



Incident Report

August 15, 2016 / KHRG #16-58-I2

Hpa-an Incident Report: Villager accused of burning BGF rubber plantation in Paingkyon Township, April 2016

This Incident Report describes Saw A--- who was accused by Border Guard Force (BGF) Company Commander Dee Ter Ler of setting fire to the BGF company commander's rubber plantation and fined four million kyat (US \$3,372.04). Saw A--- lives in B--- village, Noh Hkwee village tract, Paingkyon Township, Hpa-an District.

Incident Report | Paingkyon Township, Hpa-an District (April 2016)

The following Incident Report 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 This report was received in May 2016 along with other information from Hpa-an District, including one other incident report, one situation update, and 185 photographs.²

Part 1 – Incident Details

Type of Incident	BGF rubber plantation was set on fire
Date of Incident(s)	April 13 th 2016
Incident Location (Village, Township and District)	C--- village, Noh Hkwee village tract, Ta Kreh [Paingkyon] Township, Hpa-an District

¹ KHRG trains community members in southeast Burma/Myanmar to document individual incidents of abuse 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 incident reports, community members are encouraged to document incidents of abuse that they consider to be important, by verifying information from multiple sources, assessing for potential biases and comparing to local trends.

² 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.

Victim Information	
Name	Saw ³ A---
Age	65
Sex	Male
Nationality	Karen
Family	Yes
Occupation	Farmer
Religion	Buddhist
Position	Villager
Village	B---

Perpetrator Information				
Name(s)	Rank	Unit	Base	Commander's Name
Dee Ter Ler also known as Bo ⁴ Kyaw Hein ⁵	BGF Company Commander	[Battalion] #1015 ⁶	Beside Ya Tah village	Hpah ⁷ T'Kaw (also known as Kya Aye) ⁸

Part 2 - Information Quality

1. Explain in detail how you collected this information.

On April 20th 2016 I travelled in Ta Kreh Township and went to B--- village. [I] met with a villager from Noh Hkwee village tract. [I asked him] whether there have been any incidents that have happened here. He told me that the BGF [Border Guard Force]⁹ fined a villager in B--- village, Noh Hkwee village tract. They accused the villager of burning

³ *Saw* is a S'gaw Karen male honorific title used before a person's name.

⁴ *Bo* is a Burmese title meaning 'officer.'

⁵ KHRG has received previous reports involving human rights violations by Border Guard Force (BGF) Company Commander Kyaw Hein, also known as Dee Ter Ler, including land confiscation in Paingkyon Township. See, "[Hpa-an Incident Report: Land confiscation in Paingkyon Township, May 2015](#)," August 2015.

⁶ KHRG has received numerous reports of human rights violations by BGF Battalion #1015, including arbitrary killing of civilians, arbitrary taxation and demands, forced labour, as well as additional cases of land confiscation. For detailed information 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 *Hpah* is an informal S'gaw Karen title used for men, which appears before the person's name.

⁸ KHRG has received numerous reports involving human rights violations by Border Guard Force (BGF) Cantonment Area Commander Kya Aye, including land confiscation and extrajudicial killing. See, "[Human rights violations by BGF Cantonment Area Commander Kya Aye in Paingkyon Township, Hpa-an District, February 2013 to July 2014](#)," September 2014.

⁹ 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 Burma/Myanmar 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.

down the rubber plantation [which belonged to the BGF]. [After] I talked to him and noted down the information, I went to another place.

2. Explain how the source verified this information.

The information was provided by a villager from Noh Hkwee village tract. [Censored for security] and knows all the information [about this incident]. The rubber trees were set on fire in the afternoon [of April 13th 2016] at 1:00 pm. No one knows exactly who set fire to the rubber plantation. Later the BGF commander accused the B--- villager of burning down the rubber trees.

Part 3 – Complete Description of the Incident

Describe the Incident(s) in complete detail. For each incident, be sure to include 1) when the incident happened, 2) where it happened, 3) what happened, 4) how it happened, 5) who was involved, and 6) why it happened. Also describe any villager response(s) to the incident, the aftermath and the current living situation of the victims. Please use the space prepared below and create an attachment if needed.

The rubber plantation was set on fire on April 13th 2016. The owner is Officer [Company Commander] Dee Ter Ler from the BGF. He is 50 years old. His rubber plantation was situated between C--- village and B--- village, Noh Hkwee village tract. The villager was accused of burning down the rubber plantation. He [Dee Ter Ler] later fined the B--- villager, named Saw A---, who is 65 years old and from Noh Hkwee village tract, Ta Kreh Township.

He [Saw A---] had gone to find vegetables with one of his grandchildren at 10:00 am and went through the farm [the rubber plantation]. They came back [from the rubber plantation] at noon but the rubber plantation was set on fire at [about] 1:00 pm. [Therefore] It was not possible [for him to have set fire to the rubber plantation].

If the owner had sold the rubber plantation he would only have been able to sell it for four million kyat (US \$3,372.04)¹⁰ but he [Saw A---] was fined five million kyat (US \$4,215.05). The villagers attempted to appeal to him [the BGF commander] and he finally reduced it to four million kyat (US \$3,372.04). He forced him [Saw A---] to pay [four million kyat (US \$3,372.04)] within a month. That uncle [Saw A--] is not rich [and so] he faced difficulties [to pay the fine]. I currently do not know how that uncle is looking for the money. I will wait and see how the villager will pay the fine and I will report it later.

Part 4 - Permission for Using the Details

Did the victim(s) provide permission to use this information? Explain how that permission was provided.

The victim wants us to publish this information in order to make some change and so that this sort of issue will no longer happen in the future.

¹⁰ All conversion estimates for the kyat in this report are based on the August 5th 2016 official market rate of 1,186.23 kyat to US \$1.

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

- “Hpa-an Interview: Saw H---, February 2016,” (August 2016)
- *Hidden Strengths, Hidden Struggles: Women’s testimonies from southeast Myanmar*, KHRG, August 2016
- “Hpa-an Interview: Naw A---, June 2015,” (June 2016)
- “Growing drug use and its consequences in Dooplaya and Hpa-an districts, between February and December 2015,” (May 2016)
- “The 2015 Elections and Beyond: Perspectives from villagers in rural southeast Burma/Myanmar,” (February 2016)

Hpa-an District

