



**Karen Human Rights Group**

Documenting the voices of villagers in rural Burma

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### **Situation Update**

August 18, 2017 / KHRG #17-12-S2

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## **Dooplaya Situation Update: Kyainseikgyi Township and Win Yay Township, January 2017**

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*This Situation Update describes events occurring in Kyainseikgyi Township and Win Yay Township, Dooplaya District during the period between January 9<sup>th</sup> and January 21<sup>st</sup> 2017, including issues relating to education, road construction, bridge construction, human rights abuse, livelihood issues and a road accident.*

- *On October 12<sup>th</sup> 2016 Saw A--- was brutally beaten by three unknown soldiers in B--- village, Noh Tar Khaw village tract, Kyainseikgyi Township, Dooplaya District. The victim was asked where his parents in law lived and he answered the soldiers telling them where his parents-in-law live. The soldiers did not believe his answer and they hit his back two times with the butt of their guns.*
  - *On January 11<sup>th</sup> 2017 a road accident occurred in C--- village, Kwin K'saw Kyin village tract, Win Yay Township, Dooplaya District. A motorbike driver crashed into a car. As a result, the motorbike driver was injured. However, the decision was made at the village head's house and villagers perceived that the judgement was not appropriate for the car driver because although it was not his fault he had to pay compensation to the motorbike rider.*
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### **Situation Update | Kyainseikgyi Township and Win Yay Township, Dooplaya District (January 2017)**

*The following Situation Update was received by KHRG in January 2017. It was written by a community member in Dooplaya 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.<sup>1</sup> This report was received along with other information from Dooplaya District, including one other situation update, one interview and 203 photographs.<sup>2</sup>*

#### **Introduction**

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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 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.

<sup>2</sup> 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.

This Situation Update describes events occurring in Dooplaya District, during the period between January 9<sup>th</sup> and January 21<sup>st</sup> 2017, including issues related to education, road construction, bridge construction, human rights abuses and livelihood.

### **Education**

There is a one self-funded school in Meh T'lee village, Meh T'lee village tract, Waw Raw [Win Yay] Township, Dooplaya District. This school was built by the village community. There are 34 students in the school: 18 male students and 16 female students. The local community would like to have a better school in order to enable students to study diligently at the school and in comfort. Organisations [NGOs and CBOs] that help to improve [the educational situation in Burma/Myanmar] are not able to reach this village [because this village is in a remote area].

In January 2017, the Education Commemorative Festival [ECF] was held in a school in Noh Khlo village, Noh Khlo village tract, Waw Raw Township, Dooplaya District. They [school teachers] organised the Education Commemorative Festival and gave awards to students. Also, they [school teachers] organised school fundraising by selling [food and other supplies]. Some parents saw that their children were given awards. These students were very enthusiastic and happy to participate [in the ECF].

In January 2017, a construction of a school was started in Kyu San village, Kya village tract, Noh T'kaw [Kyainseikgyi] Township, Dooplaya District. The Burma/Myanmar government came to construct this school. None of the local organisations [NGOs] were involved with the school construction. This is the only school project conducted by the Burma/Myanmar government in Kyu San village. This school is constructed in a strong and sturdy manner meaning it cannot be easily damaged. There is a guarantee for this school [that it will be completed]. This school is not finished yet. It will cost 55,000,000 kyat [US\$ 40,515]<sup>3</sup> to finish this school construction project.

### **Road construction and bridge construction**

One bridge was constructed between Tha Raw Wah area and the Three Pagodas Pass. This bridge was built in Noh Khlo village, Noh Khlo village tract, Waw Raw Township, Dooplaya District. Construction of this bridge started in 2016. People can cross this bridge [now] if they are travelling. This bridge construction was conducted by the Burma/Myanmar government and it was finished in 2017.

There is a bridge in Kwin K'saw Kyin village, Kwin K'saw Kyin village tract, Waw Raw Township, Dooplaya District. [Construction] started on the bridge in 2016, but it will not be finished until [late] 2017. The time taken by Burma/Myanmar government's construction workers to construct bridges can differ. They [construction workers] can finish the construction of big bridges early [ahead of schedule] but the construction of small bridges is [often] delayed. The local community does not know what they are planning.

There is a bridge in T'me Klow River in E--- village, A'Plo village tract, Waw Raw Township, Dooplaya District. An office was constructed nearby a bridge. This bridge construction project started in 2016 and it was finished in 2017. People have been crossing this bridge for almost one month. According to the [E---] village head, the office was constructed when the bridge was being constructed. This office is for authorities and leaders when they have a meeting. If the KNU and the Burma/Myanmar government had to discuss something [regarding bridge construction], they called a meeting in this office. This office was constructed by the Burma/Myanmar government. After the bridge was constructed, they [the Burma/Myanmar government authorities] had to leave this office. Before they went back, they told Kyauk Ku

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<sup>3</sup> All conversion estimates for the kyat in this report are based on the 04/07/2017 official market rate of 1,357.49 kyat to US \$1.

villagers, *"We give you this office and you can use it for whatever you want"*. After they said this to the villagers, the authorities left.

In January 2017, the [existing] road was widened in H--- village, T'kher Klow village tract, Noh T'kaw Township, Dooplaya District. The Burma/Myanmar government widened the road which affected many villagers' land and property but none of the villagers dared to say anything [against the Burma/Myanmar government]. Due to the road construction, some villagers' rubber plantations were destroyed, some villagers' houses were damaged and some villagers' lands were affected. Some villagers cannot sell goods anymore because their shops were destroyed due to the road construction [linked to the widening of the road]. The Burma/Myanmar government did not consult with villagers. Villagers are afraid to say something against the Burma/Myanmar government.

### **Human rights abuse**

Date information was received: January 15<sup>th</sup> 2017

Incident date: October 12<sup>th</sup> 2016

The name of a victim: [Naing]<sup>4</sup> A--- (unknown age)

Ethnicity: Mon

Marital Status: Married (has one daughter)

Occupation: Plantation worker

Location: Kyonedoe Town, Kawkareik Township, Dooplaya District

He [victim] went to work on a wild elephant yam plantation in B--- village. The incident happened in the wild elephant yam plantation between 4:00 PM and 5:00 PM on October 12<sup>th</sup> 2016. When he [victim] was going to urinate under a group of bamboo [trees], three people, who were wearing camouflaged dress, similar to a soldier's uniform and holding three AK-47s, grabbed A--- in the wild elephant yam plantation. They pushed his head down to the ground and beat him. Then they asked him where his parents-in-law were. A--- told them that his parents-in-law live in Kyonedoe Town but they did not believe him. Then they hit his back with the butt of the gun three times and they punched him in the face two times. Again, they furiously slapped his face two times. In the evening, one of the B--- villagers sent him [Naing A---] back to Kyonedoe Town. The victim was not beaten because of who he was but he was beaten because of his parents-in-law.

Local villagers do not know exactly who these three people who committed the human rights violation [violent abuse] are. There are only two different armed groups, the Democratic Karen Buddhist Army<sup>5</sup> [DKBA] and the Border Guard Force<sup>6</sup> [BGF], situated nearby the place that the

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<sup>4</sup> Naing is a Mon language male honorific title used before a person's name

<sup>5</sup> The Democratic Karen Buddhist Army has operated since 1994 after it split from the Karen Nation Union (KNU). In 2010 the Democratic Karen Buddhist Army split up in two groups, one of which became a Border Guard Force under command of the Tatmadaw and the other named itself to Democratic Karen Buddhist Army - Brigade 5 (DKBA-5). In April 2012, DKBA-5 changed its name to the Democratic Karen Benevolent Army under leadership of Bo Nat Khann Mway, aka Saw Lah Pwe, who died in March 2016 and was replaced by General Saw Mo Shay in April 2016. In July 2015, a splinter faction of the Democratic Karen Benevolent Army was dismissed from its ranks after armed clashes with the Tatmadaw and BGF over control of the Asian Highway. On January 16<sup>th</sup> 2016, this splinter faction re-founded/re-established itself as the Democratic Karen Buddhist Army led by chief of staff General Saw Kyaw Thet and vice chief of staff General Saw Taing Shwe (aka Bo Bi) and commander Bo San Aung of company/unit Nar Ma Kyar (Deaf Ear). Therefore, confusingly, there are now two groups using the acronym DKBA being the main 'Benevolent' DKBA and the splinter faction 'Buddhist' DKBA. The media and community members sometimes refer to the 'Buddhist' DKBA splinter faction as 'Democratic Karen Benevolent Army, splinter group, Nar Ma Kyar (Deaf Ear)'. The 'Benevolent' DKBA has signed the Nationwide Ceasefire Agreement but the 'Buddhist' DKBA splinter faction has not.

<sup>6</sup> 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

incident happened. Most of the villagers thought that the most likely possible perpetrators are DKBA soldiers. I went to ask many villagers about this case, they confirmed that the incident happened. While they were not 100% certain upon the perpetrators identity, they said that Par Kyaikin, Sar Der and Mar Dah Wa [from the DKBA] could be the perpetrators. The incident took place in B--- village, Noh Tar Khaw village tract, Noh T'kaw Township, Dooplaya District.

### Road accident

In January 11th 2017, a road accident happened in C--- village, Kwin K'saw Kyin village tract, Waw Raw [Win Yay] Township, Dooplaya District. A car and a motorbike crashed into each other. The accident occurred at 7:40 PM. In fact, the accident should not have happened because the car driver was driving in a safe manner and he initially avoided the motorbike. There were two people who rode on the motorbike. Their names are F--- and G---. These two people were very drunk when they crashed into the car. The case was resolved at 8:17 AM on January 12<sup>th</sup> 2017 [with a meeting between the people involved]. When the case was being resolved there were many people involved. They are the village tract leader, village head, two military policemen, the car driver, and the motorbike riders' families. The car driver was not very happy because he thought it [the accident] was not his fault. However, the two motorbike riders asked him to give 1,650,000 kyat [US\$1215] as compensation. The community leaders made a decision that he [car driver] had to give money to the two motorbike riders as per their demand. There was no justice served in this case.



This photo was taken on January 12<sup>th</sup> 2017 at a village head's house in C--- village, Kwin K'saw Kyin village tract, Waw Raw Township, Dooplaya District. This photo shows the people who tried to solve the case which involved a motorbike crashing into a car. In the meeting, there were many people present, including the village tract leader, local community judge and two military policemen. These community members made their decision at a local level but a lot of villagers thought that this decision was not a fair and just decision because the car driver was not in the wrong, instead the motorbike driver was at fault. The car driver should not have to compensate the motorbike driver. The village

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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.

tract leader made a decision that the car driver should pay 2,000,000 kyat [US\$1475] to the motorbike driver as compensation but the car driver did not want to pay the amount of money because it [car accident] was not his fault. The village head, village tract leader and [local] military police said that as they sent the injured motorbike driver to a hospital and they looked after the injured people, the car driver should pay the cost of medical treatment which was 450,000 kyat [US \$330] and car driver also has to pay an additional 1,650,000 kyat [US \$1215]. At that time, the car driver said that he would not pay the compensation because he did not crash into the motorbike. However, he said that he will look after the injured people and he will pay the cost of medical treatment. Then, military police told him [car driver], *“If you do not pay this time, you have to go to the court. If you are in the court, you will have to pay more than this time”*. The military police threatened the car driver in this manner. Finally, the car driver paid the 1,650,000 kyat [US \$1215] because it [the place where the decision was made] was too far from an urban area [where there is a lack of local authorities who he can complain to about the verdict]. However, this decision was not a right and just decision. [Photo: KHRG]

### **Livelihood situation**

Regarding livelihood, villagers in Dooplaya District have to confront with climate change [which has affected the quality, size and price available for their harvest]. This year the price of rubber has increased more than last year. The price for sesame seeds and betel nuts has decreased. One big tin<sup>7</sup> of sesame seeds is priced at 45,000 kyat [US\$33] this year and 100 betel nuts are priced at 2,000 kyat [US \$1.5]. Last year one big tin of sesame was priced at 70,000 [US \$51] or 80,000 kyat [US \$58] and 100 betel nuts were priced at 3,000 [US \$2.2] or 4,000 kyat [US \$3].

### **Conclusion**

Regarding the information that I [KHRG community member] wrote above, I knew about the incidents because villagers reported to me what happened. Regarding human rights, abuses still happen just as they did in the past. There is still no justice and equality for villagers. Road construction and bridge construction projects have increased since the signing of the Nationwide Ceasefire Agreement.<sup>8</sup> These projects have negatively affected villagers' livelihood.

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<sup>7</sup> A big tin is a unit of volume used to measure paddy, milled rice and seeds. One big tin is equivalent to 10.45 kg or 23.04 lb of paddy, and 16 kg or 35.2 lb of milled rice.

<sup>8</sup> On October 15<sup>th</sup> 2015, after a negotiation process marred with controversy over the notable non-inclusion of several ethnic armed groups and on-going conflicts in ethnic regions, a Nationwide Ceasefire Agreement (NCA) was signed between the Burma/Myanmar government and eight of the fifteen ethnic armed groups originally invited to the negotiation table, including the KNU, see [“Myanmar signs ceasefire with eight armed groups,”](#) Reuters, October 15<sup>th</sup> 2015. Despite the signing of the NCA prompting a positive response from the international community, see [“Myanmar: UN chief welcomes ‘milestone’ signing of ceasefire agreement,”](#) *UN News Centre*, October 15<sup>th</sup> 2015, KNU Chairman General Saw Mutu Say Poe's decision to sign has been met with strong opposition from other members of the Karen armed resistance and civil society groups alike, who believe the decision to be undemocratic and the NCA itself to be a superficial agreement that risks undermining a genuine peace process, see [“Without Real Political Roadmap, Nationwide Ceasefire Agreement Leads Nowhere...,”](#) *Karen News*, September 1<sup>st</sup> 2015. The signing of the NCA followed the January 12<sup>th</sup> 2012 preliminary ceasefire agreement between the KNU and Burma/Myanmar government in Hpa-an. For KHRG's analysis of changes in human rights conditions since the preliminary ceasefire, see [Truce or Transition? Trends in human rights abuse and local response since the 2012 ceasefire](#), KHRG, May 2014.

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

- “Dooplaya Interview: Saw A---, September 2016,” (May 2017)
- “Dooplaya Situation Update: Kawkareik Township and Noh T’Kaw Township, April to May 2016,” (March 2017)
- “Dooplaya Situation Update: Win Yay Township, June to July 2015,” (March 2017)
- “Dooplaya Interview: Saw A---, August 2015,” (February 2017)
- “Dooplaya Situation Update: Kyonedoe Township, April 2016 to July 2016,” (February 2017)

