

Casem, Kimberly D

From: Andrea Gittleman [agittleman@phrusa.org]
Sent: Thursday, October 04, 2012 11:55 PM
To: BurmaPRA
Cc: May, Stacey A
Subject: Karen Health CBO Submission: Reporting Requirements for Responsible Investment in Burma
Attachments: Karen CBO Comment on reporting requirements.pdf

I would like to submit the attached comment on behalf of several Karen community-based health organizations - the Karen Department of Health and Welfare, the Back Pack Health Worker Team, the Mae Tao Clinic, and the Burma Medical Association - as requested by the Department of State's proposed information collection on Reporting Requirements for Responsible Investment in Burma (Document ID: DOS 2012-0046-0001).

For more information, please email Eh Kalu Shwe Oo of the Karen Department of Health and Welfare at ehkalushweoo@gmail.com, or call Dr. Cynthia Maung of the Mae Tao Clinic at (0)89.961.5054.

Best,
Andrea Gittleman

Andrea Gittleman
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Text of comment:
Comment: Reporting Requirements on Responsible Investment in Burma

The Karen Department of Health and Welfare (KDHW), the Back Pack Health Worker Team (BPHWT), the Mae Tao Clinic (MTC), and the Burma Medical Association (BMA) are community-based health organizations that work on the Thai/Burma border. We hereby submit this comment as requested by the State Department regarding reporting requirements for responsible investment in Burma.

Our organizations provide community-based primary healthcare to improve the health situation in Karen State, with the ultimate goal of ensuring universal access to healthcare. We operate mobile health clinics, distribute health supplies, and educate medical personnel. Due to the conflict and the precarious security situation in Burma, our groups have not been able to access all areas in Karen State, and many communities still lack access to healthcare.

Since 2004, KDHW and BPHWT have conducted health impact surveys that provide population-based estimates of morbidity rates, mortality rates, and human rights violations affecting health in the population that it serves. In 2012, KDHW and BPHWT assisted Physicians for Human Rights (PHR) in conducting a household survey that showed a correlation between development projects and human rights violations. The PHR report Bitter Wound and Lost Dreams - Human Rights Under Assault in Karen State, Burma was released in August 2012.

During our many years of experience in providing healthcare to those in need in Karen State and the surrounding regions, we have seen first-hand the devastating health consequences of human rights violations in Burma. We therefore urge the US Administration to establish reporting requirements on US investment that will curb potential abuses and allow for the greatest level of transparency so that organizations such as ours can better serve communities in need.

1. Studies and experience show a correlation between foreign investment and human rights violations, namely forced labor and forced displacement. Therefore investment and development projects must be supervised.

Through our activities in Burmese villages, our organizations have witnessed a correlation between foreign investment, such as the creation of dams, a deep sea port, etc., and human rights violations. The Karen Human Rights Group has documented several incidents of forced labor and forced displacement in relation to development projects, e.g. the current dam building in Taungoo District. We have a well-founded concern that further foreign investment will result in human rights abuses, especially in areas that are now controlled by the Burmese government. These areas have already been affected by violations including rampant forced labor. At this point, we and other border-based health organisations are not able to access these government-controlled areas to ensure health access or monitor the human rights situation. Strict, thorough, and transparent reporting requirements are key to ensuring that human rights and workers' rights are monitored and reported. This is necessary for enabling all humanitarian and development agencies, including our organization, to respond appropriately to abuses and to implement the necessary programs and policies to assist populations in need.

2. Community-Based Healthcare Organisations are dependent on information about land acquisition and possible consequences of investment to ensure healthcare access to all populations.

In Burma, a common cause of forced internal displacement is industrial development projects, such as the creation of dams or mining activities, where individuals are forced by the developers - companies, investors, or the government - to vacate their homes in order for these projects to be completed or are forced to leave the area as a consequence of environmental changes that remove their livelihoods.

Information about investment, land acquisition, and displacement is vital for border-based organisations in order to plan our work. We need to be fully aware of all development initiatives and any displacement in order to target populations that may not have access to healthcare. The information gathered from the State Department's proposed public reporting requirements can help us learn what kind of assistance is needed and where it should be delivered. A particular scourge in eastern Burma is malaria, which is one of the most common causes of death in the region. Malaria incidence is higher in displaced than in stable populations because of their greater exposure to mosquitoes. Our organization will be able to track trends in development and displacement in order to guide our efforts to distribute medicine to displaced populations. If we have more information about what businesses are doing, we will be better prepared to provide malaria treatment and other healthcare to those who may be displaced as a result of investment.

Reports can also be used as a foundation to engage in relevant dialogue with investors and employers. As experts in local health issues, healthcare organizations can inform employers and their employees in the region about methods for prevention of disease, offer treatment when appropriate, and provide health education for workers and their families.

3. All information about investment and consequences thereof should be accessible to the public.

At this point in time, foreign investors in Burma are not required to disclose information about environmental or human rights risks to the communities that may be affected by their investment, nor to organizations providing essential services to the communities. Any

information about our organizations' target areas or potential impacts on our target populations can be valuable to ensure that health facilities and treatment options are available and accessible to all.

Communities and organizations such as ours that serve families in Burma need as much information as possible. Companies operating in Burma should not be allowed to hide information relevant to their impact on local communities in a confidential report. The State Department has stated the possibility of two reports from US businesses - one public and one confidential. We strongly urge the US Administration to remove the proposed confidential report and ensure that all reporting is made available to the public.

Border-based health work is based on a system of community-based primary healthcare focused on empowering and educating villagers and communities to take responsibility for their own health situation. From this perspective, depriving villagers of information that can cause drastic changes in their lives or to their livelihoods is unacceptable and will be a huge obstacle to our goal of empowering villagers as agents to improve their own lives.

Conclusion

The reporting requirement should work as a monitoring tool, not only for the US Administration but also for the many humanitarian and development organizations that can use the information to improve their work and disease prevention efforts.

Experience has shown that large investment projects often have negative consequences for the populations in the form of human rights violations such as forced labour and displacement. Therefore, information about investment is of utmost importance for the border-based health organisations to plan efforts to meet the needs of affected populations.

The Burmese government has operated without transparency for decades with its business cronies, resulting in forced labor, land confiscation, and civilian suffering. The State Department has an obligation to ensure that US companies proceed with their investment in a manner that protects human rights. Transparency in the reporting requirements is an essential element of this goal.

Based on the above information, the Karen Department of Health and Welfare, the Back Pack Health Worker Team, the Mae Tao Clinic, and the Burma Medical Association wish to emphasize the importance of strengthening reporting requirements and ensuring that all information on investments in Burma is made publicly available.

Sincerely,

Eh Kalu Shwe Oo
Deputy Head and Health Programmes Director Karen Department of Health and Welfare

Mahn Mahn
Secretary
Back Pack Health Worker Team

Dr. Cynthia Maung
Director
Mae Tao Clinic

Saw Nay Htoo
Program Director
Burma Medical Association



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- 1. Studies and experience show a correlation between foreign investment and human rights violations, namely forced labor and forced displacement. Therefore investment and development projects must be supervised.*

Through our activities in Burmese villages, our organizations have witnessed a correlation between foreign investment, such as the creation of dams, a deep sea port, etc., and human rights violations. The Karen Human Rights Group has documented several incidents of forced labor and forced displacement in relation to development projects, e.g. the current dam building in Taungoo District. We have a well-founded concern that further foreign investment will result in human rights abuses, especially in areas that are now controlled by the Burmese government. These areas have already been affected by violations including rampant forced labor. At this point, we and other border-based health organisations are not able to access these government-controlled areas to ensure health access or monitor the human rights situation. Strict, thorough, and transparent reporting requirements are key to ensuring that human rights and workers' rights are monitored and reported. This is necessary for enabling all humanitarian and development agencies, including our organization, to respond appropriately to abuses and to implement the necessary programs and policies to assist populations in need.

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In Burma, a common cause of forced internal displacement is industrial development projects, such as the creation of dams or mining activities, where individuals are forced by the developers - companies, investors, or the government - to vacate their homes in order for these projects to be completed or are forced to leave the area as a consequence of environmental changes that remove their livelihoods.

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situation. From this perspective, depriving villagers of information that can cause drastic changes in their lives or to their livelihoods is unacceptable and will be a huge obstacle to our goal of empowering villagers as agents to improve their own lives.

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The reporting requirement should work as a monitoring tool, not only for the US Administration but also for the many humanitarian and development organizations that can use the information to improve their work and disease prevention efforts.

Experience has shown that large investment projects often have negative consequences for the populations in the form of human rights violations such as forced labour and displacement. Therefore, information about investment is of utmost importance for the border-based health organisations to plan efforts to meet the needs of affected populations.

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