



Karen Human Rights Group

Documenting the voices of villagers in rural Burma

Interview

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Toungoo Interview: Saw Bx---, January 2016

This Interview with Saw Bx--- describes events occurring in Htantabin Township, Toungoo District, during the period between December 2015 and January 2016, including land confiscation and demonstrations.

- *In 2009, Kaung Myanmar Aung Company (KMAC) confiscated land in O---, L---, M--- and N--- villages after successfully applying to the Burma/Myanmar government to designate those lands as virgin and uncultivated land. Villagers who were using that land for their livelihoods have been sued by KMAC for trespassing multiple times.*
 - *80 farmers on December 5th 2015 and between 150-200 farmers on January 12th 2016 held protests against Kaung Myanmar Aung Company to attempt to regain their land. The protests lasted for three hours and the main slogans shouted were: "We want to regain our confiscated land. We do not want the Farmers' Development Party. We do not want Kaung Myanmar Aung Company. Kaung Myanmar Aung Company must leave immediately."*
 - *Saw Bx--- also describes in detail his experience protesting and explains his motivations for fighting this land confiscation case.*
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Interview | Saw Bx--- (male, 35), O--- village, Htantabin Township, Toungoo District (January 2016)

The following Interview was conducted by a community member trained by KHRG to monitor local human rights conditions. It was conducted in Toungoo District on January 12th 2016 and is presented below translated exactly as it was received, save for minor edits for clarity and security.¹ This interview was received along with other information from Toungoo District, including eight other interviews, one incident reports, one situation report and 334 photographs.²

Ethnicity: Karen

Religion: Christian

¹ KHRG trains community members in southeastern 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.

² In order to increase the transparency of KHRG methodology and more directly communicate the experiences and perspectives of villagers in southeastern 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.

Marital Status: Married
Occupation: Farmer
Position: Villager

What is your name?

I am Saw Bx--- and I work as a plantation worker in A--- area [village], Na Ga Mauk village tract,³ Toungoo Township, Bago Region, [Toungoo District].

How old are you?

I will be 36 this coming May [2016].

What is your ethnicity?

I am Karen.

What is your religion?

I am Christian.

Are you married?

Yes, I am.

How many family members do you have?

I have seven family members; three sons and two daughters.

What is your occupation?

I mainly farm and I also work on a plantation for my livelihood.

Where do you live?

I live in O--- old village, Na Ga Mauk village tract, Toungoo Township, Bago Region.

Do you face any problems regarding the land?

We face huge problems related to the land. In 2009, the CB Bank chairman, U Khin Maung Aye, who owns Kaung Myanmar Aung Company⁴, applied [to the Burma/Myanmar government] to designate the lands in O---, L---, M--- and N--- villages in Na Ga Mauk village tract, Toungoo Township, Bago Region as virgin and uncultivated lands; they [the Burma/Myanmar government] signed on paper [agreed to designate the lands as virgin and uncultivated]. Therefore, they [Kaung Myanmar Aung Company] were given a document which granted them permission [to work on the land]. When they [Kaung Myanmar Aung Company] came into the area [villages], they cleared all the trees in our land. They put pressure [on the villagers]. Those villagers who did not want to take [compensation for their lands] were forced to take it, and

³ A village tract is an administrative unit of between five and 20 villages in a local area, often centred on a large village.

⁴ Kaung Myanmar Aung Company (KMAC) or Kaung Myanmar Aung Group of Companies is a Myanmar-owned business group with investments in teak plantations in Toungoo District, and mining, agriculture, shipping, construction and real estate development within Myanmar. Their chairman is Mr Khin Maung Aye. KMAC have been implicated in land confiscation cases in southeast Myanmar which have included threats to villagers who were customary owners of the lands, see "[Toungoo Situation Update: Thandaunggyi and Htantabin townships, November 2014 to February 2015](#)," July 2015. Affected villagers held protests against the company in 2015 and early 2016 in order to demand the return of their lands, see "[Toungoo Situation Update: Thandaunggyi and Htantabin townships, November 2015 to January 2016](#)," July 2016. For information on a similar case with KMAC in Pyin Oo Lwin Township, Mandalay Division, see "[Presidential adviser sues 13 farmers for trespassing](#)," Myanmar Times, September 2nd 2013.

those villagers who did not want to leave were forced to leave. The villagers have been sued many times by the Kaung Myanmar Aung Company staff and this has continued until today, January 12th 2016. On [January] 18th [2016], 12 of the villagers have been appointed to [attend] a court trial; three villagers will be seen at a time; 12 villagers are also appointed [to go to the court] for trial on 25th [of January 2016] and they will be seen one at a time. We do not know what [punishment they will be given].



This photo was taken on December 5th 2015 in [between] Toh Bo and Nar Gar Mount villages, Htantabin Township, Toungoo District. This photo shows land confiscated by Kaung Myanmar Aung Company to plant timber plantations. KMAC has also built a signboard prohibiting fires, [farm] animals from entering the 2,400 acres of confiscated land and villagers from farming and cutting logs on the confiscated land for firewood.” [Photo: KHRG]



This photo was taken on December 5th 2015 in Toh Bo village, Htantabin Township, Toungoo District. This photo shows a house Kaung Myanmar Aung Company forced local villagers to dismantle after accusing villagers of trespassing on their land. [Photo: KHRG]

How many times have the villagers been sued?

Personally, I have been sued three times already. I have been sued three times by three plaintiffs.

Did the truth emerge [in the trials]?

The [truth] case did not emerge at the first [trial]. The truth did not emerge at the second one either. As they are rich, they might have bribed [the court officer]. I have faced [trial] twice already and I do not [know] what will happen when I face the third trial.

Was the case in which you were sued based on misinformation?

It was not entirely true [although the trial was processed] in accordance with the law.

What did you try to do in order to regain your land?

We are going to keep acting in accordance with the law [protest to regain land]. We have protested twice already. In order to regain our land, I am going to act [protest] resolutely until we get back our land. I am going to try to regain my land even if I am punished or put in jail, as the land is very important for us and we rely on our land for our livelihood.

As far as I know regarding attempts to regain the land, two or three villagers [initially] started to protest, as well as groups of people who have gathered together to protest. There have been three or four protests.

No protest has been held in which only two or three people gathered and held the protest. On December 5th 2015, 80 farmers gathered and held a protest because the farmers are easily afraid [and therefore gather many people together]. Some farmers were afraid of the CB Bank Chairman, U Khin Maung Aye, [who is the] father-in-law of the second Minister for Home Affairs, Ko Ko, as well as the advisor of the President [U Thein Sein], and [they were afraid of] the police and the soldiers who were providing security so they went back home. Therefore, only 80 farmers protested that day. Today, on January 12th 2016, we protested again. The number of the people [who protested] was around 150 to 200.



This photo was taken on December 5th 2015 and shows villagers holding a peaceful demonstration in order to reclaim their lands. Signs held by the villagers say: *"We do not want Kaung Myanmar Aung Company [to operate in our land]; We do not want the Myanmar Farmers Development Party [MFDP]; Return our land."* [Photo: KHRG]

After you protested on December 5th 2015 with 80 farmers, how did Kaung Myanmar Aung Company respond?

I applied for the [permission letter] from the #2 police station [in order to] protest. I applied for it more than three times. When I applied [for it] for the fourth time, I was given permission [to protest]. I do not know whether Kaung Myanmar Aung company applied for permission [to protest] or not. We protested once but they protested three times. I do not know whether they [the protests by Kaung Myanmar Aung Company] are in accordance with the law. [Even] as an uneducated farmer, I see that they do not act in accordance with the law.

Did you have rules for the protest?

I wanted to write on the sign board [of the protest], *"CB Bank chairman, U Khin Maung Aye, owns the Kaung Myanmar Aung Company"* but I was not allowed to write that. I was only allowed to write, *"Kaung Myanmar Aung Company"* on the sign board. I also wanted to write, *"We do not want the government department [staff] to solve this issue for us"* but they [the protest organisers] wanted us to write. *"The government should solve this issue for us"*.

What about the other rules about what the protesters were allowed to bring or not during the protest?

We asked them not to bring water bottles, sticks, knives, and stones.

Where did you protest?

We started at Maung G---'s [villager] hut, which is in the lower part of M--- village, [and went] to the crossroads of L--- village.

When were you allowed to protest?

They gave us only three hours. We started at 9:00AM and ended at 12:00PM.

Did you have enough time [for the protest]?

Yes, we had [enough time]. [However,] we had to rush our protest.

Did they sue the villagers after they protested?

Yes, they did. U Thaug Nyut from Kaung Myanmar Aung Company sued 12 villagers, including me and a couple of Ko H--- [villagers] so there were 13 people in total. However, the sued villagers had more than 13 cases [filed against us]. They signed the promissory document in M-- - police office, which is not at the court yet. Three villagers have signed two sections of the document: section #447 and section #427, but I do not know yet when they are going to court.

When did they sign the document?

They possibly signed the document on December 29th [2015]. Now, the second police officer, Than Zaw Oo, is in charge of the case [at the police station].

The three villagers were asked to sign a document, right. What kind of document did they sign?

They [Kaung Myanmar Aung Company] said that the villagers were trespassing on the lands [that their project was being carried out on] so they were asked to sign a promissory document and they were sued. However, they have not been sent to the Township court yet.

Are the lands [they were accused of trespassing on belong to] the villagers?

The land belongs to the villagers and they live and work on the land. Their grandparents passed these lands on to them. However, they [Kaung Myanmar Aung Company] pressured the villagers in many different ways and sued them according to many different sections [of the law].

The villagers are facing [many] cases. Is there any possibility that they will have to mediate [with the police]?

I do not know whether they will have mediation or not. Today is January 12th [2016]. On January 11th [2016], they [Kaung Myanmar Aung Company] used a strategy in which they called and met with farmers who are not actually farmers from the villages. The Farmers' Development Party held a meeting at a hall with them and distributed letters to them, but we, the real farmers, did not receive any letters. They, Kaung Myanmar Aung Company and the Farmers' Development Party, along with other media groups, held a conference.

Did anyone from your village attend the meeting?

There were only a few villagers from our village who attended the meeting.

Were most of those people who were in the meeting their staff?

Yes, there were only those who had been forced to attend the meeting, their staff and other villagers who were forced to go. No real farmers [from the village] attended the meeting.

How did you apply for permission for today's protest?

We applied for permission from #2 police station. We got permission and protested. But when we protested a police officer shouted at me and said, "*Saw Bx---! Why are you using the loudspeaker for your slogans? Stop it immediately!*" I replied to him "*Are you going to arrest me? Tell me if you are going to arrest me.*" He replied, "*I won't arrest you but please stop it.*" I do not know what trouble they are going to give me regarding that [incident].

Did you protest today because you want to regain your land?

Yes, the main reason that we protested was to regain our land. We are farmers and we mainly depend on our farms for our livelihood.

The #2 police station officer told you to stop using the slogan. What did it say?

The slogan said, *“We want to regain our confiscated land. We do not want the Farmers’ Development Party. We do not want Kaung Myanmar Aung Company. Kaung Myanmar Aung Company must leave immediately.”*

**What do you mean by, “Kaung Myanmar Aung Company must leave immediately”?
Where do you want them to leave?**

We want them to stop their project and leave all of the four villages where they confiscated the villagers land [for their project].

How many women and men were involved in the protest?

There were many women and men involved in the protest. I do not know exactly how many as I did not count them.

Were children also involved [in the protest]?

Yes, there were also children involved. There were four or five children who are about 15 or 16 years old. As their parents’ lands were confiscated, they could not stand [it] and protested together with their parents.

When you protested on December 5th 2015, were there any police providing security?

Yes, when we protested, both the police and soldiers guarded us for security and the protest went well. This year [on January 12th 2016], when we protested in Toungoo town, I did not see any police [guard for security].

Were they [police and soldiers] watching you or providing security for you [on December 5th 2015]?

We did not know whether they were watching us or providing security for us.

Did you notice if anyone was watching you?

I saw that Kaung Myanmar Aung company staff were always watching us. The Farmers’ Development Party also came and donated water to the villagers, but we did not dare to drink [their water]. If they are willing to serve the villagers, why have they not served [us] since the beginning [of the land dispute]? However, they came and donated water after we protested. If they had put toxic [poison] in the water, then we would have died if we drunk it.

Were water bottles allowed to be brought to the protest this year?

No, the water bottles were not permitted but some people donated water bottles for us to drink while we were protesting.

Did today’s protest go smoothly?

Yes, it did.

Did all the protesters hear the sound from the loudspeaker?

When we protested in the town not all of the protesters heard the sound from the loudspeaker, as it was noisy with the cars passing. Therefore, we tried to use a sound box [to shout slogans].

Who helped you organise the car for the protest?

Sayar [teacher/respected elder] I--- supported the travelling and the cost [of the protest]. He supported the protest. He supported a conference [that we held] and paid for a judge when [the farmers] were appointed to go to the court.

What else would you like to add?

What I want to add is that this [land confiscation] case has troubled me for almost three years. My attempts to secure my livelihood were unsuccessful. Nevertheless, I will fight this [land confiscation] case not only for myself but also on behalf of all of the [affected] farmers. I am ready to [fight this land confiscation case], no matter if I will be put in jail, tied up, or ordered to be killed. My weakness is that I have financial hardship, for [supporting] my family or for travelling. However, I have been trying my best for all the farmers since December 2013 up until now [2016]. What I want is for the CB Bank chairman [U Khin Maung Aye] to return our lands. To achieve that goal, I am going to cooperate with my *thara* [seniors]. Not only me but all the farmers depend on these lands for their livelihoods, and for sending their children to school. Therefore, we farmers must fight together to regain the land [and will not stop fighting] until we regain it.

Thank you for patiently providing me with this information.

Thank you.

Do you give KHRG permission to use this information?

Yes, I give permission.

Further background reading on the situation in Toungoo District can be found in the following KHRG reports:

- “Toungoo Interview: Naw A---, February 2017,” (January 2018)
- “Toungoo Situation Update: Thandaunggyi Township, March to May 2017,” (December 2017)
- “Toungoo Interview: Naw Ka---, October 2016,” (June 2017)
- “Toungoo Interview: Saw A---, January 2016,” (February 2017)
- “Toungoo Interview: Naw A---, November 2015,” (February 2017)

Taw Oo (Toungoo) District

