

Report from the Workshop on Dawei Studies

14-15 September 2020

Chiang Mai

Compiled and rearranged by SEM

A workshop on “Dawei Studies”

An evaluation of knowledge and movement about Dawei

Background

The workshop on “Dawei Studies” An evaluation of knowledge and movement about Dawei was held during 14–15 September 2020 at the Foundation for Natural Resources and Environment (FENR) in Chiang Mai as part of the 3rd International Conference on Burma/Myanmar Studies (ICBMS) from 5-7 March 2021 at the UNISERV, Chiang Mai University. It aims to give academics, development activists, researchers and those working on Dawei issues a chance to exchange and present their studies as well as to evaluate the status of knowledge about Dawei from various perspectives including the history and identity of Dawei, its culture and livelihood, natural resources, development and its impacts, CSOs, media, education, youth, and migrant workers in Thailand, etc. It should help to replicate the knowledge expanding our understanding about neighboring countries and paving the way to further collaboration on various fronts. It should also support the implementation of CSOs toward sustainable development for the benefit of society, human rights and the environment.

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The Identity of the Dawei People Illustrated in the Local Museum of the Payagyi Monastery.

Sittiporn Netniyom, Research Institute for Languages and Cultures of Asia (RILCA), Mahidol University

Dawei, the capital of the Tanintharyi Region in the southernmost area of Myanmar, has its own language and unique culture. The study of the Payagyi Monastery Museum in Dawei in 2015 aims to expand the knowledge and understanding of the unique identity of the Dawei people through the artefacts displayed in the museum or, in other words, how these museum artefacts reflect the identity of the people of Dawei, and ultimately created a sense of pride. The Payagyi Monastery Museum can be viewed as a product of cultural and social movements of the Dawei people, particularly in two critical periods; firstly, the emergence of local intellectuals searching for a Dawei identity and nationality during the post-World War II period, and secondly, since Myanmar transitioned to democracy in the 2010s and subsequently opened up to foreign business interests, the local activism movement against the establishment of the massive Dawei Special Economic Zone Project.

The Identity of the Dawei People Illustrated in the Local Museum of the Payagyi Monastery and the movement to inculcate a common conscience in the culture of Dawei people

Sittiporn Netniyom

Research Institute for Languages and Cultures of Asia (RILCA), Mahidol University

The study on the role of Payagyi Monastery's local museum as an important cultural center of the community in Dawei was conducted in 2015. It was an attempt to explore the identity of Dawei people based on the display and curation of artifacts at the museum. It greatly helps one to understand the historical awareness of the people in the community. Particularly, the more the objects put on display can illuminate on the way of life and history of the people, the more they can help to reinforce the local spirit and reinvigorate the power of the community in other aspects.

According to the study, the identity of the Dawei people has been shaped by its remoteness from the central city of Myanmar. Dawei's dialect and culture are unique in themselves and Dawei has the power to manage its own resources for a long time due to its remoteness from the central power of Myanmar.

Major findings from the study

1. Dawei people have for a long time their own process to develop their identity by the intellectuals in Dawei ostensible to within and outside the country.

2. The reproduction of identity of Dawei has constantly been made through various methods.

3. There have been social and political movements that express themselves through online and offline platforms.

The study of Payagyi Monastery's museum five years ago has the following objectives. (1) To open up spaces of knowledge and understanding about the development of identity of Dawei people through the studies and interpretation of the artifacts put on display at the local of Payagyi Monastery. (2) To explore the process to develop the discourse and the identity concerning the reputation of the Dawei people through literary review of documents in Thailand and Myanmar and onsite interviews with concerned Dawei youth.

This study sheds light on the background of Dawei. Thai people's perception toward Dawei has been informed by the cultural and historical remnants. Thai people have been exposed to various aspects of Dawei including its music since we are familiar with the Mon song including "Dawei Song". Regarding performing art, we have found documents since the time of King Rama II which mentions "Dawei Dance". Concerning food, Thailand people are familiar with "Dawei Salad" (*Yam Tavoy*). And in terms of settlement, we are familiar with the "Dawei Home" which is home to Dawei people who have settled here since the reign of King Rama I. It is located in Yannawa District, now. All of these attests to the historical, social, and cultural relationships and familiarity between Thailand and Dawei for a long time.

Initially, "Dawei" was not used to connote the name of the city. It simply referred to groups of people settled in Dawei, Mergui, Tanintharyi and Kawthoung, which are not located in the Tanintharyi Region, south of Myanmar. In addition, the Myanmar's ancient scriptures mention 101 ethnic groups, one of which is referred to as "Dawei people". They are one of the seven ethnicities in Myanmar including Myanmar, Pyu, Kanyan, Yaw, Rakhine, Taungthu and Dawei. The Dawei city has been evolving based on the ethnic diversity including the Rakhine, Mon, Myanmar, Tai from Yuan and Siam, the Ayutthaya Kingdom, all of whom have played different roles in Dawei since ancient time.

It is said that Dawei dialect is part of Myanmar language. It is an ancient dialect which U Kyaw Ming, local intellectual in Dawei notes in his writing that judging from the evolution of the city during different times, the city has never been called "Dawei" even during the recent time. The city ruled by U Nae Lae was called "Sayao

Di”, not Dawei. Therefore, “Dawei” was the term referring to groups of people settled in this region and did not connote the name of the city as it is known at present.

As to the interaction of local culture, literature and politics, Dawei has passed through various movements. Attempts to trace the original identity of Dawei people and the city before it became known as Dawei, we find the city has its own identity, culture and language. The notion is reiterated by U Zaw Thura, an independent researcher, historian and local archeologist who has been working with the Dawei Development Association. They utilize their knowledge from the archeological and historical research as a tool to raise the awareness and pride in the local identity and the environment to keep them safe from the invasion of investors from outside.

The local museum in Dawei is thus an outcome of such social movement and the existence of the museum has been made possible by the cultural reproduction which can be divided into two phases;

(1) The awakening of local intellectuals to trace the identity of Dawei to describe their identity and nationhood

(2) The response and movement against the Dawei Special Economic Zone Project

Dawei people attempt to explain who they are. Their attempt to trace the identity of the Dawei people could be found in the studies of Dawei culture. Dawei first became better known in the aftermath of the World War II in 1940's. Dawei intellectuals started to compile research and historical evidence reflecting their culture. During the colonial time, they have found Dawei folklore which was publicized through playwrights and historical records during the beginning of the reign of King Rama V in Siam. The literatures are rare books now. They contain the folklore which continue to be retold and referenced in a number of historical and cultural books Dawei.

During the response and opposition to the Dawei Special Economic Zone Project, the project has been proposed to cater to the economic expansion of Myanmar and ASEAN. It rapidly leaves Dawei to face impacts on its environment, way of life, the community and culture. Local studies have since been used as a tool to reinforce the identity of the Dawei people, particularly when Myanmar was opening up the country in 2012.

U Zaw Thura, a scholar and activist in Dawei says that the environmental conservation is a very important knowledge related to the wisdom passed down from the ancient time. It concerns the management of water and forest. The studies of the local history and archeology are still relevant to social movement to ensure the community in Dawei is aware of the development and direct impacts from various multinational projects.

Until now, movements have been made to restore the identity, the sense of Daweiness through the formation of the Dawei Nationality Party to drive forward the existence of Dawei people's identity making them proud and want to protect it. It is illustrated in social movements to protect natural resources and prevent social change.

In addition, there have been attempts to fight to preserve important archeological sites in Dawei. It has led to the promulgation of law to protect archeological sites. Previously, the Dawei Special Economic Zone Project has a plan to build a road through the ancient city of Thagara which is very important for in Dawei. But due to protests and complaints to the Ministry of Culture, it has led to the formation of an inquiry committee to investigate in the area. Eventually, the Myanmar government has declared the ancient city of Thagara an archeological site to be preserved, and the road project was shelved due to the law.

The new law stipulates that in any part within the Special Economic Zones in any part of Myanmar, if it boasts religious and historical importance, the area shall be slated for protection including the 300-foot radius. This attests to how legends and ancient scripture can be harnessed to enhance the social and cultural movement to prompt the Parliament to promulgate laws for genuine protection.

Why do Dawei people place an importance on building a museum? This is because Dawei has been invaded by people from outside or the central administration. Some archeologists from the central government have taken away local antiquities claiming for research use. When there was no museum, all these artifacts were left in the pavilions of temples. In the aftermath of the British invasion in Dawei, such cultural heritage was damaged. Cultural conservationists managed to preserve some objects. The damage done during the colonial time was, however, incomparable to during the invasion of scholars. They did not make a genuine effort to study, rather, they searched and took away the items preserved by the villagers. This probably causes much frustration among the locals. It has prompted them to establish the Payagyi local museum and started to make an inventory of the antiquities concretely in 2012.

Initially, the Dawei local museum was founded based on the interest in Dawei people's arts and culture led by U Kyaw Ming who have compiled all the antiquities dug from the ground and donated by the public. The museum was not built officially. In 1955, U Kyaw Ming put the display at a space in a building of the Dawei Municipality. During the celebration of the 25th Century of Buddhist century, the Payagyi monastery committee has built and memorial building mimicking the stupa on a building in the Pa Aey Buddhist Missionary University

Yangon which was named "Ao Wong Pothiya". The temple committee allowed U Kyaw Ming to put all of his antiquities on display at the first floor of the building.

After the death of U Kyaw Ming, the first local museum in Dawei was left to the care of his son. It was opened when there is any festival at the temple or when there is a request.

The artifacts put on display at the Payagyi museum can be divided into three themes;

(1) The history and meaning of "Dawei" including prehistoric and historic antiquities found in Dawei and utensils used by Dawei people

(2) Currency, Buddha images, and religious objects to illustrate the importance of Dawei as a major city of mineral resources and export of metal objects including metal coins of various sizes and the relations with immediate and farer states including the Thai, Tai, etc.

(3) The reputation of the Dawei people and their literature including photos of important and national figures who came from Dawei and books written about Dawei. Literary works about Dawei have been made during different periods by intellectuals of Dawei descendance including Maw Wong Than Shwe, etc.

As for the attitude of Dawei people toward the Payagyi museum, we have asked the Dawei people, for example;

About the importance of the museum and how the community contributes to it? Some say that this museum has been made possible by the Dawei people and it embodies the reputation of the Dawei people and attests to the existence of the Dawei people.

What does this local museum mean to the Dawei people? Some say that it proves the uniqueness of the region and the reputation of the Dawei people. It can reflect the Dawei culture making it a place that can welcome tourists.

When asked, what is Dawei culture? Some mention the nuances and uniqueness of their literary works, cuisine, language, tradition, lifestyle, way of life, history of their gods, all the legends which could only be found in the Dawei region.

What should be future studied is how they create a common cultural awareness between the Dawei people in Dawei and the Dawei people in Thailand via online platform. It should help to broaden the border of knowledge and set out the plan to enhance mutual understanding between Thai people and Dawei people

through collaboration on cultural front and others. It should include the return of the studies, documents and stories to youth in Dawei to expand their border of knowledge and to drive forward their movement.

References and further information

- The identity of Dawei people in the Payagyi Monastery local museum by Sittiporn Netniyom, video presentation at the symposium on Museum Refocused, 3-4 September 2015 at Sukosol Hotel, Bangkok, organized by Museum Siam <https://repository.museumsiam.org/handle/6622252777/557>

The Archeological Study Across the Peninsular Tanintharyi Mountains

Walailak Songsiri, The Lek-Prapai Viriyahpant Foundation

The archeological surveys and studies undertaken along the borderlands of Thailand that connect to southern Myanmar, especially in the Dawei area and Tanintharyi Region, where river valleys are sandwiched between the Andaman Sea and the Tanintharyi mountain range, have suggested that the trade networks in the ancient U Thong period stretched well beyond Thailand to several neighboring communities, including those that cross the Tanintharyi mountain range to Dawei city and the Tanintharyi Region. The archeological surveys undertaken in Dawei and other ancient cities in the Tanintharyi Region by the Lek-Prapai Viriyahpant Foundation aim to uncover additional evidence based primarily on the assumption that Dawei or the Tanintharyi Peninsula not only served as a global trade center connecting the eastern and western trade routes in between India and China, but were the initial point of entry for Buddhism in present-day Thailand. Furthermore, as the Tanintharyi mountain peninsular area is of vital significance and as few archeological surveys and studies have been undertaken, further detailed studies are strongly encouraged, particularly with the participation of the local people.

The Archeological Study Across the Peninsular Tanintharyi Mountains

Walailak Songsiri

The Lek-Prapai Viriyahpant Foundation

The past five years saw an effort by the Lek-Prapai Viriyahpant Foundation to conduct an archeological study of border between Thailand and Myanmar. The Foundation has been introduced to U Zaw Thura, an activist on Dawei social and cultural issues and former lecturer of the Dawei University. He has since founded the Dawei

Research Association and we have had an exchange and discussion as well as jointly conducted site visit in Dawei and Thailand.

Previously, Ajahn Sittiporn Netniyom has mentioned about one aspect of the identity of Dawei and Tanintharyi which is a very important topic. There was also an critical historical juncture between Thailand and Myanmar during the fall of Ayutthaya Kingdom. Many of our people were left stranded in Myanmar including important figures of the Chakri Dynasty including Phra Ong Chao Chi, who was trapped in Dawei for around 20 years. King Rama I and Krom Phra Ratchawang Baworn want to bring her back and it has led to a war with Dawei when the ruler of Dawei was not on good terms with Myanmar. It was clear that Dawei has been a buffer state since the past. When the war broke out, Dawei decided to return the Princess along with a number of Siamese people. And we have found many of these Dawei descendants have since settled in Bangkok's Yannawa District. Previously, there have been Mon descendants settling by Klong Ban Sai Kai. The people from Tanintharyi and Dawei were locally known as "Khon Tanao".

Most Thai people must be familiar with "Dawei Salad" which has since been made part of Thai cuisine. There has been an attempt to adapt the royal cuisine or food served in the royal court. At present, the cuisine is hard to find, although at present the Dawei Salad in Thai style has been made a main staple for the Dawei people. It has been adapted and made to look different from the past. Wars in the past caused resettlements and displacements, and the identity and the culture were not static. They have been subject to constant change through the history.

Previous archeological surveys in Dawei have unexpectedly led to a discovery of just a few antiquities, Meanwhile, surveys of Central Thailand have led to the discovery of a very important archeological site, Ban Don Ta Petch in Kanchanaburi related to U Thong city. It was assumed to be the first point of entry of Buddhism into Thailand. We have made attempts to explore how Buddhism has made inroads into Thailand and thought it could have arrived here at this point if we draw a straight line from here to the Western peninsular of Myanmar. According to Ajahn Srisak Wallipodom, it could have entered via Dawei.

After the border check point at Ban Phu Nam Ron, Kanchanaburi, was reopened, we have gone to Dawei through this route. In the past, to make a visit to Dawei, one had to go through Prasat Mueang Sing, Ban Kao, Bongti checkpoint and trek along the river to reach to Tanintharyi Region and then on to Dawei.

Our visit to Dawei has exposed us to three major ancient cities including Thagara, Mokti and Weidi, which existed through to the late Pyu period and contemporaneous to the Srivijayan Period until the period of the Ayutthaya Kingdom.

For some scholars, Thagara is assumed to have existed during the Pyu period. But based on archeological evidence, Ajahn Srisak hypothesizes that it could exist during the Pyu period. The ancient city of Thagara is where most of the evidence has been uncovered and assumed to be most archaic, around the Dvaravati Period as some artifacts excavated bear the semblance of those found during the Dvaravati Period.

As to Mokti, it is a complicated and interesting city. It could be existing in the period following the ancient city of Thagara during the late Pyu period and the Ayutthaya Kingdom. Many of similar antiquities have been excavated from the southern peninsular which could be classified as part of the Srivijaya Kingdom or coastal cities with marine trade around the 15th – 16th Buddhist century.

Weidi is interesting and is where coins and mold with 10 centimeters in diameter were found. They were made of lead and tin. The age of these large coins has some relation with the age of Weidi when it transitioned into a coastal city with marine trade in the Andaman Sea, It was a prime location for both Northern Myanmar and the Ayutthaya Kingdom.

Key artifacts excavated from the three ancient cities include multicolor beads, commonly found in the Indo-Pacific Region. In addition, we have found traces of ancient palaces in Thagara and a statue of Vishnu. Such statue of Vishnu has also been found in Thailand in the ancient city of Phong Tuk, Kanchanaburi. Some finely statues of figures clad in clothes akin to the Tamil South India were found there as well. They could have entered there during the 16th – 17th Buddhist century. In addition, metal coins made of tin and gold and ingot have been found in the Tanintharyi mountain range which is replete of tin. The prints look very fine. Some Pala Period Buddha Images, similar to those found during the Mokti Period, were found and are being displayed at the Payagyi Monastery's local museum in Dawei.

The survey of Ban Don Ta Phet, Kanchanaburi, has insofar led to the discovery of important artifacts as ancient as the early Buddhist century or during the Iron Age, around the 3rd Buddhist century during the time of King Ashoka when Buddhism was spread to different places including Suvarnabhumi. There were the stories of the Mahajanaka setting sail for trade mission in the Suvarnabhumi. The stories could have been written later and according to some Thai historians and archeologists, such legends have not been backed up by solid evidence. But upon the discovery of artifacts at Don Ta Phet and U Thong, Ajahn Srisak and we theorize that the route could

have been the point of entry for Buddhism. We could back up this hypothesis, although no evidence could yet be found. This is the reason why we have to travel to Dawei to find out more evidence. But until now, we have not found what we want yet, U Zaw Thura also insists that at the moment, so older evidence could be found. The survey was eventually interrupted by the outbreak of Covid-19.

In Thailand's Ratchaburi, around Suan Phueng District, it used to be home of several former tin mines and a lot of antiquities have been uncovered there including in Huay Suan Plu Mountain, Chamuk Mountain. Many of them resemble those found in Ban Don Ta Phet. All of them are found in the Western Region which borders the Tanintharyi mountain range. In addition, Ratchaburi is where the ancient city of Khu Bua located. These are strong indications that this region is an important area during the 1st – 3rd Buddhist century. Many port cities were located in this region of the Bay of Bengal along the coasts down to Kra Buri, Kra River, Ranong and we assume this region has some connection with Dawei.

We could have heard about the stories of a fleet of vessels entering the Bay of Bengal during the 1st – 3rd Buddhist century, particularly during 3rd – 4th Buddhist century. It was as old as the age of the antiquities found in Ban Don Ta Phet, Kanchanaburi and Ratchaburi. They connect the two worlds together. On one hand, it was the Western world toward India, Greek, Roman, and on the other was the Eastern world toward China. The two worlds collided in our country and the largest archeological site in this region is the Isthmus of Kra, right in the middle of the Kra River and Chumphon Province. Attempts to canalize the Isthmus of Kra have started since the reign of King Rama II. In this area, major antiquities have been found and can be traced back to early Buddhist century, from the 3rd – 8th Buddhist century. This area is now home to various key archeological sites of the world. Many archeologists have flocked to conduct their studies here including the survey in Myanmar, particularly in Kawthoung, Tanintharyi Region. Nevertheless, although solid evidence has yet to be found in Dawei, we could still realize the importance of further studies. Ajahn Srisak always says that even though the evidence has yet to be found, it does not mean we will never find it and we need to continue to look for it.

On the contrary, much historical evidence has been found in Thailand, on both sides of the Southern peninsula in the Andaman from Ranong to Kra Buri and Phu Khao Thong and Klong Thom, Krabi where it is less ancient, but is home to a lot of major antiquities. On the Gulf of Siam side, from Khao Sam Kaew in Chumphon, to Lang Suan and Chiaya during the Srivijaya Period where major evidence has been found. For example, the bronze utensils with high proportion of tin or high tin bronze, bronze bowls were found at Khao Sam Kaew. All the key evidence has prompted us to travel to and conduct our survey in Myanmar. We have also found other key

historical evidence in Khao Chamuk, Huay Suan Plu, Ratchaburi and Chamao Ti in Kawthoung, North of Maliwan in Myanmar.

Our expectations toward our archeological studies in Dawei are local people in Dawei pay serious attention to this work. We have the hypothesizes and are now embarking on finding supporting evidence. Several artifacts need to be further verified. One key hypothesis is Dawei was a point of entry of Buddhism into the Western region the Chao Phraya River. It could not be other area since it is the most convenient route to make inroads into Central Thailand. But we have yet to find strong evidence to support the claim. Secondly, the artifacts found in Ratchaburi bear a strong resemblance to those found in Khao Sam Kaew. One hypothesis is a boat travel from Khao Sam Kaew to the delta of the river and on to Mae Klong River in Ratchaburi to Khu Bua and Chom Bueng, etc. since all these antiquities indicate Buddhist symbolism including a lot of triratna and gold ornament found in the Southern peninsular.

The attempt to survey historical juncture of Dawei and the discovery of antique evidence have prompted more learning and acceptance of empirical evidence. It helps to link up historical studies on all aspects. None of the scholars in Myanmar has made a serious attempt on archeological studies of Dawei and we hope the local people in Dawei will embark on such effort to study their city by themselves. They should not have to rely on archeologists from Central Myanmar who may not understand the local identity and culture as it has been the case. It is important that local people get galvanized to embark on such studies to delve deeper into the knowledge and to engender collaboration on local about local issues.

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Dawei Heritage Walking Tour: Learning About History and the Local Community

Pojana Suansri, Community Based Tourism Institute

The 'Dawei Vintage Walk' or 'Heritage Walking Tour' was initiated as an alternative to the Dawei city tour and aims to encourage tourists to become more aware of the historical and cultural values of Dawei city and its people. The walking routes were originally selected and surveyed by a team of volunteers and local guides with a set of criteria based on distinctive architecture and local lifestyles along the routes. The walking tour also aims to create activities whereby tourists and urban residents can interact, share information and learn from one other. Moreover, the city walking tour could also create opportunities for local people to earn income from selling local food products and souvenirs, as well as to create career opportunities for local guides, which is also vital for stimulating the local economy. Most of all, the overall process of creating and implementing the Dawei city walking tour also helps to inspire local people to take pride in their hometown.

Dawei Heritage Walking Tour: Learning About History and the Local Community

Pojana Suansri

Community Based Tourism Institute

Given my prior journey to Dawei and my impression with the city of Dawei, when I start work on community-based tourism in Dawei, I have surveyed various areas which could be selected as our project sites. Then, some area was selected for its unique ecological system including the village of Ka Lone Htar which boasts the montane ecosystems and the village of The Sit, a fishery village which boasts marine ecosystems. Apart from these project sites, I was also interested to study the ancient cities in Dawei to serve the purpose of the ecocultural study. I want to start from somewhere small and hope it will gain the interest of local people so that they can further replicate the studies. This has led to the implementation of "Dawei Vintage Walk" or "Heritage Walking Tour" to raise the understanding about the city and local people. The key question is how can we get to know Dawei through taking a walk in the city of Dawei?

We start from inviting various people to collectively think, act and survey and explore concepts of tourism in ancient cities in other areas. The discussion and exchange rests on the ideas that;

(1), To raise the awareness of historical and architectural aspects of the old city of Dawei since Dawei is a lovely and interesting city. It is home to architectural sites which indicate the history behind those buildings.

(2) The city walking tour shall expose tourists to the way of life and diversity of the peoples since the peoples of Dawei are Chinese and Indian descendants and how different religions, Buddhism, Hinduism and Christianity, can co-exist.

(3) To develop an activity or tourism whereby tourists and residents can have an interaction and exchange, and;

(4) To give local people a chance to earn income from selling their products, food and souvenirs and potential employment to work as local tour guides to stimulate the economy.

We have brought these ideas to and have a discussion with the Ministry of Hotels and Tourism of the Tanintharyi Region and have consulted with local organizations in Dawei including the Dawei Development Association, tour guide associations and Village Headmen in each of the villages.

Criteria used for selecting the walking routes include;

- The building architecture which is unique, diverse and indicates the identity of the groups of people, their belief and their way of life
- The diverse way of life along the routes including trading neighborhoods, government building zones, residential area, or other occupations which make certain neighborhoods different from others
- The local history and stories
- The existence of local scholars or artists
- Having the potential to develop tourist activities which are doable
- Accessibility
- Safe for walking on the road
- Having places to stay out of sunlight and rain and to rest along the routes
- Local residents or traders show friendly attitude toward tourists
- As long as 1 kilometer to walk enough for listening to stories and doing activities in the slot of couple of hours

After scouting for the routes based on the above criteria, we have started to survey them using our local teams of volunteers and tour guides to study which routes to be prioritized. In addition, we have consulted with experts including the developers of the Yangon Heritage Trust in Yangon to choose the pilot sites where we start

to interest with local community explaining to them that the tourists will not be there just to take photo, but to learn from and to get to know the city and the community and what kind of city tourism we want to build on.

We have chosen 3 routes for survey by local volunteers and tour guides to help and do mapping and taking down detail of each route. It should indicate how old each place and how it can be classified into different periods, i.e. the period before British colonization (before 1823), the British colonial period (1824–1948), the Union of Burma period (1948–1962), the Socialist period (1962–1988), the Union of Myanmar period (1988–2010), the political reform period (2011–2015) and the democracy period (2016 until present). Upon finding any architectural site, building, or personality of interest, we will pin them in the map.

The first route surveyed is not long. Each venue along the way emanates colonial vibe. The route is quite telling about the political evolution from the past until present and the education system in Dawei. It also recalls the local way of life. The route begins from the Dawei Hotel and passes through various landmarks including;

- Dawei Hotel which used to accommodate high ranking officers in the past. At present, it still functions as a hotel.
- Gen Aung San Monument, the hero who liberated the people of Myanmar from Britain and restored sovereignty in collaboration with a local hero, General Batu, one of the Dawei people
- The British Foreign Office which in those days reported to the British Governor posted in Calcutta. It was the last place Queen Supayagyi (queen consort of King Thibaw, the last monarch of Konbaung dynasty) and Queen Hsinbyumashin (her mother) asked to stay while residing in Dawei. They did not follow King Thibaw and Queen Supayalat to India.
- The Chapel of the Karen from the colonial period. It was built by missionaries who spread Christianity (Baptism) and promoted an education and medical services by building schools and hospitals. Printing machine was first used here to publish the Karen translation of the bible. There were surveys conducted on plant and animal species and mineral resources.
- Missionary Memorial dedicated to those helping to develop the Karen scripts for the propagation of religion and education in Dawei
- Building of Teachers' College with outstanding architectural design. It used to serve as a religious school and a secondary school, and now it has changed its functions as time passes by.

- Community Center which sheds light on the economic prosperity during the colonial time and its downturn during the social period when businesses were nationalized, the cancellation of Kyat currency, etc.
- Villa of rich people who owned logging business and several elephants
- Large house which changed hand from one family to another
- House of rich Indian miners who made their fortune from mining and other trade during the colonial time until the time when their businesses were seized
- Hindu sacred site which attests to how Dawei was a city as part of the trade route along the peninsular

In addition, there are different other places including coffee houses where tourists can stop to try Myanmar traditional tea, residences of local artists, painters, musicians, etc. Every place has interesting stories to tell. Apart from researching and racing history of these places, the team has done the verification of the information, too.

In addition to the survey by the local people team, we also look forward to hearing from viewpoints of outsiders. We have taken them to travel along the surveyed routes and listened to their feedback and suggestion. It helps us to reflect and analyze. The Covid-19 outbreak has disrupted everything since February 2020. We have to change to work online.

Also, in the beginning, we thought about working in a small spot like Dawei, a port city of the Tanintharyi Region. Later, we have expanded our interest to other port cities including Mergui, Melamine, Penang, Malacca, and Songkhla to explore issues concerning trade, peninsula and trade routes in Tanintharyi in each period. We have found Dawei has been part of the trade routes on land with China, not by sea. Mergui was also important as part of the trade routes. All this information sheds light on various routes connecting the trade since when Buddhism was introduced into Suvarnabhumi Region via Dawei. Mergui was an important trade city, particularly during the time of King Naresuan the Great. Different religions were introduced into this region including Buddhism, Islam, and Hinduism clearly explaining the significance of Dawei. Also, British made attempts to insert its control in this region. It is important that we shall not focus solely on Dawei, but the while region. And we need to look into trade and religion propagation as well as colonialism, all of which are quite intriguing.

Nevertheless, attempts to compile stories about these walking routes depend on who the target groups are. We do have key and basic information about each place and are able to recount stories since the British colonial era in Dawei until the time during the occupation of Japan in the World War II as well as the time when

General Aung San was liberating the nation and toppling British. Dawei people proudly joined the liberation forces making the people so proud. Then, there was the political upheaval when people suffered immensely and how it has transformed to a democracy at present.

Each place helps to shed light on the history of Dawei from various perspective. It also demonstrates the power of local people. For example, the prisons epitomize the effort of Dawei people to complain and hold the Chief Minister of the Tanintharyi Region accountable for corruption. It has led to the arrest and imprisonment eventually. The stories behind all these places reflect the pride of Dawei people, particularly politically. All these stories help to restore and reinforce the pride of local people. As outsiders, we can help to collaborate with the local people there. But it is important that the Dawei people take part in the studies on various aspects about the city in which they are born and bred. This should help to stimulate local people to reflect on their stories.

Life in Two Countries – Thailand-Myanmar: Opportunities and Obstacles

Praphapron Preeyapasaworasakul, SEM Sikkhalai

As the child of ethnic Mon-Dawei parents from Dawei, who were migrant workers in Thailand's Kanchanaburi province, Praphapron grew up and lived her life in two countries, encountering both obstacles and opportunities. She appreciated the invaluable benefits of gaining a good education while living in Thailand. However, as she did not possess Thai identification, it was impossible for her to continue her studies on the scholarship she was awarded. In her case, she was eligible to obtain Thai citizenship, but she struggled with the many bureaucratic procedures before finally obtaining the official documents. Praphapron also recounted various obstacles her parents and other Myanmar migrant workers have encountered while living in Thailand, and how the lack of citizenship or being a migrant worker impacted their life with regard to discrimination, education and job opportunities. She believes that other children who share the same experience of growing up in two countries deserve to be treated with dignity and with equal rights to citizenship.

Life in Two Countries – Thailand-Myanmar: Opportunities and Obstacles

Praphapron Preeyapasaworasaku

Today, I ask for an opportunity to explain about my life and experience of a person in two countries – Myanmar and Thailand. I have encountered both good opportunities and obstacles so have my fellow migrant workers who I have met and talk to. I was born in Kanchanaburi. While my father is ethnically Mon, my mother is a Dawei person. They both came to Thailand in 1977 through the Three Pagodas Pass, Kanchanaburi by foot. In the beginning, we, the parents and the child lived in Thailand with no legal status and ID cards. After having been living here for over ten years, around 1989, the government conducted a survey of foreigners who had been living in the Kingdom of Thailand for over ten years in order to issue them ID cards. In the next 20 years, another survey was conducted around 2009 and our ID cards have been upgraded to the blue cards (according to Section 17, such aliens shall be allowed to live in Thailand legally). My parents have received the ID cards with the first numbers of '87' making it legal for them to live in Thailand.

I grew up in Song Thor Mine where my parents had been working for many years. When I was seven, we have to leave the mine since the company that operated it was declared bankrupt. It was a very difficult life then. Most people from Myanmar who worked in the mine had their salaries deposited with the company in a coupon system. While they managed to save money, they also tried to send remittances home to help their relatives buy houses and land. Eventually, all of their savings vanished as the company had fraudulently withheld it.

Like my parents, I have a blue ID card making it legal for me to get enrolled in Thailand and to live in Thailand legally. But before I was issued the card, I remember how many times, I, accompanied by my parents, had to bring with me a lot of documents to the District Office as evidence. As for the livelihood of the Myanmar people living in Thailand, if they are migrant workers, they often rent houses, building and small rooms and share. Most end up in small rent rooms to save money. To many people, they assume the Myanmar have no money and therefore have to rent small rooms to live. In fact, these Myanmar migrant workers try to work many jobs and live frugally to save the money to send home. They hope that they will one day return to their home country and live a better life and have their own homes.

The Myanmar migrant workers have to face many obstacles and I used to be in such situation. For example, they are not allowed to travel outside their area. Therefore, if they need to travel, it can become a problem for them. Previously, I lived in Thong Pha Phum District and was not allowed to venture outside the district. If I want to get outside, I have to go through a checkpoint at Sai Yok Noi, known to the Myanmar as the "Tan Bo Day Checkpoint". It literally means a mantra that one could pray in order to achieve something. I

remember that once I travelled with my parents and my older sister. My mother was stopped by the officials at the checkpoint. We had to wait there and had to find 500 baht to pay for her freedom. It was very difficult then to acquire the amount of money. It is, however, a predicament most Myanmar living in Thailand have to endure.

As to my mother, she used to study in Dawei, but did not complete her education due to her poor family. She then decided to travel to look for jobs in Thailand. She landed a job as a housekeeper at a hospital. She had the chance to help the doctors and nurses as well. It helped her to pick up more skills, until she was able to help with different sections of the hospital. Later, she was hired as a nurse at the mine. After the mine's closure, she had gone to look for jobs in Bangkok. But given a lack of references to certify her ability to work as a nurse, she had to apply for the job of housekeeper again. This is a restriction for migrant workers who are not able to find better jobs. When she got older, she looked for ways to earn her living and wanted to open a grocery store. One problem was such occupation was against the law. It was prohibited for migrants to run such business. Even if I now have my proper Thai ID card and am able to open my store legally. It could be a problem if I am not home leaving my mother by herself. If the police raid our place randomly, we could get arrested and fined. As a result, my mother had to give up her dream of opening a shop. The people from Myanmar who live and work in Thailand may encounter many good opportunities. But at the same time, they could be impeded by some obstacles and that could interrupt their chance to pick up and develop their skills.

I am able to get enrolled into a Thai school. It enables me to attain the same opportunities like other Thai children. I was studying in a public school and paid the same amount of tuition fee like other Thais. Still, there are other obstacles in terms of access to scholarships. Even though I used to pass the test and was eligible for a scholarship, I was denied it simply because one of the criteria provided that the recipient must only be Thai national.

I had not many problems studying in school in Thailand since most of my friends there were Myanmar. It was not uncommon that we had no surnames. But later, when I further my education in a school in the city of Kanchanaburi, I started to feel I was a bizarre person there. There, people refer to each other with first and last names. When my teacher read out my name without last name, I was often asked why I did not have a last name. Were you not Thai? It made me feel I was a bizarre person among them. But now, I no longer have such apprehension being perceived of or mocked as Myanmar since Myanmar has become a better-known country and it has gained recognition over the time.

After high school, I enrolled into university. Very few of us have such opportunities. Most of them, after high school, end up looking for jobs. But my family supported me to study to the undergraduate level. Thus, I applied for the Nakhon Pathom Rajabhat University. The officers who accepted my application asked why I did not have my last name. It was as if a person without last name would be denied a chance to study in university. The issue has been brought to the attention of the Department and there was some discussion. When they found out that I came from Dawei, they accepted me as a student of a new course on logistics. The course has been designed exclusively to cater to the Special Economic Zone. It was often said then that Dawei people should study logistics to get themselves prepared for the Dawei Port Project. After graduation, they will certainly get a job. The university eventually accepted my application. It was my last year of study, and I was to have an internship. I have thus sent my applications to various places and have been accepted by all of them. But as soon as they learned that I was a Myanmar national, they refused to take me. Eventually, we have to make an effort to apply for my Thai nationality at the district office. I have gone there umpteen times just to have nationality verification. It required a lot of energy. Eventually, I had to make a phone call to plead with the Ministry of Interior and I was granted Thai nationality and Thai ID card in 2017 (by way of Section 7 of the Nationality Act) since I was born in the Kingdom of Thailand and my parents have entered Thailand a long time ago and are holders of blue ID cards. Thus, I was eligible to apply for Thai nationality.

As to my right to medical care, one thing I can still recall when I was young and was having a blue ID card and was entitled to the universal healthcare, aka the 30-baht scheme. I fell ill and need to be hospitalized in Thailand. The doctor simply said I was having a fever and prescribed me some paracetamol. One month passed, and I did not recover. Since my parents found it difficult to communicate in Thai, they decided to take me back to the Dawei Hospital. There, I was diagnosed of suffering from TB and had to receive treatment in Dawei six months. It had delayed my education in Thailand. While I was receiving treatment in Dawei, I tried not to stay idle. Even though I was then able to speak Myanmar but was not able to write and read Myanmar. I spent the time there to study Myanmar language and develop my linguistic skills and improve myself.

Growing up in Thailand with background and roots from Myanmar and Dawei helps me to realize the benefit of living in both Thailand and Myanmar. It enables me to communicate in both languages, Thai and Myanmar as well as Dawei dialect. During my study, I was exposed to working experience getting to translate films, documentaries, activities and documents concerning Myanmar. At present, I have a chance to work on the issues about Dawei and it has enabled me to use my language skill to benefit both countries. In addition, even

though I came from Dawei, but the work has opened my eyes to other aspects of Dawei, which are not solely concerned about the Dawei Special Economic Zone Project or the Deep Sea Port Project as many have heard.

My life until now has shown how I was lucky in different ways. In particular, I got to study in school, despite some obstacles or constraints. Before I have become myself as today, I have to struggle as a person of both countries, Thailand-Myanmar, to acquire the chance and the rights. I want all children who are born in the two countries like me to not have to face such trouble like what has happened to me, I want them to have the chance and the rights to live a fair life based on human dignity.

Over a Decade of Uncertainty of the Dawei Special Economic Zone Project

Luntharimar Longcharoen

Independent researcher

For the past 12 years since the Dawei Special Economic Zone (SEZ) project was initiated, the project has encountered repeated delays and remains on hold with no clearly defined future. In the course of promoting economic growth, the Myanmar government has espoused that the SEZ project will create employment and bring prosperity to the region. In reality, throughout the development phase, the project has encountered strong local opposition due to the negative impacts on livelihoods as a result of environment degradation, land confiscation, and the lack of transparency and consistency regarding compensation for affected lands etc. The local people have repeatedly called on the Myanmar and Thai governments to solve the existing problems resulting from the project and to present an alternative approach to the SEZ project. Before the project continues, key questions need to be answered. What are the real benefits that the local people in Dawei will receive from the SEZ development? Is the development of a large industrial special economic zone in a coastal area a suitable model for Dawei? While the Myanmar government wants to create economic growth and promote the well-being of the people in the area, can these goals be achieved through other forms of development, rather than developing a massive Dawei Special Economic Zone project that causes a wide range of impacts? More importantly, what are the preferred development approaches of the local people?

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Background of the Project

The Dawei Special Economic Zone Project is founded on the Memorandum of Understanding signed by the governments of Thailand and Myanmar in May 2008 a few days after Myanmar was struck by the Nargis Cyclone causing extensive devastation. In the following month, the Italian-Thai Development PLC signed an agreement with Myanmar to conduct the project feasibility study. Just before the historical elections in Myanmar in 2010, the Myanmar government signed the Framework Agreement to develop the Dawei Deep Sea Port and Dawei Special Economic Zone (SEZ) with SEZ the Italian-Thai Development PLC offering concessionary rights regarding the construction and project management which would include the construction of the Dawei Deep Sea Port, an industrial complex, power plants, dams, reservoirs, gas and oil pipeline and the road link from Dawei SEZ to the Thai border.

In fact, the idea for the development of Dawei SEZ was initiated since the time of Senior General Than Shwe with the focus on Thilawa and Dawei with support from the Thai government. It was first reported since when the former Prime Minister Thaksin Shinawatra was still Minister of Foreign Affairs (1994-1995). He has since become more active in this Project when assuming the premiership (2001-2006). In addition, prior to the elections in Myanmar in 2010, the Egress founded by intellectuals and social activists in Myanmar has send a team to study the Special Economic Zones in China's Shenzhen in order to develop and policy proposal for the Union Solidarity and Development Party (USDP) which was affiliated with and received support the Myanmar Army. In January 2011, Myanmar first enforced the Dawei SEZ Law before repealing it and imposed a new Special Economic Zone Law in 2014 to be applied to all SEZs throughout Myanmar. The SEZ s were touted as an impetus to generate employment at all levels, to eradicate poverty and to convince migrant workers to return home to help develop the economy and to increase the country's GDP on par with international community, after decades economic isolation.

Concept and nature of the Project

Dawei SEZ is viewed as a regional hub and major milestone of the Greater Mekong Subregion Economic Corridor proposed by the Asian Development Bank (ADB). The proposed area of the Dawei Project will be ten times larger than the Map Ta Phut Industrial Estate in Rayong. At present, it has been downscaled to 196.5

square kilometers or about eight times of the Map Ta Phut Industrial Estate. Initially, it was planned to develop an eight-lane road from Dawei SEZ to the Thai border (and linking up with the routes to Bangkok) in parallel to power grids, double track railway, gas and oil pipeline, covering the area as large as 200 meters. The pipelines were slated to go through community land and the Tanintharyi forests.

The Special Economic Zone is situated on the traditional land of the community in Dawei's Nabule. According to the Project's map, the main route from kilometers 0 begins at the coastal area. The land along the sea shall be developed into a heavy industrial complex including oil refinery plants, coal-fired power plants, etc. (aka the Dawei people's 'dirty' industries). In addition, part of the land shall be allocated to the resettled villagers and dams will be built for villages on the mountain to create a reservoir as large as 627 million cubic meters for industrial use. Meanwhile, a road link to the Thai border will be developed through the traditional land of the community of ethnic Karen under the control of the Karen National Union (KNU).

Traditionally, local people in the Project site earn their living through agriculture and fishing. Their major produce includes beetle nuts, cashew nuts, etc. More than two hundred thousand people live off fishing related occupations. Fisher export generates good income for the local community including during 2012-2013, the fishery export from Tanintharyi Region was worth \$140.5 million, which has not been accounted for when calculating the project costs.

Impacts of the Project and local opposition

In 2010, the villagers started to complain that their land had been encroached and destroyed with no prior and informed consent. Mountains were blasted to develop quarries at the watershed to serve construction purpose. It has led to the destruction of water supplies causing damage to orchards and agricultural produce, The affected villagers started to show their discontent and mobilize protests against the Project by blocking road access preventing the entry of the company's vehicles and demanding compensation.

In 2013, the Environmental Research Institute, Chulalongkorn University, was commissioned to conduct the environmental impact assessment of the Project's road link between the Dawei SEZ and the Thai border. It prompted opposition from the villagers who protested and refused to accept such study viewing it as a study after so much damage had already been caused by the ongoing construction. This study, however, highlights major impacts. For example, it was found that the villagers were deprived of their right to land, there were problems with the compensation, and the road construction has caused damage to the environment and affected the traditional way of life of the villagers, etc. It proposes that there needs to be a new assessment and study about the cost

benefits, sustainable development and the evaluation as to how it will benefit the country as a whole and how it will cause impacts on the Myanmar people. The findings and recommendations from the study have largely been neglected.

Environmentalists and scholars in Thailand also highlight transboundary environmental impacts since Thailand and Myanmar share resources from the Andaman ecosystem and the Tanintharyi forests. Fish catch from Dawei is supplied to Ranong and Bangkok and if the supply is contaminated by heavy metal from industrial pollution, it will inevitably affect consumers. In addition, the construction of dam and road link from Dawei to the Thai border shall cut the forests into pieces wreaking havoc the ecosystem, wildlife habitat and impeding genetic diversification in the future. Moreover, the Dawei industrial complex may unleash air pollution due to the Southwest monsoon that enters Dawei during the rainy season. When hitting the Tanintharyi mountain range, all the pollution will be trapped in Dawei. But if the wind is strong, it could be blown into Thailand (particularly in Thong Pha Phum District) causing acidic rain which is destructive to food production and health of local people in both countries. Moreover, the roads from the Dawei SEZ to the Thai border connecting with Kanchanaburi and then on to Bangkok, Laem Chabang Port and the Map Ta Phut Industrial Estate may heighten traffic accidents or the chance of chemical leak from vehicles travelling along the route, similar to what happens with the Map Ta Phut Industrial Estate.

Throughout the time the efforts have intensively been made to push forward the Project, it has led to a flare-up of conflicts and confrontation in the local area. Being discontented and the impending adverse impact have galvanized the local villagers against the Project all the time. They have blocked road access, seized the company's vehicles, put up signs of 'No Dam' or 'Stop building another Map Ta Phut Industrial Estate in Dawei' at the entrance of their villages and pushed their demands to the local and central governments in Myanmar numerous times.

In 2013, the villagers and CSOs in Dawei have submitted a complaint to Thailand's National Human Rights Commission since this project has been developed by investors from Thailand and the Thai government. The Dawei Development Association has conducted a research about the impending impacts on the local people and the environment and has found the Dawei SEZ is slated to cause direct impacts on around 34,000 villagers living in the vicinity of the Special Economic Zone and its downstream projects including the port, the road link to the Thai border, dams and reservoirs and the resettlement area for more than 790,000 people to be displaced by

this Project in the rural, coastal and urban areas. All of them shall be indirectly affected in terms of their environment, society, economy and health.

The DDA's research also discovers that if the project is to press ahead, more than 60% of land owners shall lose all of their land to the Dawei SEZ. Meanwhile, the local community has had little access to information about this project. Two thirds of the households surveyed or 66% say that they have not received any information from either the government or the company. In addition, the compensation has not been fairly made. It has been shrouded in a lack of transparency and only some villagers have been compensated. Among those receiving the compensation, they complain that it would not be enough for them to continue their living in the future.

The adverse consequences of the Project, the investors, the government and the people

Until now, the Dawei SEZ's progress has been stalled. This is mainly because it is a large-scale project covering a large area while it lacks basic infrastructure necessary for the development of such large-scale project including power sources, water supply, etc. There is also a lack of funding since Max Myanmar has pulled out its investment since the launch of the project despite the constant push by the governments of Thailand and Myanmar. This happens even though in 2013 the governments of Thailand and Myanmar have started to bankroll the project through the Special Purpose Vehicle (SPV) and by holding on to the split shares (before the Japanese government came on board, and the shares were divided into 33.33% equally among the three countries in 2015). Still, the Thai government has failed to garner enough interest of investors and were no longer be able to throw in more money to directly support this transboundary project. The Myanmar government itself has not enough funds and power to push through the Thilawa SEZ. Most importantly, local people in Dawei have cried foul about the violation of their right to land and human rights as well as environmental impacts causing much resistance to the project in the local area. In addition, it has been a focus of attention among organizations, institutions and media at the national and international levels.

Nevertheless, in 2015, after Japan signed an agreement showing its intent to participate in the development of Dawei SEZ, it has breathed new life into the project. It has also set for the change of development course starting with offering concessionary rights on a smaller area of 27 square kilometers for the initial stage. The Italian-Thai Development PLC which has received the concession banded together with the Rojana Industrial Park PLC and the LNG Plus International Company Ltd to form the Myandawei Industrial Estate Company Limited to operate the project. Despite efforts having been made to convince the investors and to offer land for lease, the project has again stalled and until now, its future is far from clear.

Nevertheless, looking back to the past 12 years, we would see the amount of effort made to push through the Dawei SEZ by both the governments of Thailand and Myanmar. For Myanmar, the Special Economic Zone is a key project included in the government's economic policy geared toward driving employment and eradicating poverty. It aims at convincing Myanmar workers or those living in exile in other countries to return and become part of the economic drive. It has been touted that after its completion, the Dawei Special Economic Zone Project would have generated 900,000 jobs.

The clearest move push forward the project is now probably the cabinet resolution made by the government of Prime Minister Prayut Chan-o-cha to approve a credit line of 4,500 million bath for the construction of the road link from Dawei SEZ to the Thai border at Ban Phu Nam Ron in 2015. The funds will be funneled through the Neighboring Countries Economic Development Cooperation (NEDA) and the Myanmar government has accepted the loan from Thailand since March 2018. Nevertheless, until 2020, the detail of the road design is yet to be unveiled, not to mention detail of the construction and compensation. It has also been met with opposition and demands from local villagers.

Despite the murky progress of the Dawei SEZ, the local villagers have constantly been affected. They have complained that this project has been implemented without explaining to them the information and without asking for their Free, Prior, and Informed Consent. There is no clarity about the project's information and detail of the resettlement and most information is one-sided.

The losses that have happened include the loss of land and livelihood. Land is a basic resource for the livelihood of the villagers in Dawei and it provides for a major source of their income and economic stability. Now the villagers have to face unfair land grabbing and, in many instances, their land has been destroyed making it not possible to use like before. Worse, the villagers have been denied their right to apply for land titles under the land management scheme of the government. In denying their land title registration, the authorities claim that such land is part of the project area. According to the Vacant, Fallow and Virgin Land Management Law 2012, land that has not been registered is considered "wasteland" and classified as "vacant land". It shall be distributed to the investors causing the villagers to lose the right to the land they have been tilling since the beginning.

In addition, land confiscation has not been done transparently. It has led to human rights violation and a breach of Myanmar's domestic laws and international standards. According to the human rights report in Myanmar, land confiscation within the Special Economic Zone has been done even before the Environmental Impact Assessment (EIA) and the completion of resettlement plan. It has also found that in some instances, the

villagers have been told to move out with very short notice and even when there is no resettlement plan, no plan to make them adjust their way of life after the relocation. Some families which have already been resettled find it very difficult to survive. They have lost their livelihood and found themselves indebted. Some villagers also face intimidation by the state and have been charged by the state and even imprisoned if they refuse to move out.

Demands of the Dawei people

The past 12 years have proven how the project has been developed in the midst of conflicts. While, the project developers and the governments have failed to push it forward as planned, the local villagers have to face a number of impacts. Nevertheless, throughout the efforts made to resurrect the project, CSOs and the community in Dawei have urged the government to review the project numerous times. They have been reiterating their demands toward the project as follows;

- This project must not be revived if all the remaining problems are yet to be solved.
- Strategic Environmental Assessment must be conducted covering a wide area (Site-wide EIA) as prescribed for in the Myanmar's law
- Correct and timely information must be provided and made accessible.
- The community must be allowed to participate in the development process.
- The alternative development strategic plan must be developed including sustainable agriculture, sustainable fishery, and community-based tourism

Epilogue

The Myanmar government chiefly aims to propel economic growth and hails the importance of the development of infrastructure and local employments in the hope that this will bring about economic stability and a better livelihood of the people. But throughout the attempts to push forward the project, it has led to conflicts and human rights violation in local area as well as environmental destruction and how local villagers have to lose their livelihood. They now have to face issues concerning life security, food security, economic stability and suffering with no hope for their future.

The past 12 years and the efforts to push forward the project have demonstrated how the goal of economic growth touted by the Myanmar government has gone in opposite direction to the stability in life and economy of the local villagers. The project also faces a conundrum which should trigger further debate. What is the real benefit Myanmar will receive from developing the Dawei SEZ and is it worth what has been lost? Is the

development of a Special Economic Zone in the midst of heavy and large-scale industries in the coastal area suitable for Dawei or not? As to the distribution of benefits and justice, who will be the real beneficiaries of such heavy industries and the exploitation of a large amount of money? Will it be only a handful of elites in politics and business, the military or the multinational investors? And while the Myanmar government strive to make possible economic growth and a better livelihood for local people, can these goals be achieved through other models of development without having to develop such colossal economic zones in Dawei which may cause massive impacts on various fronts (including social and environmental costs, debts, and political obligations, conflict and confrontation) or not?

Most importantly, what is the development model desirable to the community in Dawei?

Last but not least, we should look back and review the responsibilities of the Thai state and investors toward their investment in the Dawei Special Economic Zone Project and the exploitation of benefits as partnership in this the project by Thailand, has there been enough transparency, adherence to justice and fairness and accountability to the public?

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Cross Border Economic Development in the Ethnic Karen Controlled Areas: In the Case of the Dawei Special Economic Zone's Road Link Project

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As Myanmar undergoes a contested process of conflict transformation, and as the country opens its borders to increased foreign direct investment on infrastructure and industrial development, the research examines the “military brotherhood” relationship between Myanmar and Thailand that has shaped cross-border investments, especially in the ethnic Karen controlled areas of the Tanintharyi Region. Funded by Thailand’s the Neighboring Countries Economic Development Cooperation (NEDA), the road link project from the Thai border in Kanchanaburi province to the Dawei Special Economic Zone project includes constructing a road through the ethnic Karen controlled areas , which will further attract many investors and spur development of the rich resources of the Tanintharyi Region. The present situation has reconfigured the politics of governmentality in the region and the relationship among the different actors. It is also linked to conflict transformation and contestation over control of territory, resources, and the population, in which CSOs organizations have played a critical role over the direction of development discourse.

Cross Border Economic Development in the Ethnic Karen Controlled Areas: In the Case of the Dawei Special Economic Zone’s Road Link Project

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This interdisciplinary research in Dawei aims to explore cross-border investments. We have found change in Dawei, particularly after the signing of an agreement on the Dawei Special Economic Zone Project in 2008 with the Italian-Thai Development PLC. In 2015, we have witnessed the transformation of foreign direct investment into G-to-G project with the states becoming the owner of the Project, including Thailand, Myanmar and Japan. Japan has just become a shareholder of the project and it has never directly funded a private sector. Nevertheless, even though the state has signed contracts to offer concessionary rights to the Italian-Thai Development PLC to develop the road link, but since 2015 until now (2020), there has been minimal progress as far as the Dawei SEZ is concerned. What we are witnessing are land dispute, controversies on compensation and the debate on the future direction of development.

Apart from the investments in Dawei, the construction of the road link from the Thai border to the Dawei SEZ is worth the attention. The road will pass through area which used to be infested with conflicts between the

Myanmar Army and the Karen National Union or KNU despite the bilateral ceasefire agreement between the two parties since 2012 and the nationwide ceasefire agreement toward the end of the Thein Sein government in 2015.

This research is an attempt to explore the routes of the Dawei SEZ Road Link covering 138 kilometers, particularly the route that passes through the area under the control of the ethnic Karen.

The Dawei SEZ road link can be divided into three sections, the middle section or the second section of which pass through an ethnic Karen area. It signifies change from the past. From using arms to wage war, the conflicts have transformed into models of development. While some locals feel they are going to benefit from this project, others feel they are the receiving end of the impacts. When a road project is planned to cut through their community, it is important for the villagers who live in the former conflict-prone area to ask themselves what kind of development they want and will the development project help to make their life better or not? What kind of benefits they will receive from this development? Our findings from the transformation of conflicts include;

Firstly, we have witnessed the “military brotherhood” between Thailand and Myanmar. Personally, I find the Dawei SEZ road link helps to give legitimacy to the Thai government after 2014 during the regime led by Gen. Prayut Chan-o-cha from the National Council for Peace and Order (NCPO). But in Myanmar, the project experiences much transformation during the National League for Democracy (NLD) government. Nevertheless, the idea to develop this the project is based on an attempt to legitimize both the military regime and the semi-military government during the reign of President Thein Sein. Even though he was later defeated by the NLD, but the Myanmar Army continues to hold a key role including any decision making about this road link.

Ostensibly, this Dawei SEZ road link helps to “legitimize” and shore up the “military brotherhood”. It has changed the perception of the two countries from the traditional notion of national security based on the control of integrity of the land to other forms of legitimacy. As to Thailand, since 22 May 2014 until now, we have witnessed the uprisings led by students in Thailand and apparently the Thai government has struggled to restore the economy and investment including investment in neighboring countries. Meanwhile, attempts have been made to address the incumbent situation or political system based on the principles of moral high ground, good persons and national security. Even though the Thai government from the past until present has suffered financial setbacks, but they view the Dawei project and the road link as a solution to address the economic crisis in Thailand. It is therefore not surprising that the Neighboring Countries Economic Development Cooperation (NEDA) has agreed to offer loan to Myanmar to develop the Dawei SEZ Road Link and tried to press ahead despite the more critical situation.

In addition, what the Thai government has been trying to do is to compel, propose or convince the war refugees in the nine temporary shelters at the border of Thailand to return to their home country. The number of refugees in Thailand's temporary shelters has decreased from 150,000 to around 90,000 due to the depletion of funds to support these shelters. As a result, some refugees have decided to find some job and while others have headed home. The Ratchaburi's Tham Hin Refugee Camp is designated as a pilot area for voluntary repatriation even though the Myanmar government has yet to fully agree on this. Nevertheless, given the Covid-19 pandemic, such implementation has got struck. But in the future, this will be the predicament for all the refugees.

Secondly, we have seen attempts to manage migrant workers and support border economic zones. Various rules and regulations applied to migrant workers in Thailand are clearly geared toward serving the promotion of the Special Economic Zones at the border including at Myawaddy-Mae Sot, Phaya Tongsu-Sangkhlaburi. Other conditions have been created to serve the same purpose to manage the migrant workers by confining them to the Border SEZs, which appears to be difficult. It depends on the wage the workers are paid. All the ideas are mobilized to garner acceptance of the economic development. It is an attempt to transform conflicts in the past to focus on the economy turning a conflict-prone border area into a trade area. Nevertheless, while ethnic conflicts continue to flare up from time to time, will this change be accomplished? The road project cuts through the area under the control of the KNU Brigade 4 where there are less armed conflicts. Now, such conflicts have been turned into development and investment. Given the influx of investments, this could give rise to a new form of conflict.

As to the civil military hybrid model of Myanmar, after the elections in 2015, a new government was formed by the NLD, but it was far from being a 100% civilian government. We have seen the change of the role of military commanders to the heads of civilian offices under the parliamentary system and business. Nevertheless, even though the army may face a defeat during the parliamentary vote, but it plays very dominant roles according to the Constitution and retains full control of the decision making in border area. Therefore, the contestation for power is constantly witnessed. Even after the elections in 2020, the situation has not changed. Clearly for both the army and the NLD government, this border area or this road link are related to peace building process. It is interesting to monitor the debate in Dawei and the Tanintharyi Region which is not different from other places. What would be the proportion of income and power allocated to them by the Naypyidaw? What will be the forms of genuine decentralization and devolvement of power? All of these are constantly questioned. For example, during the peace building process, the ethnic states or regions with ethnic populations, they often ask about the proportion of income, development and the models of development and the independence of their ruling power.

Therefore, the questions about the road link from Ban Phu Nam Ron to Dawei are who will benefit from this project and how the benefit shall be divided. Will the Dawei Port Project and the Special Economic Zone really take place? How will they look like? And who will have the influence and be able to give the answers regarding the development? The detail will get clearer during further negotiation.

It is interesting to note that under the peace building process after the election on 8 November 2020, how will the competition between the NLD and the Union Solidarity and Development Party (USDP) evolve into? Will there be ethnic parties contesting in constituencies in the Tanintharyi Region like in Kachin or other states under the controlled of the ethnic armed groups or not? After the nationwide ceasefire agreement, how will political parties evolve and how will the struggle change?

One observation from the road link between Ban Phu Nam Ron and Dawei is about the viewpoints of the officials, particularly the central government from Naypyidaw. They would naturally view this road as a boon to the economy and encourage the ethnic armed groups to join the business as usual of trade.

Nevertheless, as to the model of economic development under the Special Economic Zone and the road link, how will they further develop? Inside Myanmar close to the Ban Phu Nam Ron checkpoint, there is a sprawling business of casino, the kind of economic investment which is unsustainable. Meanwhile, there is no investment in the area adjacent to it, except for oil palm and rubber plantations. An issue at debate is should there be a political agreement before an agreement on the model of economic development, or should political and economic developments proceed in parallel to each other? Right now, the investors have already gone there. But if there is no clear economic planning, it might have led to an unfair land ownership or land grabbing. Those with financial and armed powers will seize the chance to occupy the area. Meanwhile, the villagers can only have access to CSOs which will try to speak on their behalf. What is more interesting the transformation of conflicts in the Tanintharyi Region which has since attracted lots of investment, large and small-scale including rubber, oil palm, mining, power, etc. This question is, will the villagers benefit anything from such economic activities? Some point out that at present, the villagers are no longer war refugees like in the past. Now they are persons who flee from or are displaced by development bankrolled by the Thai government via NEDA. Therefore, we have to contemplate on this important fact that how many people will be displaced by the road project? Are these people similar to those fleeing from war or not? Or are they new groups of refugees? The situation will get even more complicated since people who used to flee from war, upon their return, they will find that their land has been taken away. Otherwise, their land would be occupied by new settlers who realize the business value of the land.

Such conflict transformation has also given rise to the politics of governmentality which is relevant to the control of area, the control of resources and the control of population since the area falls under dual governmentality. Therefore, the key question is how will we rearrange the relationships and the allocation of plenty of resources in the Tanintharyi Region? It is a very important issue.

The new road along the border area of Tiki in Myanmar will pass through an area under the control of the central government. At the Tiki checkpoint, officers from the Myanmar government have been deployed there. Adjacent to it is the land under the control of the Karen and a unit of the Karen National Liberation Army (KNLA) which used to be an area that housed war refugees. Right now, it is an area subject to competition of the large and small investors and various concessionary rights. Most importantly, the area features a strong CSO base. It is worth monitoring the change in the future. And if the Dawei Special Economic Zone Project and the Dawei Deep Sea Port are going to press ahead, how will this development turn into? What is most interesting is under the current form of governmentality, how will the change come if no agreement can be reached on the allocation of power? Even though the opening of the Tiki checkpoint and the emerging economic investment around the checkpoint is mostly concerned with gambling and the travel in and out of workers, it is far from clear as to how the villagers benefit from such model of development.

If we visit the area, we will clearly witness the so called dual governmentality under both the military regime of Myanmar and the KNU government while logging concessions are being offered. We will also bear witness the forest conservation by the KNU. Therefore, we will witness the politics of governmentality in each area and get to see how hold the dominant power in such area and how the people will benefit from that and how the relationships should be arranged. Such politics shall give rise to a coexistence with many relevant partners, particularly in the area under dual governmentality. It will enable us to see the roles of various parties including businesspersons, religious groups and NGOs which are involved with the government and international NGOs and CSOs which fund the projects to enhance people's living including by constructing temples, schools, medical facilities, etc.

As to land registration, in the past people who had guns were able to seize the land. But at present, it is a politics negotiation between the elites and the business groups. Therefore, the land management or the change of land ownership or even the accumulation of capital via large-scale landholding could be an emerging trend. Meanwhile, it shall elicit resistance from the civil society. Local actors including the business sector, the Myanmar Army, the KNU, and each party wants to have a role in the area. The road link shall elicit an increase of

investment. It will also create problems including the Heinda Mine operated by the Myanmar Pongpipat Co Ltd. From Thailand which has been having a dispute with local community. Since this area has the potential to attract investments, it is therefore important to impose rules, regulations and safeguard measures more stringently to ensure good governance in investment. In addition, the road construction has caused some concern since the large businesses are dominating over small businesses in Myanmar. How can we prevent shops in Dawei from being defeated by Thailand's conglomerates such as CP. This is what local businesses in Dawei or cross-border investors need to talk.

Nevertheless, as to KNU, we need to keep monitoring how will the politics of ethnic groups in Myanmar change. Myanmar has undergone two elections in 2011 and 2015 with two governments and the next elections will be held in 2020. Will there be any clearer strategies or directions concerning the ethnic groups or not? Meanwhile, people place little hope on the military commanders, but they are also disappointed with the NLD government, particularly a leader like Daw Aung San Suu Kyi. But people have more hope in CSOs which have become more active including the Paung Ku, Dawei Watch and Dawei Development Association (DDA), etc. In the past, the villagers might have placed their hope on the KNU which wage war with the Myanmar government. In the past, the KNU used to give people hope that they will act like good fathers for their children. The hope is fading away now, particularly amidst the transformation into capitalist system. Investments have brought about various impacts on the villagers. Therefore, the Myanmar government or the ethnic leaders should be equipped with mechanisms to respond to the situation. How will Thailand and NEDA get involved while taking into account their role in the management and responsibility?

Nevertheless, one strength from Myanmar's political transformation since 2011 is the growth of CSO movements. Even though they are still subject to restriction of the government, but the CSOs have challenged the leaderships in many cases, particularly the Dawei SEZ. We can clearly see how CSOs' opposition and struggle have caused the project to stall for nearly 12 years. It has led to the review of various other projects as well. Therefore, we should keep monitoring how within this local confrontation, the CSOs will be able to negotiate or find out any solutions or not. CSOs can clearly get involved with the management of the reconfiguration of political authority by scrutinizing and asking questions. This will affect the previous political power. Attempts have also been made to rearrange the relationships as CSOs are trying to coordinate among groups at the local, national and international levels.

As in the case of the Dawei SEZ, however beautiful the picture painted by the Italian-Thai Development PLC and despite the information they give, there have been challenges from the civic sector since they do not want to see another Map Ta Phut Industrial Estate here. What they want is an economic area in which people can participate and the project must not destroy the environment. Until now, we have also witnessed the roles of CSOs on various fronts including the fish conservation or their representation in the forestry policy making or lately their attempt to collaborate with KNU's Forestry Department. For example, they have proposed to KNU to stop cutting down large trees or to stop illegal logging. There have not been just challenges, but we can see the collaboration with the state as well.

These roles may shed light on the answers during the transformation of conflicts, politics and economics and CSOs can play a decisive role. It is therefore interesting to explore how CSOs in Dawei will arrange these relationships, how will they negotiate with political power and the newly arrived business power? How will these relationships evolve into? We have already seen now both the collaboration with the state and the opposition to it. Will there be other forms of action in the future and how will they look like?

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Implementing Good Practices on the Dawei Road Link: Recommendations in line with the United Nations Guiding Principles on Business and Human Rights in the case of the two-lane road connecting the Dawei Special Economic Zone Project

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The Mekong Butterfly

The 4.5 billion baht concessional loan for the two-lane road link from the Dawei Special Economic Zone project to the Thai-Myanmar border was approved by the Thai government through the Neighboring Countries Economic Development Cooperation (NEDA) in 2015. However, since the road construction started in 2010, the local ethnic Karen communities have been negatively impacted, especially with regard to their livelihoods and the environment. The investigation into alleged human rights violations undertaken by the National Human Rights Commission of Thailand (NHRCT) found that the construction of infrastructure facilities had caused human rights violations to the local people, without providing fair and just compensation or remedy. The NHRCT also recommended that Thailand should establish a mechanism to monitor the foreign investments of Thai nationals in line with the United Nations Guiding Principles on Business and Human Rights. In this regard, the local communities and CSOs movements, both in Myanmar and Thailand, have lobbied for the establishment of mechanisms to regulate the businesses and cross-border investments, and proposed recommendations to the state agencies and investors, based on the affected communities' demands with regard to the principals of protection, respect, and remedy of the United Nations Guiding Principles on Business and Human Rights.

Implementing Good Practices on the Dawei Road Link: Recommendations in line with the United Nations Guiding Principles on Business and Human Rights in the case of the two-lane road connecting the Dawei Special Economic Zone Project

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Since 2018, the Mekong Butterfly has conducted a study on the implementation of the cabinet resolution related to the Dawei Special Economic Zone Project's road link bankrolled by the Neighboring Countries Economic Development Cooperation (NEDA). We later explored its impacts on the community and their demands, particularly the community Kamoethway Karen. The area where they live is important since it lies in between the control of the Myanmar government and the Karen National Union (KNU). Most villagers are ethnically Karen. The land is distributed clearly for different usages including for water supply and protected area.

Since the road construction began in 2010, the area has been affected in different ways, particularly the environment which is vitally important for the livelihood of Kamoethway villagers including their water supply,

streams, fish variety, farmland, etc. The road construction cuts through their major water supply. Sedimentation from the construction fills up their water supply and fish sanctuary. The villagers living along the road routes have to suffer a lot of impacts. Their access to water supply has been impeded and their food security has been threatened due to the disruption of fishing breeding area. The ecosystem has been undermined while the community has been cut into pieces due to the construction of the road. It has taken much toll on the likelihood of the villagers. This is yet to mention the loss of economic opportunities due to the road construction as they are forced to buy drinking water from outside. It has increased their costs to access food sources. Some villagers have to venture afar to reach safe enough water supply with lots of fish. Such high costs have not been accounted for during the development of the project. The adverse impacts have, however, prompted the villagers to rise up strongly against the project.

Here, I shall focus on the mobilization of the local villagers affected by the impacts of the road project and how CSOs have contributed to a ramp-up of investment governance for development projects. It can be divided into four topics;

(1) Development of the Dawei SEZ road link project from the past to present

(2) Mobilization by CSOs and constant push for heightened accountability and good governance of cross-border investments

(3) The road construction project and investment governance

- The United Nations Guiding Principles on Business and Human Rights (UNGP) based on the principles of protect, respect and remedy
- The National Action Plan on Business and Human Rights (NAP on BHR) Phase 1 (2019-2023)
- Recommendations/demands of the community

(4) Good Practices in project implementation based on the UNGP

The United Nations Guiding Principles on Business and Human Rights (UNGP) and the National Action Plan on Business and Human Rights (NAP), recently declared, shall be invoked to offer a contextual analysis as to how the state and business sector or concerned parties have applied them and how along with the internationally recognized Good Practices. I want to propose how the state and private sectors can proceed based on the UNGP.

Development of the Dawei SEZ road link project from the past to present

In the past 12 years, the Italian-Thai Development PLC which has kickstarted the Dawei SEZ continues to be involved with the Dawei SEZ Road Link even though their concessionary rights in the Dawei Special Economic Zone Project were revoked since 2013. The Italian-Thai Development PLC is still assigned the duties to maintain the road, although further construction has stalled. In 2015, the Italian-Thai Development PLC was awarded a new concession to develop the Dawei Special Economic Zone Project's Phase One and the right to construct the two-lane Dawei Road Link, albeit the design has been altered from an eight-lane road to four-lane and eventually the two-lane Dawei Road Link. Since 2015, the Dawei SEZ has received more support from both state parties as it was agreed that the road project should first be developed to garner the attention of investors.

The project to improve the two-lane Dawei Road Link has stemmed from the cabinet resolution on 7 May 2015 to approve aid to Myanmar for the improvement of the two-lane Dawei Road Link. NEDA is designated to offer a soft loan worth 4.5 billion baht. It was reported that the fund would come from the budgets of 2015 and 2016 and is offered with various conditions including being a long-term loan with as low as 0.1% of interest with 0.15% for management fee of the credit line charged by NEDA and a grace period of 10 years and maturity date in 20 years. NEDA also offers other financial assistance and technical support including a full review and re-assessment on the project's environmental impacts conducted by the Italian-Thai Development PLC with some addition.

The Joint Technical Taskforce on two-lane road link project has been established by Thailand and Myanmar with NEDA and Thailand's Department of Highways and the Ministry of Construction and the Myanmar Investment Commercial Bank (MICB) as the key operating organizations. NEDA has offered technical assistance to Myanmar by commissioning three consultants to conduct the survey and design of the improvement of the two-lane road project connecting the Dawei SEZ with the Thai border-Myanmar (for the duration of eight months from February– September 2019). During the survey, the villagers have not been informed. As a result of the complaints by the villagers, two consultations were held in May and August 2019, the latter of which was conducted in another area not slated to be affected by this project. It was initially estimated that only 16 villages would be affected as they were situated along the road route. But in fact, due to the complicated nature of land use and access to resources of the community, the actual number of villages affected by the project could be as many as 30.

Until now (September 2020), the final report by NEDA is yet to be completed. NEDA explains that, it has an inspection committee to review before accepting the report which would then be furnished to the Minister of Finance and the cabinet for further approval of financial assistance. It is not clear now if Myanmar will impose more conditions on the acceptance of further chunks of the loan or not since the original sum of 4.5 billion bath could be subject to revision with more detail.

Mobilization by the community and CSOs

The movement by the community and CSOs in Dawei regarding the road project could be described in two parts.

First – the movement about the road project including road blockade and symbolic actions, press conferences by local community-based organizations in Kamoethway and CSOs in Dawei, complaints with the National Human Rights Commission of Thailand (NHRC) which has been urged to investigate the human rights violations in the Dawei SEZ's investment, submission of letters of petition and meeting with NEDA to complain about the problems and raise their concern as well as to ask for information about the progress of the project. And as a result, they have found NEDA's report is yet to be completed.

Second– the movement to advocate for monitoring and governance: Due to complaints to the NHRC, a cabinet resolution was made on 16 May 2016 in response to the NHRC's recommendations including (1) to urge concerned companies to be held accountable, offer compensation for the damage and provide remedy equally to all people affected by the project, (2) to urge concerned agencies to develop mechanisms for investment governance of Thailand's investments abroad to ensure respect of fundamental human rights and the application of the UNGP as the guiding principles. The Extraterritorial Obligation Watch Coalition (ETO's Watch) has been monitoring and advocating for this through NHRC. Until now, meetings have been made with concerned agencies including NEDA, the Ministry of Foreign Affairs, the Ministry of Finance, the Rights and Liberties Protection Department and the Ministry of Justice, etc. to ensure the implementation per the cabinet resolution, particularly the push for the implementation of NAP and the monitoring of its implementation. The NAP action plan has resulted from Thailand's offering a voluntary commitment during the forum on the reporting of impacts on human rights to the United Nations and the pledge to adopt the UNGP and develop a NAP to ensure the concrete implementation.

Late 2019, the cabinet approved in principle the adoption of the National Action Plan on Business and Human Rights (NAP) Phase One (2019-2023) covering thematic issues including (1) labor, (2) community, land,

natural resources and the environment, (3) human rights defenders, and (4) cross-border investment and multinational corporation.

The road construction project and investment governance

The UNGP rests on three components including (1) protect which refers to the state's obligations, (2) respect of human rights which refers to the business's obligations, and (3) remedy which refers to the joint action by the state and business sectors.

As to the seven recommendations of the community and the villagers who have submitted a letter to NEDA, the Rights and Liberties Protection Department and NHRC to demand solutions to the problems related to the road project since last July (2019), they include;

- 1) The existing problems must first be solved.
- 2) The plan to restore the environment throughout the area of the project shall be developed.
- 3) The compensation and remedy must be offered comprehensively and universally, since previously such compensation was not forthcoming and unfair including on land issue.
- 4) The strategic environmental impact assessment must be conducted.
- 5) The principles of respect and Free Prior and Informed Consent of indigenous people must be adhered during the project's implementation.
- 6) Concerned agencies must take into account the existing armed conflicts in the area and use this information to weigh in if the project could become an impetus to the existing conflicts or not.
- 7) A tripartite committee should be set up including stakeholders such as (1) the affected community and the concerned CSOs, (2) state agencies including the KNU, the Myanmar government, the Thai government and the Japanese government, and (3) concerned companies including the Italian-Thai Development PLC and other consultants involved with the conducting of EIA to collectively solve the remaining problems and assess how the project should proceed.

The UNGP, NAP and mechanism proposed by the villagers should be compared to gauge how insofar the state and business sectors have responded to the recommendations. We have found that as to the principle of protect, until now, the Thai state has conducted an investigation into human rights violation related to the

project, but the NAP adopted has failed to offer measures or mechanisms to address the existing impacts or to protect people affected by Thailand's investment abroad.

As to NEDA, it has been proposed that the Environmental and Social Safeguards Guidelines be invoked to regulate the loanee, or the Myanmar government and other concerned agencies in this case in order that they shall develop relevant plans including the plans to restore the environment before the commencement of the project. Myanmar is also supposed to offer of compensation, but according to NEDA's plan, there is no requirement that part of the loan shall be used for such compensation. Some local villagers have no land titles while others have the documents exclusively issued by the KNU, but not the documents issued by the central government of Myanmar. In addition, there are issues concerning the overlapping use of land which makes the compensation scheme even more complicated. Land issues are an issue at the national level. According to the Myanmar law, any unregistered land shall be accounted for as vacant land. Such legal loophole has given rise to land grabbing.

In addition, there have been breaches to the principle of protect. The villagers complain how the company has failed to inform them in advance before the development of the road project. They also say that the Myanmar government itself has failed to inform them as to what consequences they have to endure prior to the commencement of the project.

As to the principle of respect, until now, no respect of the indigenous people has been made since the project has been launched even before the completion of the Environmental Impact Assessment (EIA). Even though the EIA was later conducted, but the villagers do not accept the lack of legitimacy of such process. This constitutes a breach of the voluntary consent and the participation in the decision-making process of the villagers. In addition, there are many problems with the Environmental and Health Impact Assessment (EHIA), the Italian-Thai Development PLC commissioned the TEAM Consulting Engineering company to conduct later. According to EarthRights International (ERI), it does not include a resettlement plan based on voluntary consent and the public consultation has not been properly conducted. It also does not take into account the ceasefire negotiation between the Myanmar government and the KNU and the ongoing armed conflicts, etc.

As to the principle of remedy, until now, the Italian-Thai Development PLC has offered some compensation to the villagers. There have, however, been issues concerning land titles and how to verify land ownerships of the villagers. As a result, the villagers' land has been seized during the implementation of the project even though the process to verify the ownership is yet to be completed. The villagers are left with no

documents to prove their ownerships and are thus denied compensation. Even though the more recent EIA mentions about the plan to restore the environment while implementing the project, but it fails to offer measures to deal with the existing and previous impacts and until now no plan has been made for the restoration or compensation to cover up the loss of economic opportunities and damage done to agricultural produce as well as the loss of income and food sources of the community which has been previously affected.

Recommendations and demands of the community

Recommendations to the state under the principle of “protect”

- The Neighboring Countries Economic Development Cooperation (NEDA) must disclose information about the detailed study and design of the development of the two-lane road to the affected community. Even though NEDA claims to have the study published in its website, but the local villagers barely have access to even phone call, not to mention internet access. The study should therefore be published to keep the affected people in the community informed as well.
- NEDA must require that any company to participate in the project bidding must develop human rights due diligence (HRDD) to monitor and review any potential violations throughout the company’s supply chain and the project.
- NEDA or concerned agencies in Myanmar must require that the bidding companies must develop a plan to restore the environment and culture of the local community to be affected as well.
- NEDA should impose punishment in its Environmental and Social Safeguards (ESS) to hold the Myanmar government, loanees, or companies involved with the project accountable for any breaches or negligence
- The companies involved with the project must be required to conduct a Transboundary EIA and strategic environmental impact assessment (Site-Wide EIA) as well since most EIAs are conducted based on isolated components of the project leaving out the assessment to ascertain the project’s overall impacts.

Recommendations to the business sector under the principle of “respect”

- The companies must be required to apply UNGP and develop human rights due diligence plan
- The consultant companies conducting the assessment must disclose information about the survey and design of the road project including the community to be affected.

- The companies must be required to inform, explain and ask for informed consent from the affected villagers prior to the commencement of the project.
- Financial institutions or banks must require the loanees to set up a fund to cover any risk to offer compensation to the community as an assurance to any impending impacts.

Recommendations to the state and business sector under the principle of “remedy”

- Measures must be put in place to deal with the existing and previous impacts prior to letting the process proceed
- Land compensation must be offered to the villagers who have already lost their land or are denied access to utilize their land. Such remedy may include compensation and/or the provision of new land based on the Free, Prior, and Informed Consent (FPIC) and must be implemented along with the Resettlement Action Plan (RAP).
- Standard compensation and remedy plans must be put in place and ensured they cover all aspects including agricultural produce, land, and the increasing living costs of the villagers throughout the past 12 years due to impacts from water supply, food sources, land, and sources of income, all of which have contributed to a rise of economic costs of the villagers and are yet to be accounted for in the compensation scheme.
- Standard grievance mechanisms must be put in place with clear and prompt procedure.

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Dawei CSOs: From Local Issues to the Transborder Movement

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The promising atmosphere of democratization that resulted after the 2010 election in Myanmar has opened up the political sphere for civilians leading up to an expansion of CSOs nationwide. In Dawei, CSOs networks have emerged as the most prominent local political movement, especially in response to the Dawei Special Economic Zone and other related projects under the concession of Thai private companies. Together, with support from national and transnational alliances, particularly from Thailand, Dawei CSOs has built up its capacity in various ways, becoming an outstanding local movement that has integrated with national civil society to push forward the agenda on the environment and human rights. One feature that distinguishes Dawei CSOs from other human rights and development movements in Myanmar is the ability to leverage local voices in the international arena. This has created both domestic and international pressure resulting in local development issues being included on the national agenda, as well as at the international level.

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The Dawei's CSO movements have been inspired by local mobilization made possible by a number of smaller groups including community-based organizations, NGOs, and social and political activists. They constantly receive capacity building with cooperation from national and international CSOs. This has made the issues of Dawei make inroads into the political struggle and public communication, particularly the movement against the Dawei Deep Sea Port and Dawei SEZ viz-a-viz local economic and industrial development and their relevance at the regional level.

The last few years have seen a dynamic movement of human rights concerning development projects driven by the young generation in Dawei. This is not exactly a new phenomenon, but rather a replication of community-based activism by community-based organizations through various social services to meet basic needs in Myanmar, particularly during the protracted period under the military rule. Social movements that began to mobilize before 2008 against the Dawei Special Economic Zone Project have done so underground. Only after the 2010 elections in Myanmar in 2010, such movements are able to operate more openly.

For example, in 2011, the Dawei Development Association (DDA) was founded. It has since become a prominent organization to coordinate to protect the interest of local people and to support the movements on key issues that directly affect local people. In addition, a number of local organizations have been founded to work on a variety of issues including land, forest and women.

Moreover, before the major elections in 2015, the mass movements in Dawei have reached the point where there are different splinter groups. Some CBOs and CSOs in Dawei have formed the Dawei Nationalities Party (DNP) to increase their political leverage in terms of the determination of public policies and direction of local development through parliamentary mechanisms. It marked a political innovation in the region. Meanwhile, CSOs in Dawei continue to intensively grapple with impacts from development projects through civic platforms.

The Dawei movement on development is rather diverse. It is not confined to just the Dawei people. Rather, it is a combination of people from different groups and build on different developments. For example, it has attempted to link local issues with humanitarian relief work. They also work to enhance rights movements. Youth movements, movements of intellectuals, artists and urban middle class interested in human rights. All these

people have the educational opportunities and many of them have received training or education in Thailand. They have been instrumental in providing capacity building and offering perspectives that help to link up local issues with human rights and the national movement. They also help with coordinating cross-border collaboration.

The expansion of national and international alliance has helped to empower the local community in Dawei in terms of information and working methods. It has also helped to expand their alliance and enhance their struggle to grab international attention, particularly the cross-border collaboration of CSOs in Dawei and Thailand since CSOs Thailand have had experience working on the impacts of large-scale development project including the Map Ta Phut Industrial Estate in Rayong, etc. As the Myanmar government pushes forward large-scale projects including the Dawei Special Economic Zone Project initiated by investors from Thailand and with support from the Thai government, the project has thus garnered attention from CSOs in Thailand as well. Hence the collaboration between CSOs in both countries.

It could be said that the political movement founded by local people affected by the Special Economic Zone and the Dawei Port Project is a transborder CSOs movement. It has seized the political space during the democracy period and has ascended to become a key movement at the local, national and international levels.

Going forward: Dawei and the economic strategies at the regional level

Dawei gains attention as a coastal city, a port city and a border city. It has the potential to become a hub of trade and investment and land transportation at the regional level as attested to by the push for the investment in the Special Economic Zone and Dawei Deep Sea Port to link up with Thailand's Kanchanaburi. Meanwhile, the development plans covering Dawei and Tanintharyi Region in Myanmar have shed light on the invasion to the coastal and oceanic area beyond just the road access to Kanchanaburi. The concrete projects now include the development of road access and deep sea port by both countries. The road construction does not just take place in Thailand, but also in Myanmar's Tanintharyi Region where a four-lane road project is being developed. Such scenario corresponds to a new model to develop the area and link it with regional and global economy including the Alternative Global Shipping Route since land transportation may face some obstacles, particularly including armed conflicts and opposition from local people as well as other logistic restrictions. These will make land transformation more challenging or less effective.

Dawei is viewed by many as strategic city. Even though Dawei may not become an industrial zone, but from the viewpoint of investors, Dawei is a hub of the project develop the Eastern Economic Corridor (EEC) by Thailand. It can help to serve the offload of products from the Middle East. Dawei is viewed as an interesting hub,

particularly for the Chinese investors. Previously, Japanese investors were keen on the EEC. But now, the Chinese investors have become more involved with the Dawei EEC. More documents and signs appear in Chinese language showing a trend of young investors from China.

Nevertheless, as it is not clear how the Dawei Deep Sea Port and the Dawei SEZ that link up the two coasts on the Andaman will proceed. Meanwhile, in the South of Thailand including Ranong, there have been the constructions of sea ports, canalization, and enlargement of cargo ship including the ports of the petrochemical business and PTT which have already been completed. In addition, there are road expansion with all destinations at the ports.

In Myanmar, there has been development regarding transportation as well. It has led to the cancellation by the Myanmar government of the boat serves between Dawei and Kawthoung since Myanmar has now developed road access and flights in the Tanintharyi Region amidst concern about safety and trafficking in person. As to the land link between Thailand and Myanmar in the South, right now, it is possible to travel from Prachuab Khirikhan's Singkhon Pass to Myanmar's Tanintharyi and Mergui very conveniently. The next phase will involve the development of road link to Dawei. This area hardly sees any conflicts between the Myanmar government and the ethnic groups and local people are familiar with business operation.

Topographically, the border areas of both countries are now interlinked in almost all dimensions. For example, despite the closure of the sea waters due to Covid-19 pandemic in 2020, fish was still available for sale at the fish market in Ranong since there was illegal fishing in adjacent waters. Since traditional business could no longer be conducted, it was replaced by the tramshipment, the buy and sale of fish catch in the middle of the sea as boats were there to receive the catch and sell it at the markets in Thailand. Crab which is an ingredient of Thai salad has now been imported from Mergui. This attests to how the two borders are interrelated, particularly as far as local way of life and economy are concerned.

Nevertheless, another issue to note along the borders is the blurry of ethnicity. It has been found that people from diverse backgrounds live together there until they cannot identify themselves clearly in terms of their ethnicity. On certain islands in Myanmar, people from three ethnicities live together, the Karen and the Morken who have long been there and the more recent migration of Myanmar after 2012 to operate tourist business. Any attempt to differentiate them could stem from people from outside. Arts in monasteries along the borders are a mixture of styles and such combination permeates various aspects there in terms of social and cultural dimensions, the utilization of resources, the cross-border trade and business along both borders.

There are also problems with nationalities of people living along the border. There are stateless people and the Thai diaspora in Myanmar who have no access to nationality in both countries. Meanwhile, there are people who are called “people with a dual nationality” who have ID cards of both nationalities. Most of them are traders and rich persons and government officials. They often have business clout and are often the first beneficiaries when there is any new investment in the area since they have more ability and better command of the languages which make them more skillful when negotiating any trade.

In sum, the Dawei movement which has developed into a cross-border movement of CSOs is more than a mere mechanism founded by the state, particularly in Dawei and other border areas. We cannot overlook the local context and cross-border relationships that constantly develop. When there is a new project or investment, we need to look at the companies, stock market, and their clients as they are part of the overall supply chain. The CSO movement in Dawei has thus far made use of checks and balances mechanisms within and across the border to demand accountability toward the local people whose rights have been violated by both the state and private sectors. Nevertheless, Dawei should be treated as a border town with coastal connection and its economic, social and cultural aspects do not only local relevance, but also regional relevance. An advocacy on any issue cannot be done in isolation but has to be done as a whole of all issues.

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