



Interview

August 31, 2018 / KHRG #17-127-A1-I1

Mergui-Tavoy Interview: Saw N---, November 2017

This interview with Naw N--- describes a case of land confiscation involving a road construction in Tanintharyi Township, Mergui-Tavoy District.

- *The CKB Company started operating in Hm--- village, T'Keh area, Tanintharyi Township in 2002. They confiscated 200 acres of lands and cleared existing cashews and palms plantations owned by community members. The company did not provide compensation to the local community for damaged lands.*
 - *The Burma/Myanmar government threatened local villagers with death and imprisonment when they reported a case of land confiscation to the local authority. Therefore, local community members became silent because they are worried about their security.*
 - *In 2015, the road construction in Dn--- village, Kyone Su Island, Tanintharyi Township damaged around 10 acres of land farmed by local villagers, including cashew and betel nut plantations. This road construction was permitted by the Myanmar government. They did not solve the land dispute, even though the affected villagers have continuously reported the case.*
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Interview | Saw N---, (male, 42), DI--- village, Tanintharyi Township, Mergui-Tavoy 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 Mergui-Tavoy District on November 12th 2017 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 Mergui-Tavoy District including one other interview.²

Ethnicity: Karen

Religion: Christian

Marital Status: Single

Occupation: Farmer

Position: Villager

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.

What is your name?

My name is Saw N---

Where do you live?

I live in Mergui-Tavoy District.

How old are you?

I am 33 years old.

What is your marital status?

I am single.

Which village, village tract and township do you live in?

I live in DI--- village, T'Keh area, Ta Naw Th'Ree Township. We [villagers in Ta Naw Th'Ree Township] call the village tract an area.

What is your religion?

I am a Roman Catholic Christian.

Are you Karen?

Yes, I am.

What is your job?

I am working on plantations like betel nut plantations and plain farms.

What responsibility do you have [in your community]?

I am a villager.

My first question is, are there any corporate development projects related in your area that have started since the peace process (2012 Preliminary Ceasefire)³? If yes, please explain.

There are no corporate development projects in my area, but villagers can now move more freely between towns and villages. This is because villagers can travel without having to be checked by the Burma/Myanmar government police. Furthermore, Tatmadaw activities in my area have decreased.

³ On January 12th 2012, a preliminary ceasefire agreement was signed between the KNU and Burma/Myanmar government in Hpa-an. Negotiations for a longer-term peace plan are still under way. For updates on the peace process, see the [KNU Stakeholder webpage](#) on the Myanmar Peace Monitor website. For KHRG's analysis of changes in human rights conditions since the ceasefire, see [Truce or Transition? Trends in human rights abuse and local response since the 2012 ceasefire](#), KHRG, May 2014. In March 2015, the seventh round of the negotiations for a national ceasefire between the Burma/Myanmar government and various ethnic armed actors began in Yangon, see ["Seventh Round of Nationwide Ceasefire Negotiations," Karen National Union Headquarters](#), March 18th 2015. Following the negotiations, the KNU held a central standing committee emergency, see ["KNU: Emergency Meeting Called To Discuss Nationwide Ceasefire Agreement And Ethnic Leaders' Summit," Karen News](#), April 22nd 2015.

What about business developments like road construction?

There is one palm oil plantation in Plaw Thaw village, T'Keh area that is being run by the CKB Company.⁴ The project began before the [2012 Preliminary] Ceasefire⁵. The CKB Company developed their project by planting more palm oil trees after the [2012 Preliminary] Ceasefire.

When did they start the project?

They started the palm oil plantation around 2002.

Where do they plant the palm trees?

They planted the palm trees next to Plaw Thaw village, which is also close to Di--- village.

Did CKB company plant palm trees on villagers' lands? Did they buy the land?

They confiscated the land from villagers.

How many acres of the land did they confiscate from villagers?

There are more than 200 acres of villagers' land [confiscated by CKB Company].

What impact has this palm oil plantation had on you or your community?

Instead of providing benefits, the project has disturbed villagers' livelihoods.

Did landowners receive any compensation?

No, they did not. The project interrupts the villager's livelihoods because the farmlands and pasture lands that they rely on have decreased because they were confiscated by the CKB Company. Actually, the lands that were confiscated by the CKB Company were previously cashew plantations and pasture lands. CKB Company workers cleaned all the villagers' cashew trees and planted their palm trees.

Now, the CKB Company workers ask villagers for compensation when their cows and buffaloes ate their [company's] palm trees. Villagers feel too insecure to ask for their land back from the CKB Company because the company is working with the Burma/Myanmar government. Therefore, villagers are silent about their security concerns.

⁴ KHRG has received previous reports of land confiscation by the CKB Company, also known as the Green Dragon Myanmar Company, in Mergui-Tavoy District, "[Mergui-Tavoy Interview: Saw A--, February 2017](#)," KHRG, 2017, "[Mergui-Tavoy Situation Update: Taw Na Th'ree Township, 2017](#)," KHRG, 2017. According to the company website (<https://www.greenmyanmardragon.com/about1-c221j>) the CKB Company currently has 20,000 acres of palm oil plantation and an additional 3,500 acres for further planting in Mergui-Tavoy District.

⁵ On January 12th 2012, a preliminary ceasefire agreement was signed between the KNU and Burma/Myanmar government in Hpa-an. Negotiations for a longer-term peace plan are still under way. For updates on the peace process, see the [KNU Stakeholder webpage](#) on the Myanmar Peace Monitor website. For KHRG's analysis of changes in human rights conditions since the ceasefire, see [Truce or Transition? Trends in human rights abuse and local response since the 2012 ceasefire](#), KHRG, May 2014. In March 2015, the seventh round of the negotiations for a national ceasefire between the Burma/Myanmar government and various ethnic armed actors began in Yangon, see "[Seventh Round of Nationwide Ceasefire Negotiations](#)," *Karen National Union Headquarters*, March 18th 2015. Following the negotiations, the KNU held a central standing committee emergency, see "[KNU: Emergency Meeting Called To Discuss Nationwide Ceasefire Agreement And Ethnic Leaders' Summit](#)," *Karen News*, April 22nd 2015.

Did you or other villagers take any action before the company came in order to protect your land or to protect yourselves from potential issues?

When the CKB Company started confiscating villagers' land, it was during the [conflict] period before the [2012 Preliminary] Ceasefire, so villagers were in a dangerous situation. The CKB Company workers forcibly relocated villagers to other villages. Landowners reported this case to the Karen National Union [KNU], Ta Naw Th'Ree Township authority. They discussed the land that was confiscated by the CKB Company after the 2012 Preliminary Ceasefire.

Then, KNU land forestry staff investigated this situation by measuring the lands that were confiscated by the CKB Company for the landowners. They also met with the Burma/Myanmar government authorities in Ta Naw Th'Ree Town and submitted complaint letters to the Burma/Myanmar government forestry department.

The Burma/Myanmar government forestry department replied to the landowners and said that they would investigate the land confiscation issue for them. Later on, though, they measured land for the villagers but did not take any further action. Villagers founded a committee to meet with the Burma/Myanmar government regarding the land confiscation issue and they are still struggling to get their land back. Their committee members are around ten members. Villagers whose lands were confiscated [by the CKB Company] are both Karen and Bamar villagers.

Did the villagers take action before or after the project began?

Villagers took action after the project started and the 2012 Preliminary Ceasefire.

How many villagers had their lands confiscated by the CKB Company?

There are around 22 villagers who had land confiscated by the CKB Company.

If there are many villagers who had land confiscated by the CKB Company, why are there only around ten committee members who are struggling to get their land back?

Some villagers are uneducated so they just support their committee members with some money when they have to meet with the Burma/Myanmar government authorities.

What actions did villagers take to get their land back? Did they protest?

They met monthly with the Burma/Myanmar government authorities and reported the issue to them, but villagers did not protest.

So, they work in a group to investigate their land issue, correct?

Yes.

Was your land also confiscated?

No.

Have there been any negative consequences for villagers after they took action against the palm oil plantation?

There have been no negative consequences after the 2012 Preliminary Ceasefire, but villagers were threatened by the Burma/Myanmar government before the 2012 Preliminary Ceasefire that, *"if you [villagers] report this case to the [authority], we will kill you and put you in prison."* A

Mu Ga [Auntie] named Daw Dm--- reported to me that, her husband died from a heart attack because his land was confiscated [by CKB Company]. She is around 50 years old.

So you mean the situation after the 2012 Preliminary Ceasefire has improved so there are no threats [by the local authorities or company], right?

Yes. Villagers can work openly to get their land back.

Have there been any successes that villagers have had? For example, did villagers get their land back from the [CKB] company because of their use of agency strategies?

Villagers have not gotten their land back yet, but the villagers submitted complaint letters to the Tanintharyi region National League for Democracy [NLD]⁶ authorities and the KNU government. Around three years ago, one of the KNU government workers took pictures of the lands that were confiscated and arranged for the villagers to meet with the [CKB] Company manager once to discuss the land issue.

What is the name of [CKB] company manager's name?

Her name is Daw Khing Aye Myint.

Did the KNU government investigate the land issue for the villagers?

They tried to investigate the land issue, but they could not completely solve this issue without cooperating with the Burma/Myanmar. The situation now is better than it was before the 2012 ceasefire so the Burma/Myanmar government should cooperate with the KNU⁷ government to investigate land issues for villagers.

As you mentioned above, villagers have not gotten their land back yet. Have you received any information about whether villagers will get their land back someday?

No, I have not. I just received information from villagers who had been told by the Burma/Myanmar government, "*We will do [investigate] the land issue for you, we will do [investigate] the land issue for you*" for three years already, but they have not done anything for the villagers yet.

Have company workers responded to the villagers' actions in any negative way?

Villagers lost their land to farm for their livelihoods. The company confiscated 200 acres of villagers' land and they already planted palm trees on around 100 acres of land out of 200 acres, but they have prohibited villagers from farming on the 100 acres of plain land where they have not planted the palm trees yet.

Have there been any positive responses from the company? For example, did the [CKB] company give villagers compensation money?

No, they did not.

⁶ The National League for Democracy (NLD) is the current political party that governs Burma/Myanmar. Led by Aung San Suu Kyi and President Htin Kyaw, the NLD won the General Elections in 2015 and came into power in 2016. For more information, see "[Burma Country Report](#)," HRW, 2017, and for additional background information, "[Foundation of Fear: 25 Years of Villager's Voices from Southeast Myanmar](#)," KHRG, 2017.

⁷ The Karen National Union is the main Karen group opposing the government.

What recommendations do you want to give regarding any proposed or ongoing corporate development projects that can negatively impact the community?

I would like to report that, villagers need the land that they inherited from their forefathers for their livelihoods. Some of them have land titles, but the CKB company said their land titles are invalid. If they do not get their land back, they want the company that confiscated their land to give them 500,000 kyats [\$368.73 US] per acre, which is the market value of the land, but I do not know how much villagers want as a fair and just compensation.

They want the KNU and Burma/Myanmar government to investigate the land issue for them so they will get some benefits from the lands that were confiscated by the CKB company. They also want news stations to report on the problems that they are facing in their community. The villagers want the [KNU and Burma/Myanmar] government members to go and witness what is happening and solve the problem for them. Normally, the [KNU and Burma/Myanmar] government members send young people on their behalf to come to the incident place.

Do you have any other information that you want to report?

There is road construction happening in Dn--- village, Kyone Su Island, Ta Naw Th'Ree Township that is being executed by a company. They constructed a roundabout on the island. This road construction project damaged the villagers' cashew and betel nut trees and damaged around ten acres of villagers' land.

When did the project start? And what is the name of the company?

The project started sometime in 2015. I do not know the company's name.

Have the villagers used any agency strategies?

Villagers reported that the land is owned by the villagers to the company. They showed them land titles, but the company workers said to them that, "*The land [that we construct the road on] is virgin land. Your land titles are antique because your land titles are old land titles from the former government so they are now useless.*" Villagers submitted complaint letters to the Tanintharyi Region level Burma/Myanmar government, but there has been no response.

How much of villagers' lands have been damaged?

There are two families whose lands were damaged, but I do not know their names. Their rubber trees, cashew trees, betel nut trees and rubber trees have also been damaged by the road construction.

Has the road construction been completed yet?

No, the project has not been completed yet.

You said you don't know the company's name, correct?

Yes, I don't know. I will do research and then I will give you the company's name later.

How did the KNU and Burma/Myanmar government respond to villagers after the villagers reported the event to them?

I do not have any information about the KNU and Burma/Myanmar government responding to the villagers, but the company said to the villagers that, "*Your land title is an antique.*" They

ignored villagers' voices because the company had their project approved by the [Burma/Myanmar] government.

Did they hold consultation meetings before they started the project?

No, they did not. They started the project without providing information to the local people.

Did they give any compensation to the landowners?

No. Instead of giving compensation money to the landowners, they might want to ask villagers to give them money because villagers complain to them stating, *"Stop constructing the road. This is my land and these are my plantations. Rocks and stones from the road construction damage my lands and trees. We do not feel safe to go to our plantations because of the stones and rocks always being thrown our plantations."*

How wide and how long is the road?

The road is around 20 feet wide, but I have no idea of how long the road is because the road is very long and they are continuously constructing the road.

When did they start constructing the road?

They started the project after the National Ceasefire Agreement around 2015.

Are there any benefits to the road project?

There are no benefits, the road construction negatively impacts villagers because the road construction is close to a stream and the road construction pollutes the stream. The muddy stream flows into the river that villagers retrieve water from and now the river is polluted and muddy.

Do you have anything else to report?

No, that is all I have.

I would like to ask you for permission to use your information and your pictures for publication.

Yes, you can.

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

- "Mergui-Tavoy Situation Update: Dawei Township, February to May 2015," (June 2017)
- "Mergui-Tavoy Interview: Naw M---, October 2015," (October 2016)
- "Mergui-Tavoy Situation Update: Ler Muh Lah Township, November 2015 to January 2016," (August 2016)
- "Hidden Strengths, Hidden Struggles: Women's testimonies from southeast Myanmar," (August 2016)
- "Mergui-Tavoy Situation Update: Ler Doh Soh Township, June to November 2015," (July 2016)

Mergui/Tavoy (Thanintharyi) District



Karen Human Rights Group (KHRG)