



Situation Update

October 28, 2014 / KHRG #14-58-S1

Hpa-an Situation Update: Paingkyon Township, July 2014

This Situation Update describes events occurring in Paingkyon Township, Hpa-an District in July 2014, including access to healthcare and education, development projects, land confiscation and arbitrary taxation.

- *The Burma/Myanmar government built clinics in several villages in Paingkyon Township, however villagers reported that these clinics do not have enough medicine and that patients are sometimes treated with expired medicine.*
 - *The Burma/Myanmar government also built schools in several villages and staffed them with Burmese/Myanmar government teachers. Villagers must find and hire Karen speaking teachers on their own, in order for the Karen language to be taught in school.*
 - *Border Guard Force (BGF) Officer Kya Aye confiscated uncultivated land from villagers in A---village, which he then measured into small plots and sold back to the villagers.*
 - *Villagers reported being subject to arbitrary taxation and demands for food and guiding by the Karen National Union (KNU), however they were not requested to porter.*
 - *Villagers also reported being subject to arbitrary taxation by other armed groups in the area, including the Tatmadaw, BGF and Karen National Union/Karen National Liberation Army – Peace Council (KNU/KNLA-PC).*
-

Situation Update | Paingkyon Township, Hpa-an District (July 2014)

The following Situation Update was received by KHRG in July 2014. It was written by a community member in Hpa-an District who has been trained by KHRG to monitor local human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security.¹

Introduction

In the first week of July 2014, I went to the field and I tried to work for KHRG [Karen Human Right Group] as much as I could and I received some of the information on the incidents. Therefore, in order for the above leaders [KHRG staff] to know about the incidents which happened in the field [Hpa-an District], I am going to write them down.

Situation in the field

¹ KHRG trains community members in eastern Burma/Myanmar to document individual human rights abuses using a standardised reporting format; conduct interviews with other villagers; and write general updates on the situation in areas with which they are familiar. When writing situation updates, community members are encouraged to summarise recent events, raise issues that they consider to be important, and present their opinions or perspective on abuse and other local dynamics in their area.

I currently see that there are many [different kinds of] organisations which have entered into my region. Some organisations come [for the purpose of conducting] education [development]. Some organisations come [for the purpose of conducting] healthcare development. Some organisations come to do road construction and some organisations come for stone mining. Some of the armed actors have confiscated the villagers' lands. These issues cannot yet be resolved.

Main Topics

1. The situation of healthcare
2. The situation of education
3. The situation of the company's road construction
4. BGF [Border Guard Force]² confiscated villagers' lands
5. Stone mining company
6. The situation of KNU [Karen National Union]
7. Karen National Union/Karen National Liberation Army – Peace Council (KNU-KNLA-PC)³ activities
8. BGF activities
9. Burmese government [Tatmadaw] activities

The situation of healthcare

I see that the Burmese government entered into my region [Hpa-an District] and built clinics in the villages. In Ta Kreh village, Ta Kreh village tract, Paingkyon Township, Hpa-an District, there has been a clinic for a long time, but it does not have enough medicine. The [Burma/Myanmar] government employed some health workers and the government said that they are supporting free [healthcare services] for the villagers. Actually, it is not like that. If a villager goes to the hospital, he/she has to bring his/her own food and has to pay the cost of the medicine. It costs a lot of money for the villagers, especially when the villagers suffer from serious diseases. This is what I have researched and confirmed in the [Burma/Myanmar] government clinics in my region.

Moreover, the Burmese government built clinics in Yay Pu Gyi village, Yay Pu Gyi village tract and Pee Ta Hka village, Pee Ta Hka village tract in Paingkyon Township, Hpa-an District. As I have mentioned, if you go to the clinic you have to pay the cost of the medicine. Sometimes, the nurses treat patients with medicines which are out of date [expired]. I know this information from the villagers who informed me. Therefore, I write about the situation in Paingkyon Township so that the leaders [KHRG staff] will know.

There are also some villages [in Paingkyon Township] where the same problems happen. I have reported [about the situation of healthcare] in only three places [villages] in this report. I will do more research in other places and I will report these incidents in the future.

The situation of education

² Border Guard Force (BGF) battalions of the Tatmadaw were established in 2010, and they are composed mostly of soldiers from former non-state armed groups, such as older constellations of the DKBA, which have formalised ceasefire agreements with the Burmese government and agreed to transform into battalions within the Tatmadaw. BGF battalions are assigned four digit battalion numbers, whereas regular Tatmadaw infantry battalions are assigned two digit battalion numbers and light infantry battalions are identified by two or three-digit battalion numbers. For more information, see "[DKBA officially becomes Border Guard Force](#)" *Democratic Voice of Burma*, August 2010, and, "[Exploitation and recruitment under the DKBA in Pa'an District](#)," KHRG, June 2009.

³ The KNU/KNLA Peace Council (also called the Karen Peace Council or KPC), is an armed group based in Htoh Gkaw Ko, Hpa-an District, which split from the Karen National Union (KNU) in 2007 and subsequently refused to comply with orders from the then-SPDC government to transform its forces into the Tatmadaw Border Guard. See: "[KPC to be outlawed if it rejects BGF](#)," *Burma News International*, August 30th 2010.

In my area [Hpa-an District], I see that the villagers are facing difficulty regarding education. The Tatmadaw [Burma/Myanmar] government built a school in Noh Hkwee village, Noh Hkwee village tract, Paingkyon Township, Hpa-an District. ADRA [Adventist Development and Relief Agency] also built schools in Hteh Buh village, Noh Hkwee village tract; Meh Ta Ma village, Yay Pu Gyi village tract; Paw Ler village, Htee Poh Tray village tract; and Kaw Hsaw Mee village, Ya Kay Koh village tract in Paingkon Township, Hpa-an District. It cost 30,000,000 kyat (US \$30,181.09)⁴ per school. The Tatmadaw government built up trust with the villagers and the Tatmadaw sent at least five teachers to each school, which are primary schools. Their [Tatmadaw] purpose is that they do not want Karen teachers teaching at school and they also do not want Karen language to be taught at school. Not all of the teachers get a monthly salary. Some of the teachers teach as day labourers, which is 2,500 kyat (US \$2.51) per day. If it is not a school day [Saturday or Sunday], they do not get money for those days. The villagers also have to take responsibility for when the teachers travel. This is one of the difficult problems that the villagers have to face. As the teachers have to go to the education office in Paingkyon Township once a month [for training], the villagers always have to [pay to] send them. The villagers also have to take care of everything for their food [when they travel for training].

Villagers' strategy

In order for Karen language to be able to be taught at school, the villagers find teachers who have experience teaching the Karen language and they employ them to teach at school. The villagers do not want ethnic Karen teachers to disappear from school. In addition, the villagers report to the [Burma/Myanmar] government teachers that they are going to find a way for the teachers to travel [each month for training]. They are going to ask the village head to borrow motorbikes [from villagers] for them [rather than have villagers pay for their transportation]. If possible they want the [Burma/Myanmar] government teachers to buy their own motorbikes for travelling. I see that some of the government teachers have borrowed money and have bought motorbikes. This is the villagers' strategy which they have implemented.

The situation of the company's road construction

An unknown company has entered into Hpa-an District and they are going to [restart] construction on the Asia Road.⁵ They started construction from Noh Boh Hap Doh village, Paingkyon Township, which also borders Hti Lon Township, to Nabu Township and it goes to Kawkareik town, [Dooplaya District]. The company started constructing the road in January [2014] until May. Presently, the company has stopped construction on the road as it is the rainy season. When they constructed the road, they destroyed some of the villagers' paddy fields and lands; they did not give any compensation. They constructed the road until early in the rainy season. They have constructed only four miles [so far]. They have 18 more miles of road to construct. [However], I have heard that a new company will come and continue to construct the road in October [2014]. Therefore, I am going to wait until October. If any new company comes to continue constructing the road, I am going to note down [this information] and report back.

BGF soldiers confiscated villagers' land

⁴ All conversion estimates for the Kyat in this report are based on the October 16th 2014 official market rate of 994 kyat to the US \$1.

⁵ The Asian Highway Network is a United Nations Economic and Social Council for Asia and the Pacific-supported project that aims to link 31 countries in Asia across 140,497 kilometres of roadway. In Burma/Myanmar the project has involved land confiscation and forced labour. For more information about the Asian Highway Network, see "[Tollgates upon tollgates: En route with extortion along the Asian Highway](#)," KHRG, October 2009; and "[Development by Decree: The politics of poverty and control in Karen State](#)," KHRG, April 2007.

In the first week of July 2014, BGF Cantonment Area Commander #2, Officer Kya Aye,⁶ came in A--- village and confiscated *kaw la thu*⁷ villagers' lands which are next to the road. It [confiscated land] will be about three acres. The villagers kept this field to look after their cattle in. He [Officer Kya Aye] saw that this land was uncultivated and he confiscated it. He measured it into small plots and sold them to the villagers who wanted to buy it for 200,000 kyats (US \$202.21) per plot of land and on which a house can be built. Presently, some villagers buy his land. However, some villagers who are thoughtful do not buy his land. This is the problem that the villagers in A--- village are presently facing. I am going to follow up with more information about this and report to you in the future.

Stone mining company

An [unknown] company is conducting stone mining at the bottom of the cliff of Paw village, Paw village tract, Paingkyon Township. They have conducted [stone mining] for one year. I had reported this information once [before].⁸ They are presently conducting stone mining. There is a paddy field at the bottom of the cliff. Some [villagers] said the company has already paid compensation for this paddy field, some said the company has not paid the compensation yet. When I questioned the people who are conducting the stone mining, they said their boss [of the company] has not been here yet. The information [that I heard about paying compensation] is not for sure. I also know that the rich people in that region are also included [in conducting stone mining]. I do not know the name of the company.

The situation of KNU

In my region [Hpa-an District], there are two groups of KNU: (1) the township level KNU representatives in Paingkyon Township and (2) KNLA Battalion #19 soldiers. These soldiers patrol in the region and visit civilians, encouraging them to report [to the KNU and local government] if they face any problems in order to protect themselves [from those problems]. They [KNU] will discuss and work together [with the villagers to solve problems] regarding healthcare and education. [Burma/Myanmar] government teachers are not allowed to teach in some KNU schools. They [KNU] discussed this with the villagers, so that the villagers will report [to the KNU if government teachers are in KNU schools]. They [KNU] really do [arbitrarily] ask for tax from the villagers and demand food or [guiding when] travelling, [however] there is no portering [requested]. They [also] do not ask for a tax on cars which [transport] logs for trade or from people who trade cattle.

KNU/KNLA-PC

They do not have military activity [in Hpa-an District]. They try to find more villagers to enroll in their army. It does not matter though, as they do not have enough weapons. It would be good [for them] if they had more soldiers. This is my opinion. They also demand a tax on logging and saw mill [products], dog fruit trees and yam plants, just as the KNU usually demands. They do not want it [the taxation] to disappear. There is no one [from the KNU/KNLA-PC] who goes to organize the civilians [to increase their support]. They demand a tax for trucks which trade logs and from people who trade cattle.

⁶ KHRG has received numerous reports concerning human rights violations committed by BGF Officer Kya Aye, including killing, forced labour, arbitrary taxation and land confiscation. See "[Human rights violations by BGF Cantonment Area Commander Kya Aye in Paingkyon Township, Hpa-an District, February 2013 to July 2014](#)," KHRG, September 2014.

⁷ *Kaw La Thu*, "thu" meaning black, is a S'gaw Karen term which is sometimes used to refer to individuals in Burma/Myanmar who are perceived to have a darker skin colour. In Kayin state, it is often associated specifically with followers of Islam (Muslims), although this association is sometimes erroneous, and Muslim individuals do not typically self-identify with this term.

⁸ See "[Hpa-an Incident Report: Stone mining damages villagers' fields in Paingkyon Township, March 2013](#)," KHRG, August 2014.

BGF

Although this armed group receives a salary from the Burmese government, they demand a tax on dog fruit trees, yam plants and sawmill [products, just] as the KNU/KNLA-PC [also] demands. There is no one [from the BGF] who goes to organize the civilians [in order to increase their support]. They also demand a tax on trucks which trade logs and from people who trade cattle.

Burmese government

The Burmese government soldiers do not patrol [in my area]. [However], they demand a tax from people who trade cattle, people who cross big bridges [in the area], logging trucks and from villagers who are doing business. They also frequently send their soldiers to measure the villagers' lands which do not have land titles yet. This is the situation of the Burmese government and the other armed actors in my area.

Conclusion

The incidents that I report in this Situation Update are true. As I do not have sure information [about the other incidents], I have not reported them yet. Since it is very difficult to travel in the rainy season, I will wait until the dry season and I will try to collect more information.

Further background reading on the situation in Hpa-an District can be found in the following KHRG reports:

- "Hpa-an Situation Update: Hti Lon Township, March 2014," (September 2014)
- "Human rights violations by BGF Cantonment Area Commander Kya Aye in Paingkyon Township, Hpa-an District, February 2013 to July 2014," (September 2014)
- "Hpa-an Incident Report: Stone mining damages villagers' fields in Paingkyon Township, March 2013," (August 2014)
- "Hpa-an Short Update: Hti Lon Township, March 2014," (August 2014)
- "Hpa-an Situation Update: Hlaingbwe, Don Yin and Hti Lon townships, April 2014," (July 2014)

Hpa-an District



Karen Human Rights Group (KHRG)