



Karen Human Rights Group

Documenting the voices of villagers in rural Burma

Situation Update
February 5, 2016 / KHRG #15-51-S1

Mergui-Tavoy Situation Update: K'Ser Doh Township, January to March 2015

This Situation Update describes events occurring in K'Ser Doh Township, Mergui-Tavoy District between January and March 2015, including land confiscation, forced relocation, military activity, healthcare, and education.

- *Many villages in Paw Hkloh and Kleh Muh Htee large areas were forced to relocate by the Tatmadaw between 1997 and 1998 and have not been able to go back to their old villages yet.*
 - *Ay Sa Tah Company and Meh Hp'Lah Wah Company have been collaborating on a road construction project that will enable them to transport coal and timber with greater ease. This road will stretch from the ocean coast to Khaw Htee village in Paw Hkloh large area and eventually to the Thai border. The villagers living in the affected area did not permit these companies to construct the road; however, the companies claimed that they have been granted permission by the Karen National Union (KNU). As a result, misunderstanding arose between villagers and the KNU before it was revealed that, the companies did not hold any consultation with the KNU and have not received permission. Moreover, disagreements also occurred between the villagers regarding the road construction, as some villagers wished to allow the companies to construct it, given the companies' offer to construct a new school for the villagers in exchange for their permission.*
 - *Two different wealthy individuals, named Maw La Thah and U Kay Say, confiscated villagers' lands for the purpose of planting rubber and palm oil plantations. As a result, it is very hard for the villagers to earn their living.*
 - *Overall, education in K'Ser Doh Township is improving, as the number of available teachers, the wages of the teachers, and the numbers of students who graduate are increasing. The Burma/Myanmar government schools are also allowing Karen language to be taught; however, the subject is not scheduled during regular school hours. In addition, Karen teachers and the schools in which they teach are not supported financially by the Burma/Myanmar government to the same degree as the Burman schools and teachers.*
-

Situation Update | K'Ser Doh Township, Mergui-Tavoy District (January to March 2015)

The following Situation Update was received by KHRG in June 2015. It was written by a community member in Mergui-Tavoy District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security.¹

Introduction

¹ KHRG trains community members in southeast 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.

[This is] the situation update from January to March 2015 from K'Ser Doh Township. I want to report about the situation in K'Ser Doh Township from January to March 2015. The information [below is] regarding the Tatmadaw activities, human rights abuses, healthcare, and education.

Area situation

In K'Ser Doh Township there are two large areas² which are: 1. Paw Hkloh area. 2. Kleh Muh Htee area.

In Paw Hkloh [large] area there are four small areas, which are:

1. Paw Hkloh Hkee small area
2. Hpaw Taw small area
3. May Tah small area
4. Saw Khay Toh Praw small area

In Kleh Muh Htee [large area] there are four small areas that are located there, which are:

1. Tha Nyaw Hsee small area
2. Peh small area
3. Eh Eh small area
4. La Baw small area

In those areas the village [villagers] are earning their living from cultivations, farms, betel nut plantations, and coconut plantations. In the areas, there are villagers who had been forced to migrate in 1997 and [remain displaced] until the present time; they have not come back to their own villages yet. The villages which have been forced to relocate from Kleh Muh Htee large area are:

1. Peh Hkee village
2. Pee T'Hka village
3. Htee Oo Oh village

Those villages have been forcefully relocated. They gathered together and went to live in Hpa Doh village and [beside the] main road but they have not come back to their old villages yet.

Other villages [in Kleh Muh Htee large area] which [were displaced in 1997] are

1. Ta Hkaw Hta village
2. Kwee See Kwee village

[They] gathered together and went to live near the main road in Ler Hkwee Daw village [also in Kleh Muh Htee large area]. These three villages became one village.

The other villages [in Kleh Muh Htee large area] which are K'Ser Khoh and Htee Hklee Sa villages have been forced to relocate [between 1997 and 1998] to Paw Ta Toh village and the other side of Pa Law River [in Kleh Muh Htee large area], therefore these three villages became one village.

[In addition, villagers from] Hsee Koo village, which was based in Paw Hkloh large area, have been forced to relocate to Way May Tah Town. Until now, they have not come back to their old village.

Ler Ta Poo village has also been [forcefully] relocated to [an area near the] main road which is called Boo Ta Yoh [area], and is next to Hpa La [bridge]. It takes 20 minutes [by foot] to reach

² In Mergui-Tavoy district, "small areas" are equivalent to village tracts, whereas "large areas" are composed of several village tracts, yet are smaller than a township. There is no equivalent to a "large area" in the other six KNU demarcated districts.

the main road [from the new location of the village]. The villagers had to relocate beside the main road and now that place [Boo Ta Yoh area] is called Kyeh Hpee Law village.

The Burma government situation

Nowadays the government is expanding the roads, [and in terms of the] schools, [they] increased the wages of the teachers. [They also] built the [village administration] office for the villagers.

Education situation

The schools are being ameliorated - the number of teachers, the wages of the teachers, and the number of graduated students are increasing. If we look at the behaviour of the Burman people, the Burma government recently sent teachers to the Burmese villages and provided everything, such as food and firewood. But [for] the Karen people who requested to get teachers from the Burma government - they were sent teachers to their Karen villages, but the villagers [were the ones who] had to provide and arrange everything, including food, furniture, houses, traveling costs, and [water] wells for the teachers. Therefore, it caused problems for the villagers, [trying] to address those issues.

The Burma government allowed Karen language to be taught in school but [the students are] not [given] the same opportunity [to learn Karen as they are given to learn other subjects]. They allowed teaching it either from 8:00 am to 9:00 am or in evening from 3:00 pm to 4:00 pm. They [did] allow [teachers to] teach one hour [of Karen language during regular school hours] between 9:00 am and 3:00pm, [but only] occasionally. They [Burma/Myanmar government] paid the teachers who teach Karen language 30,000 kyat (US \$23.06)³ [a month], but they did not give any payment to some of the [teachers, who were selected by the Karen Education Department (KED)⁴ or the villagers]. Therefore, it caused a misunderstanding among Karen people [teachers].

Health care situation

Recently, the [Burma/Myanmar] government built clinics in the villages for the villagers to [be able to] get [medical] treatment. For their healthcare activities, they [provided] antibiotics injections for the children, and the midwives [provided antenatal care] for pregnant [women]. The KNU [Karen National Union] built a hospital in the New Year [early 2015]; therefore, the villagers do not need the [Burma/Myanmar] government to build clinics for them anymore.

They [Burma/Myanmar government] said this is government-controlled territory, not Karen country [state]. The Karen country [state] starts from Hpa-an [Town] to the upper part [of Hpapun Town]. [They said] T'Naw Tha Ray [Mergui-Tavoy District] is [under] Burman [control] - it is not Karen state. Our [KNU-demarcated] K'Ser Doh Township comprises three townships in the [Burma/Myanmar] government [demarcation], which are D'Weh Township, Thayatchaung Township, Tah Township.⁵

The Tatmadaw activity

³ All conversion estimates for the kyat in this report are based on the January 15th 2016 official market rate of 1,301.17 kyat to the US \$1.

⁴ The Karen National Union's Education Department. The main goals of the KED are to provide education, as well as to preserve Karen language and culture. During the civil war in Burma/Myanmar the KED became the main organisation providing educational services in the KNU controlled areas in southeast Burma/Myanmar. The KED also previously oversaw the educational system in the seven refugee camps along the Thai-Burma/Myanmar border, however in 2009 these activities were restructured under the Karen Refugee Committee – Education Entity (KRCEE). See "[Conflict Erupts over Govt teachers deployed to KNU areas](#)," Karen News, August 20th 2013 and the KRCEE website: "[About](#)," accessed July 21st 2015.

⁵ K'Ser Doh Township, as demarcated by the KNU is generally said to comprise Thayatchaung, Palauk and Palaw townships in the Burma/Myanmar government demarcation. KHRG was unable to reach the community member who submitted this report to clarify why the township names they have listed differ from those normally cited.

In our township [K'Ser Doh], the Tatmadaw army camps are based in Way May Tah, Hpaw Taw Lay, Htoo Ler [and] Nya Moh Hta villages, which are located in Paw Hkloh large area.

The [two] Tatmadaw [camps] that are in Kleh Muh Htee large area [are based] in Tha Yeh Hsaw [village], which is by the main road, and [the other camp is by] Khoo Hpoh Loo main road.⁶ [Therefore,] they are based in two places. They resupply their rations once a year, in the first month of the year, [and the supplies are brought to] Paw Hkloh large area, [specifically] to Htoo Ler village. Starting from D'Veh [Town] they send the rations to Hpaw Taw [village] by cars [trucks] and [then] from Hpaw Taw [village] to Htoo Ler village they send it with motorboats. Before they [the Tatmadaw] sent rations, they asked the village heads to meet them and ordered them [to cover the traveling costs of resupplying their rations]. After that [ration supply is delivered], they [the Tatmadaw] paid the fee back [to the village heads], but it was not enough. Sometimes they paid back the exact [amount], but sometimes they did not pay [them back in full for the travelling costs] that they had paid for them. Presently, they [the Tatmadaw] do not ask the villagers for directions [for delivering their rations]. If they [need to] ask villagers [for anything], they request that the village head [ask their villagers] to help them with traveling arrangements, such as [providing] motorboats. They [village heads] give traveling fees [to boat owners, which the Tatmadaw said they would pay back later]. We sometimes know their battalion and the number of their battalion but sometimes we do not know their battalion and battalion number. They are rotating their camps quarterly.

[Business] companies situation

The companies which are [located] in K'Ser Doh Township from what I know are Ay Sa Tah Company,⁷ [which] is doing coal mining in Paw Hkloh Hkee [small] area, Tha Nay Hkler village, Htee Poh Tha Bluh riverbank and [also] constructing the road [for transporting the coal]. The road construction passes through the villages and [also] passes through the Thailand border.⁸

Another company [operating in the area] is Meh Hp'Lah Wah Company. This company has many activities: [they] are [cultivating] rubber plantations, logging, and constructing the road. The Meh Hp'Lah Wah Company is constructing the [same] road [as above] from the ocean coast to Khaw Htee village in Paw Hkloh large area, but it has not reached Khaw Htee village yet. It already reached the bottom of Khaw Htee Hkee Mountain and Thay Nya Aoh Mountain. That road comes up to Kyoo Kyeh [village] and passes through the main road.⁹ It [the road twists] again, passes beside Toh Praw village, and passes through Htee Khay, K'Ser Klah, and Khaw Htee Hkee villages. The purpose of the road that is being constructed by Meh Hp'Lah Wah Company is to join forces and work together with Ay Sa Tah Company [for their mutual economic benefit]. The villagers have not allowed them to construct that road, but they said they will construct a school for the villagers and the villagers also will get [benefit from increased] ease of travel on the road. Some villagers agreed, but some of them did not agree. Therefore, it caused an argument between the villagers. The villagers submitted this case to the KNU - and Kawthoolei [Karen National Liberation Army (KNLA)] troops went to stop them [the companies]. They [companies] stopped the road construction for a while, but after they [KNLA] went back [to

⁶ Here "main road" and "Khoo Hpoh Loo main road" are two different roads. The first road may simply be referred to by locals as "main road".

⁷ Ay Sa Tah Company in Karen refers to the Thai-owned East Star Company, which has been subcontracted by Burma/Myanmar-based company Mayflower Mining Enterprise Co., Ltd, along with Thai Asset Mining Company, to conduct coal mining in Ban Chaung area. In the KNU demarcation, Ban Chaung area corresponds to Paw Hkloh large area, K'Ser Doh Township. The Myanmar Times reported that local residents believe that since early 2012, the East Star company has been transporting the coal they mine into Thailand without the authorisation of the Myanmar Investment Commission. The mining operation has also had negative effects on the health and livelihoods of villagers from approximately 23 villages. For further information see, "[Activists accuse Thai firm of 'stealing' coal](#)," The Myanmar Times, November 2015, as well as, "[Thai oversea investment on coal mining in Myanmar: The private business violating human rights and causing environmental impact on ethnic communities along Tenasserim border](#)," *Burma Partnership*, June 2014.

⁸ This is the same road that connects Thailand to the Dawei Sea Port.

⁹ All references to an un-named "main road" in this report refer to the same road.

their army camp], they continued working on that [road]. A few times, [when] they [the company representatives were confronted by the villagers, they] said [to villagers that] they met with KNU leaders and [they] allowed them to resume the road construction. In reality, they [the company] did not do [consult with the KNU], as they claimed. [As a result,] on a few occasions, the villagers had misunderstandings with the KNU so problems arose between the KNU and villagers. If they [the companies] are finished the road construction, they are going to start planting the rubber [trees], logging, and mining the coal in the places where the villagers have not been working: in the dense forest and plain areas. It will not be easy for the villagers [to earn their living in the future].

Land confiscation

There were two types of land confiscation:

1. Rich men had confiscated lands from the villagers in Noh Hpa Doh and Ler Hta Say villages [in Kleh Mu Htee large area]. The lands [that were] confiscated included half of those two villages' [lands]. Therefore, those villagers have had to relocate from their villages. [One of] the rich men planted rubber and palm oil [trees] on the villagers' land. The name of the person who planted the rubber [trees] is Maw La Thah. He is a rich man and his [company] manager's name is U Su Su. Until now he has not given the land [back] to the villagers. [Another rich man named] U Kay Say also planted oil palm [trees] in Tha Nyaw Hkee [area], in the upper [eastern] part and lower [western] part of the P'Taw Hpa Doh main road [which stretches] to the [ocean] coast. He has planted rubber [trees] between Tha Nyaw Hsee and P'Taw Hpa Doh villages on the villagers' land and plantations; therefore, the villagers [don't] have [enough] land to earn their living. They have not given the lands back to the villagers until now.

2. The other type of land confiscation [was perpetuated by the Tatmadaw].¹⁰ They [Tatmadaw] forced the villagers to relocate and base their houses beside the main road. They [the villagers] have been [forced to] relocate [and now live] on the other villagers' lands, which are by the main road. The villagers there are [now] unable to work on their lands [because the relocated villagers are now living on their lands,] therefore it brought on tension among the villagers. The villages which have been forced to relocate [by the Tatmadaw] to Way May Tah [big village] are Hsee Koo, Hsa Muh Htaw, Ka Leh Kee, and Ker Gaw villages. They forced them to relocate from their villages because they rebuilt those villages as a town. Therefore lots of houses are [now] based on Way May Tah villagers' lands. The villagers in there [Way May Tah village] did not have any land left for themselves. The villagers have not gained their land back even though the people [KNU] have taken action on that [issue].

Conclusion

The above information truly occurred and is the current situation in our township and areas. The problems have not been solved yet. This information is true but we [I] cannot note it down in [more] detail.

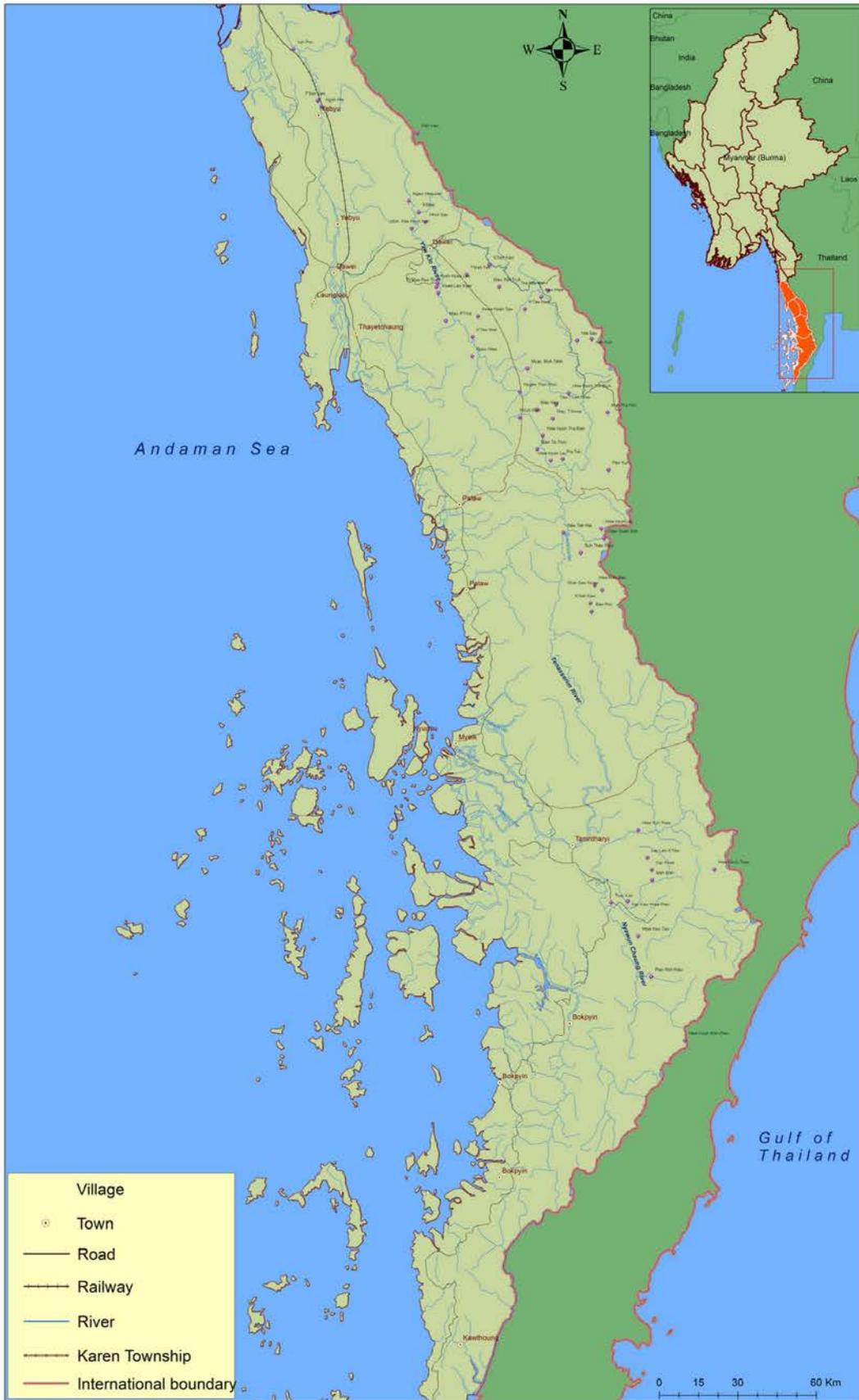
Further background reading on the situation in Mergui-Tavoy District can be found in the following KHRG reports:

- "Mergui-Tavoy Short Update: Ler Muh Lah Township, 1998 to 2013," (November 2015)
- "Mergui-Tavoy Situation Update: Ta Naw Th'Ree Township, January to May 2015," (November 2015)
- "Mergui-Tavoy Situation Update: Ler Muh Lah and Ta Naw Th'Ree townships, January to June 2015," (October 2015)
- "'With only our voices, what can we do?': Land confiscation and local response in southeast Myanmar," (June 2015)

¹⁰ KHRG followed up with the community member who wrote this report to establish that this case of forced relocation was perpetuated by the Tatmadaw.

- “Mergui-Tavoy Photo Set: The impact of development in Mergui-Tavoy District, May 2014,” (February 2015)

Mergui/Tavoy (Thanintharyi) District



Karen Human Rights Group (KHRG)