



**Karen Human Rights Group**

Documenting the voices of villagers in rural Burma

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**Interview**

November 28, 2016 / KHRG #15-83-A1-I1

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**Hpa-an Interview: Saw A---, August 2015**

*This Interview with Saw A--- describes land confiscation and its impact in Hlaingbwe Township, Hpa-an District, during August 2015.*

- *Tatmadaw Light Infantry Battalion (LIB) #339 confiscated 500 acres of residential and farm land in 1991 and 1992 in Hlaingbwe Township, Section ---, Hpa-an District.*
  - *Tatmadaw LIB #338, LIB #339 and Infantry Battalion (IB) #28 held a meeting in 2014 asking villagers to sign a document requesting their land back but this did not result in their land being returned.*
  - *As of August 2015, the villagers have been active in requesting their land back but it has not yet been returned.*
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**Interview | Saw A---, (male), Hlaingbwe Section ---, Hlaingbwe Township, Hpa-an District (August 2015)**

*The following Interview was conducted by a KHRG researcher trained by KHRG to monitor local human rights conditions. It was conducted in Hpa-an District in August 2015 and is presented below translated exactly as it was received, save for minor edits for clarity and security.<sup>1</sup> This Interview was received along with other information from Hpa-an District, including two other Interviews, one Short Update, 156 photographs and 24 video clips.<sup>2</sup>*

**Ethnicity:** Not stated

**Religion:** Not stated

**Marital Status:** Married

**Occupation:** Farming

**Position:** Not stated

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<sup>1</sup> 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 conducting interviews, community members are trained to use loose question guidelines, but also to encourage interviewees to speak freely about recent events, raise issues that they consider to be important and share their opinions or perspectives on abuse and other local dynamics.

<sup>2</sup> In order to increase the transparency of KHRG methodology and more directly communicate the experiences and perspectives of villagers in southeast Burma/Myanmar, KHRG aims to make all field information received available on the KHRG website once it has been processed and translated, subject only to security considerations. For additional reports categorised by Type, Issue, Location and Year, please see the Related Readings component following each report on KHRG's website.

**What is your name?**

Saw A---

**Your village? Where do you live?**

Hlaingbwe [Township] --- [censored for security] Section.

**Do you have family?**

Yes I do.

**How many children do you have?**

I have four children.

**Are there any human rights violations or things like rights being violated [in your area]?**

Not now, [before] land was confiscated by people and we jointly requested to have our land back and we are now waiting for the result of whether we can get it back or not.

**[Land] Confiscated by whom?**

By the military.

**Which military?**

[Light Infantry Battalion (LIB)]<sup>3</sup> #339.

**What is #339? KNU [Karen National Union] military [Karen National Liberation Army (KNLA)] or the [Burma/Myanmar] government military [Tatmadaw]?**

The [Burma/Myanmar] government military [Tatmadaw].

**What is the name of the [Tatmadaw] #339 Battalion Commander?**

I don't know who the #339 Battalion Commander is.

**When was it [the land] confiscated?**

They confiscated it in 1991.

**What have they used the land for?**

They confiscated it in 1991. They have not done anything on the land and they just kept it as a grazing pasture for animals. And they asked for 1,000 kyat [US \$0.76]<sup>4</sup> from the villagers for grazing each cow.

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<sup>3</sup> A Tatmadaw Light Infantry Battalion (LIB) comprises 500 soldiers. However, most Light Infantry Battalions in the Tatmadaw are under-strength with less than 200 soldiers. LIBs are primarily used for offensive operations, but they are sometimes used for garrison duties.

<sup>4</sup> All conversion estimates for the kyat in this report are based on the 18<sup>th</sup> November 2016 official market rate of 1,313 kyat to US \$1.

**So they confiscated it [land] and they did not do anything with the land?**

No, nothing.

**What did they say before they confiscated the land?**

In the past, there was a military dictatorship, and we had to sign documents [to formally give the land to the Burma/Myanmar military government] and we had to return the land grant documents.

**Was it your farmland that got confiscated?**

It was my farmland. Not only mine, there were a lot of people who lost their land.

**How many acres of land were confiscated?**

All my land [that got confiscated] was more than six acres.

**Do you have land grant documents for your land?**

Yes, we had to sign and return the land grant document to them when they came to confiscate the land.

**The land grant was granted by whom?**

The [Burma/Myanmar government] Land Department.

**The Land Department from where?**

The Land Department from Hlaingbwe [Township]. So it was granted by the Land Department from Hlaingbwe [Township].

**They confiscated all of the land at the same time?**

Yes.

**After the land was confiscated, could you still work on the land?**

No, we couldn't. They did not allow us to work on the land. What could we do? We could not do anything. We had to leave the land.

**Was there anyone who still worked on the land after it was confiscated?**

In the first year [after the land confiscation] in 1992, they [farmers] were allowed to work [on the land]. They [Tatmadaw] demanded four baskets of rice for each acre of land [that villagers worked on]. They only worked for one year so they could not pay four baskets of rice for each acre of land.

**Why could they not pay that amount?**

They had to provide four baskets of rice to the military [Tatmadaw] for each acre that they worked on as well as to the trading department [of the Burma/Myanmar government]. They had to provide four baskets [of rice] to the military [Tatmadaw] and three baskets [of rice] to the trading department [of the Burma/Myanmar government]; seven baskets in total so they [villagers] could not work on it anymore [as the demand was too high to afford to pay to work on the land]. They all stopped working on the land and now none of them work on the land.

**What problems did you face because of the land confiscation?**

There were problems when they [first] confiscated the land. We did not have anywhere to stay or work. There was no farmland to work on and we had to work on other peoples' land [to earn a living].

**How did you overcome these problems?**

Now, all of the farmers went there [to Tatmadaw Light Infantry Battalion (LIB) #339] and asked them [Tatmadaw to return the land]. The Battalion Commander of #339 said that there will be a [land] returning ceremony in June [2015] and now it [June] has passed. And now when the villagers asked them, they said they [Tatmadaw] are not returning [land] anymore. That is what they told us.

**So since 1991, how many times have the villagers tried to demand their land back?**

There have been many times. I can't remember [how many times] but it has been eight years [that we have been demanding it back] and they still won't return it yet.

**What did they say when you [villagers] demanded to have your land returned? Did they shout at you?**

We [farmers] gathered together with a few other people to submit a formal complaint letter [to the Tatmadaw] to have our land returned. And now the [land] returning ceremony is not happening anymore. If we are not getting the land back this year, there is no hope for the next year to have our land returned.

**Why not?**

Because the Tatmadaw said that if a road is constructed on the land next year, there is no way that the land will be returned. They will take the land permanently and divide the land into plots [to sell for housing]. That is what I heard from others.

**They confiscated your land and they did not say anything to you afterwards?**

They confiscated the land and they did not compensate for or replace the confiscated land. There are over 20 farmers who have had their land confiscated by [Tatmadaw LIB] #339. There are over 33 [farmers who have had their land confiscated in this area].

**They only confiscated farmland? Did they confiscate other things as well?**

Yes, not only did they confiscate the farmland, but they also confiscated residential land.

**Did they confiscate the residential land as well?**

Yes, they did.

**So where did villagers stay after their land was confiscated?**

In the new town. They [Tatmadaw] confiscated the farmland for farmers from [another place] and divided the land into plots and gave them to [farmers who had also had their land confiscated in another place] to occupy.

**So it is like this; they first confiscated the land from villagers and the villagers lost places to stay. Then they confiscated land from villagers from another place and they divided**

**the land into plots and gave these plots to villagers [who had previously had their land confiscated].**

Yes.

**They [Tatmadaw] did not provide compensation?**

No, they did not. Now, they have power and created the documents for villagers to sign [to authorise the confiscation of their land]. They requested us to sign the document and to also give them the land grant documents for the land.

**What if they [villagers] did not sign?**

They [Tatmadaw] said that they would put us in jail.

**So how many villagers signed [these documents]? Were there villagers who refused to sign [the documents]?**

A lot; all of them. They [Tatmadaw] requested to meet all of the villagers [that they confiscated land from] and asked them all to sign [the documents] and to return the land grants for the land. There were 59 people that were requested to sign [the documents].

**Approximately; how many [acres] did they confiscate?**

It should be around 367 acres altogether.

**How about altogether with the residential land?**

It should be over 500 [acres of land] including the residential land.

**Is the Battalion Commander of [LIB] #339 that first confiscated the land, the same as the current Battalion Commander or has he moved [somewhere else]?**

He has moved.

**The Battalion Commander that confiscated the land has changed?**

Yes, the [Battalion Commander that replaced him] did not know anything about this issue. Last year; each military representative from [LIB] #339, [LIB] #338 and [Infantry Battalion (IB)<sup>5</sup>] #28 called a meeting and said that they [villagers] would have to sign [the documents] and they [Tatmadaw] would submit them to the division [level]. The Tatmadaw said that they submit them and they also said that they would help us to get our land back. The village leaders and the farmers signed [the documents] and they [Tatmadaw] said that they would submit it to the division [level] and now we have not heard anything from them.

**With the signature issue, did you have to pay?**

No, we did not have to pay. We just had to sign. We had to make six copies of our ID. The Tatmadaw kept two copies with them and we kept two copies [of the documents]. And the other two copies; they [Tatmadaw] would send them to the division [level].

**Your land has been confiscated; now what do you want regarding the farmland case?**

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<sup>5</sup> An Infantry Battalion (Tatmadaw) comprises 500 soldiers. However, most Infantry Battalions in the Tatmadaw are under-strength with less than 200 soldiers. They are primarily used for garrison duty but are sometimes used in offensive operations.

We all want to know if our land will be returned to us or not. That is what we all want to know.

**And you still want it back?**

Of course I do.

**So is there anything else you want to say regarding the farmland issue?**

What I would like to say about the farmland is: what we farmers from Hlaingbwe [Township] want is to reclaim our land that they [Tatmadaw Battalions] [LIB] #338 [and] #339, and [IB] #28 have confiscated around the area [where they are based]. For this area, like I said before, there are approximately 360 [acres]. We farmers want all of the land back.

**So this is the land confiscation case?**

Yes.

**Are there any other human rights violations that have been caused by the military [armed actors]?**

For human rights violations, it would be good if we could have our land back, wouldn't it?

Yes.

If we have our own [land], we could live on it and use it for growing trees or other things.

**Not only land confiscation. For example, [are there things] like forced labour demands by the [armed actors] military?**

Not these days. There used to be in the past in 1996 and 1997. It doesn't happen anymore.

**How about other problems?**

There are no other problems in recent times because there used to be forced labour and other things but now they don't happen anymore. And [respect for] rights has improved.

**Only land confiscation?**

Yes, we farmers want our land back. We would like to know whether our land will be returned or not but they do not say anything.

**Is there anything else that you want to say that I have not mentioned?**

There is nothing else. Only our land issue. We will be happy if our land is returned.

**Thank you very much.**

Yes.

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

- "Hpa-an Field Report: Continued difficulties under ceasefire, January to December 2015," (September 2016)

- “Hidden Strengths, Hidden Struggles: Women’s testimonies from southeast Myanmar” (August 2016)
- “Hpa-an Interview: Saw H---, February 2016” (August 2016)
- “Hpa-an Interview: Naw A---,” (June 2015)
- “Growing drug use and its consequences in Dooplaya and Hpa-an Districts, between February and December 2015,” (May 2016)

# Hpa-an District



Karen Human Rights Group (KHRG)