so difficult that you can’t work independently and accountably”.¹⁶

¹¹ Min Khet, M. 2008, ‘Junta ignores complaints of corruption’, *The Irrawaddy*, 4 June – Attachment 9

¹² Jagan, L. 2008, ‘Six months later, Burma still suffers’, *Asia Sentinel*, 10 November – Attachment 10

¹³ Human Rights Watch 2010, “*I Want to Help My Own People*” *State Control and Civil Society in Burma after Cyclone Nargis*, April, pp.31-33 – Attachment 11

¹⁴ Human Rights Documentation Unit 2009, *Burma Human Rights Yearbook 2008*, November, pp.486-489 – Attachment 8

¹⁵ Suwanvanichkij, V. et al 2010, ‘Community-Based Assessment of Human Rights in a Complex Humanitarian Emergency: The Emergency Assistance Teams-Burma and Cyclone Nargis’, *Conflict and Health*, Vol. 4, No. 8, 19 April, pp.16-18, 21 – Attachment 12

¹⁶ McGeown, K. 2009, ‘Did the cyclone change Burma’s junta?’, *BBC News*, 4 May – Attachment 7

The SPDC denied that aid was being diverted, announcing that the foreign media were “making false allegations and criticisms against the Government of Myanmar”.¹⁷ Despite the junta’s condemnation of aid misappropriation, it was reported that “the regime seemed to be doing little in the way of tackling the problem”.¹⁸ A June 2008 article in *The Irrawaddy* stated that no charges had yet been laid against any official accused of misappropriating aid. One observer noted that “[t]he junta seems unwilling to handle this problem now. If they do, it would mean acknowledging that there is widespread corruption...It would make them lose credibility with the international community”.¹⁹ Nevertheless, some individuals were arrested by the Bureau of Special Investigations (BSI) for misappropriating aid in late 2008.²⁰

Corruption in general

Myanmar has consistently been ranked by Transparency International as one of the world’s most corrupt countries. A June 2009 report states that “rampant corruption pervades all levels of the political and administrative systems”.²¹ Freedom House similarly reports that “[i]n a system that lacks transparency and accountability, corruption and economic mismanagement are rampant at both the national and local levels.”²² According to the US Department of State, “[t]he law provides for criminal penalties for official corruption; however, the government rarely and inconsistently enforced the anticorruption statute, and officials frequently engaged in corrupt practices with impunity. A complex and capricious regulatory environment fostered corruption”.²³

2. Is there a public transport business in Burma?

The Burmese government runs all train and most ferry services. Government ferry services are operated by the Inland Water Transport (IWT), which has more than 500 boats and reportedly carries 14 million passengers each year.²⁴ The train services are run by Myanmar Railways, and connect the capital Yangon to the rest of the country, with a main daily route between Yangon and Mandalay.²⁵

Although formerly run by the government’s Road Transport Enterprise (RTE), nearly all passenger buses are now operated by private companies. RTE buses are primarily used for cargo. The various options for bus transportation include “luxury air-con express buses, less luxurious but nice buses (without air-con), local buses, and mini 32-seaters”.²⁶

¹⁷ Human Rights Watch 2010, “*I Want to Help My Own People*” *State Control and Civil Society in Burma after Cyclone Nargis*, April, p.31 – Attachment 11

¹⁸ Human Rights Documentation Unit 2009, *Burma Human Rights Yearbook 2008*, November, p.486 – Attachment 8

¹⁹ Min Khet, M. 2008, ‘Junta ignores complaints of corruption’, *The Irrawaddy*, 4 June – Attachment 9

²⁰ Human Rights Documentation Unit 2009, *Burma Human Rights Yearbook 2008*, November, pp.489-490 – Attachment 8

²¹ ‘Overview of corruption in Burma (Myanmar)’ 2009, The U4 Anti-Corruption Resource Centre and Helpdesk, Transparency International website, June <http://www.u4.no/helpdesk/helpdesk/query.cfm?id=205> – Accessed 8 June 2010 – Attachment 13

²² Freedom House 2011, *Freedom in the World 2011 – Burma (Myanmar)*, 12 May – Attachment 14

²³ US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – Burma*, 8 April, Section 4 – Attachment 15

²⁴ ‘Myanmar/Burma: Getting there & around’ (undated), Lonely Planet website

<http://www.lonelyplanet.com/myanmar-burma/transport/getting-around> – Accessed 30 May 2011 – Attachment 16

²⁵ ‘Myanmar Travel Guides’ (undated), Hotel Travel website

<http://www.hoteltravel.com/myanmar/guides/transport.htm> – Accessed 26 May 2011 – Attachment 17

²⁶ ‘Myanmar/Burma: Getting there & around’ (undated), Lonely Planet website

<http://www.lonelyplanet.com/myanmar-burma/transport/getting-around> – Accessed 30 May 2011 – Attachment 16

A 2005 report by the Asian Development Bank and the Association of Southeast Asian Nations provides a table on public transportation by bus in Yangon, indicating that 42 out of 5611 buses operating in the city are public buses:²⁷

Table A8: Information on Public Transportation (Yangon City)

Bus Line	Fleet Size	No. of Vehicles	No. of Vehicles Used Daily	No. of Daily Trips	No. of Daily Passengers
Bus Line Control Committee	132	2,408	1,867	16,476	2,247,626
Nyein Chan	24	605	541	3,802	315,000
Yangon North District	36	623	549	2,492	276,991
Pa Ra Mi	13	280	268	1,558	275,230
Than Myan Thu	23	447	393	1,555	108,850
Pyay Khaing Phyo	29	381	285	885	57,492
Yangon South District	47	704	571	1,448	47,706
Shwe Innwa	3	50	32	100	30,000
R.T.C ^a		22	20	124	28,940
Yangon East District	5	71	70	281	19,295
Yangon City Development Committee ^a	1	20	14	64	6,400
Total	313	5,611	4,610	28,785	3,413,530

^a Public buses.

Source: Data from Yangon Division Bus—Line Control Committee.

Attachments

1. Freedom House 2009, *Freedom in the World 2009 – Burma (Myanmar)*, 16 July. (CISNET Burma CX231050)
2. International Crisis Group 2008, *Burma/Myanmar After Nargis: Time To Normalise Aid Relations*, Asia Report N°161, 20 October.
3. Human Rights Watch 2010, ‘After cyclone, repression impedes civil society and aid’, 29 April <http://www.reliefweb.int/rw/rwb.nsf/db900SID/VVOS-84VP76?OpenDocument&RSS20=02-P> – Accessed 11 May 2010. (CISNET Burma CX243382)
4. Amnesty International 2010, *Annual Report 2010 – Myanmar*, 28 May.
5. ‘Nargis volunteers, including reporter arrested’ 2009, *Mizzima*, 28 October <http://www.mizzima.com/news/inside-burma/2973-nargis-volunteers-including-reporter-arrested.html> – Accessed 29 October 2009. (CISNET Burma CX235700)

²⁷ Asian Development Bank – Association of Southeast Asian Nations 2005, *ADB-ASEAN Regional Road Safety Program Country Report CR 6: Road Safety in Myanmar*, Asian Development Bank website, p.20 <http://www.adb.org/documents/reports/arrive-alive/country-reports/cry-rep-06-mya.pdf> – Accessed 26 May 2011 – Attachment 18

6. 'Cyclone relief coordinator sentenced to 17 years' 2009, Democratic Voice of Burma, 12 March <http://english.dvb.no/news.php?id=2321> – Accessed 12 March 2009. (CISNET Burma CX222473)
7. McGeown, K. 2009, 'Did the cyclone change Burma's junta?', *BBC News*, 4 May. (CISNET Burma CX225530)
8. Human Rights Documentation Unit 2009, *Burma Human Rights Yearbook 2008*, November. (CISLIB Burma 18066)
9. Min Khet, M. 2008, 'Junta ignores complaints of corruption', *The Irrawaddy*, 4 June. (CISNET Burma CX201819)
10. Jagan, L. 2008, 'Six months later, Burma still suffers', *Asia Sentinel*, 10 November. (CISNET Burma CX220057)
11. Human Rights Watch 2010, "*I Want to Help My Own People*" *State Control and Civil Society in Burma after Cyclone Nargis*, April. (CISLIB Burma 18638)
12. Suwanvanichkij, V. et al 2010, 'Community-Based Assessment of Human Rights in a Complex Humanitarian Emergency: The Emergency Assistance Teams-Burma and Cyclone Nargis', *Conflict and Health*, Vol. 4, No. 8, 19 April. (CISLIB Burma 18513)
13. 'Overview of corruption in Burma (Myanmar)' 2009, The U4 Anti-Corruption Resource Centre and Helpdesk, Transparency International website, June <http://www.u4.no/helpdesk/helpdesk/query.cfm?id=205> – Accessed 8 June 2010.
14. Freedom House 2011, *Freedom in the World 2011 – Burma (Myanmar)*, 12 May. (CISNET Burma CX264661)
15. US Department of State 2011, *Country Reports on Human Rights Practices for 2010 – Burma*, 8 April.
16. 'Myanmar/Burma: Getting there & around' (undated), Lonely Planet website <http://www.lonelyplanet.com/myanmar-burma/transport/getting-around> – Accessed 30 May 2011.
17. 'Myanmar Travel Guides' (undated), Hotel Travel website <http://www.hoteltravel.com/myanmar/guides/transport.htm> – Accessed 26 May 2011.
18. Asian Development Bank – Association of Southeast Asian Nations 2005, *ADB-ASEAN Regional Road Safety Program Country Report CR 6: Road Safety in Myanmar*, Asian Development Bank website <http://www.adb.org/documents/reports/arrive-alive/country-reports/ctry-rep-06-mya.pdf> – Accessed 26 May 2011.