



Karen Human Rights Group

Documenting the voices of villagers in rural Burma

Interview

August 30, 2018 / KHRG #17-126-A2-I1

Dooplaya Interview: Saw X---, November 2017

This Interview with Saw X--- describes events occurring in Win Yay and Kyainseikgyi Townships, Dooplaya District, between 2015 and 2017, including road construction and cement factory projects.

- *After the 2012 preliminary ceasefire, development projects were introduced by companies and local authorities in Dooplaya District without the consent of local communities.*
 - *Since 2015, Arsha Thein Ngat [Asia Falcon] Company was given permission to develop a cement factory at Khonkhan Rocky Mountain from local Township and Myanmar government officials.*
 - *Local civilians face barriers and challenges created by local authorities when they were trying to protect their lands from being damaged by development projects.*
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Interview | Saw X---, (male, 38), Y--- village, Kyainseikgyi Township, Dooplaya District (November 2017)

The following Interview was conducted by a community member trained by KHRG to monitor local human rights conditions. It was conducted in Dooplaya District on November 3rd 2018 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 Dooplaya District, including one other interview.²

Ethnicity: Karen

Religion: Buddhist

Marital Status: Married

Occupation: Housekeeping

Position: N/A

What is your name?

My name is Saw X---.

How old are you?

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.

I am 38 years old.

Where do you live?

I live in Y--- village, Kyainseikgyi Township, Dooplaya District.

Now, we would like to interview you about development projects introduced after the 2015 NCA³ (Nationwide Ceasefire Agreement) was signed. We would like to ask you about how villagers respond to the negative impacts of projects.

First, what are villagers' concerns about development projects conducted in their area? How do they respond to development projects that cause concerns?

Even though the 2015 NCA was signed, villagers are still concerned about peace because the Tatmadaw has increased their numbers and often rotate their troops. Villagers are still uncertain whether the 2015 ceasefire will lead to true peace or not. They are still worried and concerned because they do not have access to adequate information about the ceasefire and peace process.

So, the villagers are concerned because they do not have access to adequate information about the peace process.

Yes.

What development projects have been conducted in your area during the peace process period?

After the 2012 preliminary ceasefire was signed, a big development project that started was the Asia Highway⁴ construction. They started measuring land for it in 2013 and they started constructing the road in 2014. Another big development project that came in 2015 was the Khonkhan Mountain cement project, which might destroy the mountain. Assessments for mining have been done from 2015 until now.

What have been the negative impacts and human rights violations in the construction of the Asian Highway?

³ On October 15th 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 15th 2015. The signing of the NCA followed the January 12th 2012 preliminary ceasefire agreement between the KNU and Burma/Myanmar government in Hpa-an. Karen civilians and the KNU have more recently expressed their concerns about the lack of progress in moving from a ceasefire towards genuine political dialogue. See, [KNU Chair Highlights Weaknesses In The NCA During Anniversary Celebrations](#), Karen News, October 2017 and [NCA signatories urge government to reboot peace process](#), DVB, October 2017. In February 2018, two additional armed ethnic groups signed the NCA under pressure from the Burma/Myanmar government

⁴ The Asian Highway Network is a United Nations Economic and Social Council for Asia and the Pacific-supported project that aims to link 32 countries in Asia across 141,000 kilometres of roadway. In Burma/Myanmar the project has involved land confiscation and forced labour. For more information about the Asian Highway Network, see "[Beautiful Words, Ugly Actions: The Asian Highway in Karen State, Burma](#)", KHRG, August 2016; "[The Asia Highway: Planned Eindu to Kawkareik Town road construction threatens villagers' livelihoods](#)," KHRG, March 2015; "[With only our voices, what can we do?: Land confiscation and local response in southeast Myanmar](#)," KHRG, June 2015; "[Tollgates upon tollgates: En route with extortion along the Asian Highway](#)," KHRG, October 2009; and "[Development by Decree: The politics of poverty and control in Karen State](#)," KHRG, April 2007.

Prior to the construction of the Asia Highway, villagers were consulted by Major Bo Tin Hlaing in Lot Shan checkpoint, Lot Shan village tract. They invited the villagers to meet with them but there was no one from the company side attending the meeting. In the meeting, he [Bo Tin Hlaing] told the villagers that they would do their best for villagers and also requested for the number of plantations destroyed by road construction to be recorded. In order to record the trees that would be destroyed by the road construction, staff members from the Transportation and Communication Department under the Si Thu Htun's administration and local villagers worked together to document the damage. There was a lot of damage caused by this road construction. Some villagers' lands were covered by the road rubble. Even though they recorded the amount of land and plantations/trees damaged, there has not been any compensation given to the villagers until now.

You said the Transportation and Communication office staff recorded the damages. Are they from the Burma/Myanmar government?

The officer of the Transportation and Communication office is from the KNU. His name is Si Thu Htun. He is the head of the Transportation and Communication in Win Yay [Waw Ray] Township.

How did they document? What kind of information did they record?

They documented the area of the lands destroyed, the number of trees destroyed, and the area of plantation land destroyed, for example, rubber plantations. They also recorded the names of the owners of the land.

Which battalion is Bo Tin Hlaing from?

He was from KNLA⁵ Battalion #16. Now, he has resigned from the KNLA. He was a former Major in KNLA Battalion #16. At that time, the Officer of Battalion #16 was Hpoe P'Leh.

How do villagers respond to the road construction?

Villagers responded to this in a wrong way because they did not know the strategy. They blocked the way for road construction by fencing the area with bamboo and setting up signboards which said, "ye yint thu a pweh" [meaning "courageous people group"]. It was like a protest but a protest without people. This was led by Kyaw Dk---. There were also two other leaders who led this protest, but I forgot their names. After they did this, KNLA Battalion #16 ordered for those people to be arrested. Then they were brought to Battalion #16 where they were verbally threatened, according to local villagers. Since local people experienced this, no one has dared to protest against this project until now.

So, the challenges that villagers faced also include threats?

Yes. Some villagers tried to stop the trucks that constructed the road because the trucks destroyed some of their houses. When villagers could not stop them, they [villagers] aggressively responded by stating that they would light the trucks on fire. As the Karen National Union (KNU) or Karen National Liberation Army (KNLA) does not want anything to happen that could affect the peace and ceasefire. They warned the villagers against taking action against the road constructors.

Regarding the retaliation against villagers' responses, what other types of retaliation against villagers occurred?

⁵ The Karen National Liberation Army is the armed wing of the KNU.

They used their power over civilians. Civilians do not feel safe to discuss things in case something happens. Related to this circumstance, there was a big case that happened in Karen State, which was a killing case of five people who were all killed at the same time. After civilians heard this news, they were afraid to say anything to them.

You said that there were challenges with the villagers' response to the road construction project. Who created this challenge? Can you tell me what his name is and what he does?

First, the person who scares the villagers is an officer of [KNLA] Battalion #16. The company that conducts this project reports to him when there is a problem. Villagers who partook in this [protest] activity were scolded. The villagers were told, "*while leaders are writing something good for you with their hands, do you want to erase the goodness with your feet?*" When villagers were told this, they did not feel safe enough to take any action against the project.

So, the company reported villagers' actions against the company to the KNU/KNLA and then the villagers were confronted by the KNU/KNLA. Were there any successes that resulted from villagers protest?

There were no successes.

What are the villagers' main responses in the development projects, other than road construction?

Actually, villagers wanted to report the case to upper-level government authorities but there are barriers at the lower level that they always have to face. So, they could not go any further because of it.

So, what are the main responses villagers have to development projects?

Nowadays, as CBOs/CSOs frequently come to provide human rights awareness trainings for villagers, villagers are learning and seeking new ways to respond to cases where they are negatively impacted by development projects. As they are in contact with the KHRG, they have started to report and to document human rights abuses as much as they can. Now, they have started submitting complaint letters and documents on incidents in order to prevent human rights violations from occurring.

Why do you think villagers respond as a group rather than responding cases individually?

We believe that responding to cases as a group is more effective than individually. If we do it by ourselves, it will be very difficult for us. For example, a villager named Kyaw Dk---reported a case without help from others and he faced difficulties because he was on his own. If we act together as a group, nobody dares to abuse us physically. If they [the companies or authorities] want to solve the case, they at meet village tract leaders but they do not violently abuse villagers like in the past anymore.

What is the most important information that villagers need in order to respond to development projects?

They did not have any plans to respond to this road [Asia Highway] construction. They did not know anything because the road was constructed immediately without prior consultation. But regarding the new cement factory case that is being developed in a place where KHRG used to give Village Agency Workshop (VAW) trainings, villagers from their respective villages got

together and wrote complaint letters with their signatures on them to submit to township authorities.

So, these are the development projects that are happening after the 2015 Nationwide Ceasefire Agreement (NCA)?

Yes. The cement factory is one of the biggest development projects introduced after the NCA was signed.

What were the other development projects prior to the NCA?

In Win Yay Township, the biggest development project is the one and only Asia Highway. For the rest, they are only small road constructions.

Did the villagers respond to those small development projects?

As I have said, villagers did not respond to the Asia Highway case because there was a barrier created by the local authorities. According to the Win Yay Township leader, *"Human rights are not happening on their own; we must try to get human rights through our own efforts"*. He himself gave an encouraging speech, but villagers always face barriers and challenges. The barriers that they face are not about the Burma/Myanmar government though, but the local KNU (Karen National Union) authorities. The local villagers love the KNU but this created a relationship problem between the villagers and the KNU.

So, according to you, the villagers' responses from before and after the peace process, the peace process has not made a difference?

Yes, there were no problems like this prior to the ceasefire. Villagers could rely on the KNU regarding their security. But after the ceasefire, the KNU is still reliable in some ways, but not fully. They are like this now because we understand that they have to look at two faces. They have to look at the Myanmar government's face and the civilians' face. They look at the civilians' face only as a barrier while they look at the Myanmar government with a sweet face.

What are the different strategies villagers use to respond to human rights concerns in different geographical locations?

In the townships that I have been to, I have not seen any barriers to villagers' strategies. But after the NCA was signed, villagers have received human rights awareness training including village agency workshops that show them how to respond to development projects and how to approach the organisations that can help them. Now, Karen Environmental and Social Action Network (KESAN) also knows about the villagers' concerns and many organisations have started to know about the cement factory case.

So, after NCA, there are organisations that work for villagers. Would you like to give suggestions to development actors about how to avoid human rights violations?

First, I would like to suggest that development actors should have prior consultations with the local people for whatever development projects they conduct. Second, I also would like to suggest them to change the process if projects lead to more to negative impacts than positive ones. I am not saying that actors should not do development, but that they should avoid harming villagers. Third, if the local people do not agree on development projects that are likely to cause the destruction of the natural environment and biospecies, development actors should not implement the project.

Have villagers changed since the 2012 preliminary ceasefire was signed?

No organisation was allowed to enter to rural ethnic areas prior to the 2012 preliminary ceasefire. After the preliminary ceasefire, there have been a lot of organisations and companies coming in as they thought that there were plenty of opportunities opening for them. As you know, local villagers are mostly not educated, so they agree to whatever they are told. For example, solar panels were about to be distributed to the villagers and villagers were asked to pay for 500 kyats [\$0.37 US].⁶ They signed the paper in order to get the solar panels. The people who said they would distribute the solar panel came a second time and asked villagers to pay 1000 kyats [\$0.74 US] and to sign their names again. However, after villagers received VAW training from KHRG, villagers responded to them by asking a lot of questions. Then, they left the village and did not come again, and the solar panels were never distributed.

In cases where villagers faced land confiscation by companies, what were the villagers' first responses?

Now, civilians are so sensitive about it. Sometimes, they think to do the wrong thing. I have to calm them down not to do anything rash because someone else's mistake may become your problem. Sometimes, villagers even talk about committing violent acts, because they do not have any knowledge or any awareness training. Companies are entering their areas with permission from the KNU central or township authorities.

On October 10th 2017, KNU authorities in Win Yay Township gave permission to a company called *Arsha Thein Ngat* [Asia Falcon] Company⁷. This company came to assess the rocky mountain [to mine for stone]. Director U Aung Min from the Burma/Myanmar Department of Geological Survey and Mineral Exploration, Ministry of Natural Resources and Environmental Conservation from Nay Pyi Taw came with them on October 15th 2017. They did not give prior notice to the village head before arriving. They went around and looked at the mountain. I assume that Tatmadaw soldiers were used as security guards for them because the Tatmadaw patrolled in Kyauk B'Loo village from 07:00 A.M in the morning that day. They delayed sending a letter with information to the village. The letter reached the village on October 17th 2017 but they came on October 15th 2017.

Villagers believed that their activities were authorised by the township. The township guaranteed that there were no problems with their assessment. This project started in 2015. At that time, villagers did not know about the project and signed on to agree to it. But, when company representatives and government authorities came a second time, villagers knew what they supposed to do, so villagers did not sign any documents. Villagers did not allow them to come the third time and the fourth time. They came frequently but villagers did not agree to let them survey the mountain. As villagers did not agree with them every time they came, they stopped their activities for a while between 2016 and 2017. And then they came back again in 2017. They told the villagers "*We received a phone call from Naypyidaw that you, Lay Naung villagers, are so choosy and stubborn. Khonkhan village already allowed us to come here and conduct the project*".

This created tensions between villagers because of this misleading information. The KNU did not know about this problem. They just knew they allowed the company to enter the area. Even though they say they are only coming to do an assessment, just think about it. If the assessment is successful, they will surely start implementing their business project.

⁶ All conversion estimates for the kyat in this report are based on the 18 June 2018 official market rate of 1,357 kyats to US \$1.

⁷ The Asian Falcon Company is also translated as the Asia Eagle Company. For previous KHRG reports regarding the company's involvement in stone mining in Dooplaya District, see "[Dooplaya Situation Update: Kawkareik Township and Win Yay Township, November 2016 to January 2017](#)," August 2017 and "[Villagers raise concerns regarding proposed stone mining and cement production in Win Yay Township, Dooplaya District](#)," January 2018.

So, this is the response from the company.

Yes, they pass misleading information to villagers in order to divide villagers.

Regarding this, how have villagers responded to them?

Now, villagers mistrust each other. So, I asked them to get accurate information in the future. When villagers ask other villagers about the situation, they learned and understood that the information they initially received is not true. However, there is still a lack of trust in the villages.

When villagers thought their responses were risky, how did they decide to stop development projects from being implemented?

Actually, they are not aware of different ways to respond. So, they need someone to show them the way and give them suggestions. Otherwise, they will face difficulties. Now, they are concerned that the KNU is involved in this development project. The KNU has not talked about whether villagers are allowed to stop the company. But KNLA Battalion #16 told villagers that they would not allow villagers to take any action against the project.

However, they [Battalion #16] admitted themselves that they had to say this because of orders from the administration side. If they are asked to fight they have to fight and if they are asked to stop they have to stop. If the administration [KNU] allows development projects to enter village areas, the military [KNLA] cannot do anything. They have to follow what the administration says. Civilians want to protest but they do not know how to do it. They do not know the procedures.

So, the challenge the civilians face is due to a lack of knowledge and procedures.

Yes.

Do villagers try to respond to situations in a way that is in compliance with the law?

In that area, it is not like other places. The place does not look like a town or a village and it is a mixed controlled area as well. If the villagers do something according to the law, which law do they have to follow? Do we have to consider whether it is guaranteed that the law will be taken into account when they [villagers] do something according to the law? Why are company workers coming to do assessment frequently even though villagers try to stop them? Company representatives come with the Karen State Minister's signature, Nay Pyi Taw's permission, and KNU permission (from the central level, district level and township level). So, what laws can villagers use to stop them? They neither have experience with the law or knowledge about the law. They feel that the ones who know the law win over the ones who do not. So, it is clear that they do not use the law because they do not have knowledge about law.

According to your explanation, I myself see that villagers do not have clear instructions on how to respond to human rights violations from the development project.

Yes.

Now, we clearly see that there are many challenges that villagers face when they claim their rights against the negative impacts of development projects. According to your explanation, there are many challenges and few options.

Yes, that's right. They do not have any alternatives. They will have to look at the KNU because they are close with the KNU. Currently, only the KNU is active in rural areas. The DKBA⁸ and BGF⁹ stay in the town. They do not come to disturb this place.

Currently, there is KNLA Battalion#16 and KNU township authorities active there. The KNU Township [authorities] are difficult for villagers to approach and is the biggest challenge for them. In the past, the KNLA investigated a house at midnight and arrested the boys who they said were using yaba¹⁰ and hit the boys. They also entered a house with military shoes where there were also some guests. This is not appropriate [according to the Myanmar culture]. According to these situations, villagers now feel they have to be afraid of the KNU/KNLA as they hold guns. It also turns out that villagers' trust in the KNU/KNLA has decreased. Some villagers say that if fighting breaks out again between the KNU/KNLA and the Tatmadaw, where will the KNU/KNLA go to eat rice [because the villagers do not seem willing to support them]?

Thank you so much for taking the time for this interview.

Further background reading on the situation in Dooplaya District can be found in the following KHRG reports: Lay Hpa Htaw (Zee Pin) village, Kyainseikgyi Township, Dooplaya District

- "Mining development damages farms and irrigation infrastructure in Papun District," (August 2013)
- "Incident Report: BGF #1014 Corporal Maw Nay Say violent abuse and extortion of villager in Papun District, November 2012," (August 2013)
- "Violent abuse and forced labour in Bu Tho Township, November and December," (July 2013)
- "Papun Situation Update: Dwe Lo Township, March 2012 to March 2013," (July 2013)

⁸ The Democratic Karen Benevolent Army (DKBA Benevolent) was formed in 2010 as a breakaway group following the transformation of the majority of the original Democratic Karen Buddhist Army (1994 – 2010) into Border Guard Forces (BGF). This group was originally called the Democratic Karen *Buddhist* Army until it changed its name to the Democratic Karen *Benevolent* Army in April 2012 in order to reflect its secularity. This group is comprised of different divisions, including Kloh Htoo Baw Battalion and DKBA-5, and was led for many years by General Saw Lah Pwe aka Na Khan Mway who died in March 2016 and was replaced by General Saw Mo Shay in April 2016. The DKBA (Benevolent) signed a preliminary ceasefire with the Burma/Myanmar Government on November 3rd 2011 and then signed the Nationwide Ceasefire Agreement (NCA) on October 15th 2015. The group is based in Son Si Myaing area, Myawaddy/Kawkareik Township, Dooplaya District, southern Kayin State. This DKBA (Benevolent) (2010 – present) should not be confused with, either the original DKBA (Buddhist) (1994-2010) which was transformed into the BGF in 2010, or with the DKBA (Buddhist) (2016 – present) which was formed in 2016 as a splinter group of the DKBA (Benevolent). Importantly, the DKBA (Benevolent) has signed both the preliminary and nationwide ceasefire agreements with the Burma/Myanmar government, whereas the DKBA (Buddhist) has not signed either agreement.

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.

¹⁰ Yaba, which means 'crazy medicine' in Thai, is a tablet form of methamphetamine. First developed in East Asia during the Second World War to enhance soldiers' performance, methamphetamine has become increasingly popular in Thailand, Laos, Cambodia, Vietnam, and Burma/Myanmar where it is typically manufactured. See, Yaba, the 'crazy medicine' of East Asia, UNODC, May 2008; Chapter IV in Truce or Transition? Trends in human rights abuse and local response in Southeast Myanmar since the 2012 ceasefire, KHRG, June 2014; "Thaton Situation Update: Bilin Township, July to September 2016," KHRG, April 2017; and "Dooplaya Field Report: A quasi-ceasefire? Developments after the Nationwide Ceasefire Agreement, from January to December 2016," KHRG, September 2017.

- “BGF and KNLA grenades injure villagers and their children in Papun District,” (July 2013)

Dooplaya District



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