



Situation Update

June 18, 2018 / KHRG #17-129-S1

Mergui-Tavoy Situation Update: Ler Doh Soh Township, October 2016 to October 2017

This Situation Update describes events occurring in Ler Doh Soh Township, Mergui-Tavoy District during the period between October 2016 to October 2017, including information relating to land confiscation, military activities, education, healthcare, development and livelihoods.

- *In August 2017, students in middle schools run by the Burma/Myanmar government did not have the opportunity to learn the Karen language. This problem occurred in schools in Ler Doh Soh Township. Primary school students were not affected, since they were provided with Karen language classes.*
 - *In 2017, a Karen National Liberation Army (KNLA) official Saw Hpaw Day Nyah co-operated with the KNLA to mine for gold in Wa Paw village, Tavoy Hkee village tract, Ler Doh Soh Township. Villagers were against the gold mining since it polluted the river that they rely upon for their water supply. Villagers reported this situation to the Karen National Union (KNU) authorities but the workers did not stop mining for gold yet.*
 - *Since 2015, the New Mon State Party (NMSP) confiscated a large area of villagers' lands in Tavoy Hkee area. They sold this land to the Mon community so that they could establish rubber plantations. Villagers did not receive any monetary compensation or get their lands back even after they reported this situation to the local KNLA authorities.*
 - *From October 2016 to January 2017, fighting occurred between the Mon National Liberation Army (MNLA) and the Karen National Liberation Army (KNLA) in Kyaung Sha Kwin area because of disputes relating to the land confiscation by the New Mon State Party (NMSP). Villagers were afraid to travel and work on their plantations due to the military conflict.*
 - *In March 2017, the KNU Township Minister P'doh Saw Hsee physically beat two forestry officers of the Myanmar Government. This incident happened because the forestry officers confiscated the area of the forest that was being logged, and seized two wood processing machines and other materials.*
-

Situation Update | Ler Doh Soh Township, Mergui-Tavoy District (October 2016 to October 2017)

The following Situation Update was received by KHRG in November 2017. It was written by a community member in Mergui-Tavoy 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.¹ This report was received along with other information from Mergui-Tavoy District, including two other situation updates, seven interviews and 14 photographs.²

¹ 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.

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

Introduction

This Situation Update describes events that occurred in Ler Doh Soh Township, Mergui-Tavoy District between October 2016 and October 2017. This Update includes information relating to land confiscation, military activities, education, healthcare, development and livelihoods.

Education

[As of August 2017] there are three Burma/Myanmar government schools that teach children from primary to middle school. They are located in three villages of Ler Doh Soh Township. The education process flows smoothly. The students from kindergarten to Standard Three have the opportunity to learn the Karen language properly. However, students in Standard Four and above are not allowed to learn the Karen language.

Healthcare

There are some healthcare services in three areas of Ler Doh Soh Township but not in every village. The most prevalent sicknesses are dengue fever and malaria. Local villagers have to go to the hospital in Tavoy Town in order to get medical treatment whenever they are sick.

Developments

In Ler Doh Soh Township, development projects have helped develop the local infrastructure by installing telecommunication poles, water pipes and constructing roads. Apart from the area around Tavoy Hkee and Htee Ler Klay village tract, [these types of development projects] are not yet available in other areas of Ler Doh Soh Township. In K'moh Thway village tract, there have not yet been development projects [to build a] better water supply, [to install] telecommunication poles, or [to construct] roads.

Hpah Tee [uncle] Saw Hpaw Day Nyah from Yah Ma Roo village, Htee Ler Klay village tract, Ler Doh Soh Township started mining for gold in 2017, in Wa Paw village, Tavoy Hkee area, Ler Doh Soh Township, Mergui-Tavoy District. The gold mining impacts the villagers' daily lives because they rely on this river for their water supply. This is why villagers are opposed to the gold mining project. When Saw Hpaw Day Nyah saw the villagers' reactions, he changed the way that gold was mined. This time, Hpah Tee Saw Hpaw Day Nyah did not come alone but with the armed group soldiers from the KNLA in Tavoy-Hkee village tract, Ler Doh Soh Township. This KNLA armed group was composed of Thuh Hkoh [Major] Saw Bwa and soldiers that were assigned to the Tavoy Hkee area. 38 gold mining machines and 100 workers were working to mine gold on the river. This gold mining project polluted the water by using poisonous chemicals, including mercury. The pollution was the main cause of local opposition to the gold mining.

On March 23rd 2017, the KNU authorities, village head, pastors and village leaders held a meeting to discuss the local community's opposition to the gold mining. The village leaders and KNU minister decided that the gold mining should stop from then on. However, Hpah Tee Saw Hpaw Day Nyah did not stop mining gold.

Therefore, on October 1st 2017, some villagers and local authorities such as the KNU minister, the village head, the KNU Ler Doh Soh Township officer and township co-workers held a meeting to discuss how to stop the gold mining. The gold mining leaders and P'doh Saw Dah Hsee from Wa Paw village, Tavoy Hkee area, Ler Doh Soh Township signed an agreement to stop gold mining on October 15th 2017. However, there was no accountability after the agreement was signed. The gold mining continued beyond the agreed date. Because of this,

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.

local populations are still exposed to water that was polluted by chemicals in the gold mining process.

Villagers' livelihoods

Local people secure their livelihoods through plantations and hill farming. In 2017, the price of rice was not as high as in other years but there were no problems for cultivating plantations. However, the livelihoods of local villagers were impacted by the fluctuating price of rice and other plantation products.

Land confiscation

Land confiscation occurred in Tavoy Hkee area (one of the three areas in Ler Doh Soh Township). The T'ler Naw [New State Mon Party, or NMSP] confiscated [an estimate of] ten thousand acres of land owned by local people. Then, they sold the land to local businessmen who wanted to develop rubber plantations. The community members [who depended on this land for their survival] did not receive any compensation for the confiscated land. Affected community members reported this case to the local leader, but no one took action to resolve this issue.

Military activity

Since 2015, land conflict has occurred between the KNLA and the MNLA under the NMSP (New Mon State Party). A recent dispute took place in Tavoy Hkee area, Mergui-Tavoy District [KNU Brigade #4]. According to local community members, Mon [soldiers] arbitrarily grabbed the lands used by the community. Villagers were afraid to work on those lands because heavily armed Mon soldiers blocked access to those lands. In October 2016, the MNLA fired at a villager defending his land who was allied with KNLA. Because of the history of land disputes in this area, the MNLA knew that KNLA Brigade #4 and Brigade #6 would join [forces to respond to the attack on them].

On December 8th 2016, MNLA soldiers shot at KNLA Brigade #6 in Kyaung Sha Kwin (an area located between KNU's Brigade #4 and #6). In this incident, the 2nd Lieutenant [of the KNLA] sustained a minor head injury. Therefore, the KNLA fought back after the MNLA attacked them twice.

On December 27th 2016, the KNLA from Brigade #4 marched to Brigade #6 area to join them. When KNLA forces were on the way, they unexpectedly encountered MNLA soldiers. Fighting between the two forces occurred at mid-day. However, the KNLA did not sustain any injuries or casualties. Local community members do not know whether the MNLA sustained any injuries or casualties.

On the morning of January 11th 2017, another instance of fighting occurred between the KNLA and the MNLA. This altercation was started by the KNLA. The fighting took place in an MNLA controlled area: Ywa Thit village, Tavoy Hkee or Than Chaunggyi village tract. It lasted for about one hour. During the fighting, the MNLA soldiers sustained injuries and called for [military] medical services. Meanwhile, the KNLA overheard this call for help. They waited to ambush the MNLA along the way. This attack injured some MNLA soldiers. It is likely that the 2nd Lieutenant from the KNLA sustained a minor injury since he was hit by shrapnel from an artillery grenade.

Because of the clashes, villagers were afraid to go out for work. Some left their cattle in areas where the fighting occurred. They did not dare to bring their animals back home because they were afraid of potentially stepping on a landmine. There were also many people who did not dare to go work on their plantations. Therefore, the local villagers had difficulties securing their livelihoods because they were afraid to work and get around.

Another case of land confiscation occurred in P'Law Saw village, Tavoy Hkee area, Ler Doh Soh Township. The Burma/Myanmar Forestry Department [officers] confiscated an area [under

KNU control] that was being logged. On March 2nd 2017, the Burma/Myanmar Forestry Department confiscated 40 tons of wood, three motorbikes, two wood-processing machines and a buffalo from local wood traders. The Forestry Department subsequently released the buffalo, but kept the 40 tons of wood, three motorbikes and two wood processing machines.

When the new Township minister of the KNU government Pado Saw Hsee heard about this, he became angry. He went to the Burma/Myanmar forestry department with four other co-workers. On March 29th 2017, Pado Saw Hsee physically beat two [Burma/Myanmar] forestry officials. They sustained serious injuries. Pado Saw Hsee's co-workers, who witnessed the incident, did not dare to say anything because they were scared. Pado Saw Hsee also damaged four bowls of rice, five gallons of petrol and three cups. Then, he shot the road sign of the forestry [department] four times with his gun. To resolve this incident, the Karen National Union [KNU] demoted and imprisoned Pado Saw Hsee. Local people do not know how long Pado Saw Hsee's prison sentence will be.

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

- "Mergui-Tavoy Situation Update: K'Ser Doh Township, November 2016 to January 2017", (May 2018)
- "Mergui-Tavoy Situation Update: Ta Naw Th'Ree Township, August to September 2017", (March 2018)
- "Mergui-Tavoy Situation Update: K'Ser Doh and Tanintharyi Townships, August to October 2017", (February 2018)

