



Karen Human Rights Group

Documenting the voices of villagers in rural Burma

Interview

August 31, 2018 / KHRG #17-134-A1-I1

Hpapun Interview: Saw Bb---, December 2017

This Interview with Saw Bb--- describes development projects occurring in Bu Tho Township, Hpapun District, between 2013 to December 2017, including gold mining and road construction. Many of these projects have led to land confiscations.

- *Gold mining has polluted rivers in Dwe Lo Township. This is affecting the water supply used by villagers daily, leading to health problems in the local community.*
 - *Villagers are afraid of confronting companies and development project staffs to dispute their confiscated lands because they were afraid of the authorities. The local people also reported that in some cases, the Township leaders gave permission or agreed on the land confiscations taken place in the community.*
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Interview | Saw Bb---, (male, 48), Ds village, Bu Tho Township, Hpapun District (December 2017)

The following Interview was conducted by a community member trained by KHRG to monitor local human rights conditions. It was conducted in Hpapun District on December 10th 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 Hpapun District.²

Ethnicity: Karen

Religion: N/A

Marital Status: Married

Occupation: N/A

Position: N/A

Interview Date: December 10th 2017

Let's start the interview, Tee [uncle], what is your name?

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.

My name is Tee Saw Bb---

Where do you live?

I live in Ds--- village, Meh Klaw village tract, Bu Tho Township, Mutraw [Hpapun District].

How old are you?

I am 48 years old.

Do you have a family?

Yes, I have a family.

How many children do you have?

I have four children.

How many boys and girls do you have?

There are three boys and a girl.

In your local area, what are the important ways that villagers confront corporate development projects that violate their human rights? Are there any development projects operating in your area?

There has been gold mining in Dwe Lo Township and the dam project also planned in Bu Tho Township.

In which year was the gold mining started?

It started in 2013-2014.

Who is mining for gold?

Companies.

What is the name of the company?

I just started working as a researcher this year and the company paused their gold mining operations for a while. Therefore, I do not know the name of the company.

How did the villagers confront the company or authorities when gold mines began to operate in local areas?

There was not much confrontation because the companies asked for permission from the Karen National Union [KNU]³ leaders. In this case, the villagers do not know how to confront the authorities and the company.

Do the villagers know for certain that the company received permission from KNU leaders?

³ The Karen National Union is the main Karen group opposing the government.

Yes, the villagers know that for sure.

What level of KNU authorities granted the company permission to operate?

The Township and District levels of the KNU.

Where is the KNU authority that permitted the company to operate located?

The District level KNU office is located in Day Boo Noh area.

Does the gold mining have any negative consequences for villagers?

The gold mining polluted water that the villagers have to use daily. Moreover, it also caused landslides that interrupted the flow of the river.

Are there any problems arising among the local people who consume the water that is polluted by gold mining?

Yes, consuming polluted water caused sickness.

What damage has been caused by the landslides?

The landslides damaged the plantations. Cattle such as cows and buffaloes also died because they fell into the holes dug by gold mining machines.

Where does the gold mining take place?

The gold mining takes place in Bu Lo Klo River along Meh Way village tract, Ma Lay Ler village tract.

Were any lands, plantations and plants damaged by gold mining?

Of course, plants were damaged, such as dog fruit plants. However, fair compensation was paid for the damaged plants.

Were the villagers satisfied with the compensation they received?

Some were satisfied, some were not.

What was the reaction of the villagers who are not satisfied with the compensation they received?

Local people did not dare to confront authorities due to unsatisfactory compensation or the actions of the company. This is because the KNU authorities cooperate with the company. The Township officer says that there are no negative impacts caused by the gold mining when we [researchers] collected information. The Township officer also claimed that the gold mining company is responsible for this process.

When we listen to the local people, there are a lot of negative impacts. However, the local people do not dare [feel safe] to challenge the authorities.

As you mentioned, the company is cooperating with the KNU authorities and a Township officer, can you tell me the name of the KNU leaders and the Township officer?

As I just started working [as a KHRG field researcher], I do not know the name of the leaders yet. However, I know that the Township officer of Ma Lay Ler village and Meh Way village is cooperating with the company that entered the local area.

You mentioned that a group of people researched and asked for information from the authorities, leaders and local people about the impact of gold mining. What group of people was that?

It is us Karen Human Rights Group [KHRG] field researchers who collect the information from the local leaders and people. The Township officer and frontier military [KNU] cooperate with the company and the District leader [KNU] gave permission.

Why did the Township officer decisively say that there are no negative impacts of gold mining?

The Township officer and leaders are saying that because they are involved in the gold mining. The Township officer hides all the negative impacts, but when we [researchers] listen to the villagers, they outline many problems caused by gold mining.

Where did you collect information from the villagers?

I collected information from Dt--- villagers, Meh Thuh village tract. Villagers reported that the gold mining process interrupts their livelihoods and now they have to work [as casual daily workers] in gold mining as they have no other option. To be able to work in gold mining, the villagers need to ask for a permission document from the KNU leaders. Villagers work as casual daily workers, which pays 5,000 kyats [\$3.61 US] per day in gold mining.

Overall, villagers rely on the Township office authorities, but when the Township leader is involved in the development project, the villagers have no ways to confront the project.

Did the villagers try to confront the issues arising from gold mining in different ways?

The villagers did not have a connection with authorities to confront the issue in any way other than reporting it to KHRG researchers. The villagers cannot rely on Township leaders because they are involved in development projects.

You also mentioned that a dam project was being planned. Do you know when it will be implemented?

The dam operation start date is not known yet. However, the dam is called Khoh Loh Klo Taung Kya. Surveys for the dam were done in 2013 or 2014. A Thai manager involved in the survey got injured by a landmine explosion. After the landmine explosion, the villagers who worked in gold mining were arrested by the Tatmadaw⁴ security who operated in that area.

At the same time, the Tatmadaw security group let the villagers sit in a sunny place for more than one hour to question them about the landmine explosion. Then, the project was relocated to a new place called Ta Hkaw Poh. After that, the Karen National Liberation Army [KNLA] attacked them [the Tatmadaw and the corporate development project]. Thus, they [the corporate

⁴ Tatmadaw refers to the Myanmar military throughout KHRG's 25 year reporting period. The Myanmar military were commonly referred to by villagers in KHRG research areas as SLORC (State Law and Order Restoration Council) from 1988 to 1997 and SPDC (State Peace and Development Council) from 1998 to 2011, which were the Tatmadaw-proclaimed names of the military government of Burma. Villagers also refer to Tatmadaw in some cases as simply "Burmese" or "Burmese soldiers".

development project staff and Tatmadaw] moved to Ka Ma Moh village, yet they were attacked again [by the KNLA] and had to move to Hpa-an.

Therefore, the corporate development project group travelled every day to the dam site from Hpa-an. They had to spend money on travelling every day to the dam site. Therefore, then they halted the dam project. However, they have plans to continue it. Hatgyi dam⁵ is a long-term project as declared by Burma/Myanmar government.

The dam project you are talking about is Hatgyi dam?

Yes, it is Hatgyi dam that is locally known as Taung Kya.

Who gave permission for the Hatgyi dam project?

We [local people] do not know who gave the permission for this [Hatgyi] project. Even the Township officer who negotiated with the development project workers did not remember the name of the company.

Did the villagers ask him [Township officer] about the company?

No, in the negotiation process, he [Township officer] introduced the villagers to the development project staff manager, U Myo Win, who lives in Yangon.

Did they [development project staff] provide the villagers with information about the project such as starting date, project length and the potential damage to the village?

In the first negotiation, they did not inform the village leaders. After the negotiation, they started the project but then they paused it for a while. During the negotiation process, the development project staff told the villagers that they will pay compensation for all damaged land and prepare housing for those [villagers] who have to move. Then, the village head told them that the villagers will lose their ancestral land even if the project staff will pay compensation and relocation. From then on, the development project manager, [U Myo Win] never negotiates with them [villagers].

Where was the meeting held and how many villages were invited [by development project] to negotiation?

The meeting was held in Myaing Kyi Ngu and the invited villages were Meh Hsel, Meh La, Klaw Teh Hta, Pa Deh Hta. There were other villagers invited too, but I do not remember all of them.

Do they [development project] have plans to continue the project?

Yes, they do but the starting date is not confirmed yet. However, this project is set out for the long-term.

Is there any other project in your area?

At the present, I did not hear about any other project.

You described that one of the village leaders spoke about for the importance of ancestral land. Was he successful?

⁵ See, "[Hatgyi Dam update and consultation concerns, December 2011 to May 2013](#)," KHRG, June 2014.

No, he did not succeed. The Township leader said the confrontation makes no sense because the development project worker will do what they planned to do. After that, they [the development project staff] promised the villagers to compensate for their damaged land. However, we [villagers] did not trust the development project worker completely because they can be insincere even if they promised otherwise.

Let's discuss the gold mining project. As you mentioned, the KNU leaders cooperated with the company and thus limited villagers' ability to confront the company. However, you mentioned that the company once stopped their project right?

Yes, they stopped the project during the early rainy season but they are now preparing to restart it in the summer.

You said that there are a number of companies that mine gold in Meh Way Klo [river], how many companies are there?

I do not know how many companies are mining gold but there are numerous gold mining ships in the river.

What are the potential consequences that can impact local villagers?

Extracting natural resources will surely affect the natural environment. The river will be damaged due to landslides. Furthermore, gold mining can also affect the local villagers' livelihood because some villagers secure their livelihoods from natural resources such as farms, hill farms and daily gold panning. The gold mining projects took the resources away from the villagers who pan gold for a living.

Moreover, as per usual the local villagers had to ask permission from the authorities to pan for gold. However, they are not always allowed to. The continuing gold mining project will surely affect the local villagers and future generations.

Before the company started mining gold, did they negotiate with the local villagers?

As much as I know, the company did not negotiate with the local villagers. Instead, they asked permission from the authorities and started the project once they got permission. Later, the villagers confronted the company for the damaging land and natural environment. Therefore, the company negotiated with the villagers and promised them [villagers] to pay the compensation cost for damaged land.

When did the gold mining start?

The gold mining started in 2013-2014.

As you mentioned, the villagers confronted the company over the challenges to their livelihoods that stem from damaged land and environment. Please tell me how the villagers confronted the company?

The villagers expressed that they have been gold panning to secure their livelihood from generation to generation. They sold gold and also exchange it for rice. After the company started mining gold, the villagers had limited opportunity to pan for gold. This will negatively impact villagers' future livelihoods.

Did the villagers confront the company as a group or individually?

The local villagers did not usually confront or report problems as a group because they were scared of the authorities. They usually reported their issues on their own or in a group of two people when we [KHRG researchers] conducted interviews with them.

The company is now preparing to start gold mining again, right? Therefore, did the villagers try any strategies to stop the company from gold mining?

Actually, the local people wanted to confront the company but they are not brave [feel secure] to speak out. They do not know how to confront the company.

What is the most important information that the villagers need to protect from or confront against the arising problems related to the development project?

In order to confront the company, the villagers must gather information and report it step-by-step to the village tract and Township offices. However, the vacant, fallow, virgin lands are controlled by the government, and not by the local people. These lands were the places where the villagers used to work [on their hill farms]. The local people did not confront the authorities for these lands to be mapped.

If they mapped the lands and issued land documentation, we [KHRG researcher] would feel more confident to advocate for the villagers.

Can we talk about land mapping/documentation: does it mean their lands were confiscated?

Those lands are theirs [villagers] because they have been working there already. However, they had never registered their land with the government. Not having official land documentation is common in rural areas.

Which areas are prone to this issue?

Almost every rural area does not have their land mapped, unlike the city. They [local people] rarely have their farmland mapped.

The villagers are not brave to confront the company. Will the villagers remain non-confrontational or are they looking for options to confront the company?

They will stay like this because they do not know how to confront the company.

Do you think the villagers need to be able to confront the company?

According to my opinion, I think that they [villagers] need to know how to confront the company because they do not even know if their rights were abuses or not. For instance, they do not realize that their rights were abused even though their land was confiscated.

Was any land confiscated for the road construction and rubber plantation done by the developers in your local area?

It happened in Hpapun and K'Ma Moe villages. There was a road construction done every year from Hpapun to K'Ma Moe. The road construction in Lay Poh Hta village tract brought stone from Brigade [District] #1 area and came across Brigade [District] #5 area in Lay Poh Hta village tract. The villagers complained about the road builders laid stones without taking the local peoples' land into consideration.

What companies are constructing the road?

The company did not start road construction yet but it will start it soon in January or February.

Did the company extend the road or repair it?

The company extended the road in some places and repaired others. According to the Burma/Myanmar' government's declaration, they are developing the area but when we look at the activities, it seems like they are committing financial fraud because the constructed road is sub-standard and need to repair every year. There was no road assurance, for instance, five-year assurance.

Did a company construct the road?

Some roads are constructed by a company and some are private but I do not know the names.

Did the road construction damage the villagers' land and plantation?

The road construction damaged villagers' farms and plantations. Especially, nearby the road.

What kinds of plants were damaged by the road construction?

Coconuts trees and other plants that were planted near the houses were damaged [beside the constructed road].

Did the villagers ask for compensation for their damaged plants?

No, no one dared to ask because they [villagers] were told [by the company] that the road construction will benefit the transportation. Some farms were damaged by the road construction but the owner [villagers] did not receive any compensation.

Whose farms were confiscated?

An unknown farm in Way Moh Hkee Law/Way Hsa Hkee Law was confiscated as well as other lands in Ma Htaw village tract and Meh Klaw village tract.

Why are the villagers afraid to ask for compensation?

The villagers are afraid to ask for it because they do not know how to do it. The reason is that they [villagers] were told [by company and Burma/Myanmar government] that the lands belonging to the government and the road construction were done only for the local people's benefit. Moreover, they were told that their small areas of confiscated land are not worth enough to ask for compensation.

Since 2012 many human rights abuses were perpetrated. In this case, how did the villagers confront for their rights abuses? Did they use different methods?

No special type of confrontation took place. To illustrate, after the [nationwide] ceasefire process, the farm owner was told [by the authorities] that they can get their land measures and documented. However, even though they asked for their land to be registered, there was no response. In this case, the villagers are not confronting anyone.

In the past, where did the villagers use to submit the complaints and letter to?

Usually, in this period, the villagers submitted the letter to the Burma/Myanmar government.

What about the past, for example in 2012, where did the villagers submit complaint letters regarding land?

There was a report letter in 2010 about the Tatmadaw land confiscation. To address this, the authorities from the National League for Democracy [NLD]⁶ held the meeting with the villagers and encouraged them [villagers] to submit a complaint letter [regarding land confiscation]. However, the villagers did not receive a response. Moreover, the agriculture department from central Burma/Myanmar government sent a letter [to local villagers] about solving land confiscation problem and formed the Land inspection committee. They [land inspection committee] claimed that they would inspect in detail the information about confiscated land such as information on perpetrators and date [of confiscation]. After, they would try to reclaim the land for less than three months. Nevertheless, there were no actions taken to match the content of the letter [of Burma/Myanmar government to solve land confiscation problem]. In this case, the villagers did not know how to take further action on land confiscation.

The villagers usually submitted the complaint letters to the agriculture department and, land registration department. When the lands were first confiscated, the perpetrators [Tatmadaw] declared that the lands would be taken whether the landowner allows it or not. For instance, many lands were confiscated in Ta Kon Taing area by [Tatmadaw] the Light Infantry Battalion [LIB]⁷ #341 and the operations command. When the Tatmadaw confiscated those lands [in Ta Kon Taing area], they [Tatmadaw] picked up the villagers by car and asked them to go to the office and bring their land title. However, not all villagers had land titles. When the villagers arrived at the office, Tatmadaw asked them to sign in the document that says that their land was confiscated. After the villagers signed the document, the Tatmadaw allowed them to go back on foot at night.

In the road construction process, the villagers did not confront the company in any way for their confiscated land. Were any lands or plantations damaged since the road was first constructed?

The road was first constructed in the British colonial period. Currently, there are some places in Way Moh village, Hpapun area, where the villagers' lands were measured in 2013 or 2014 and then confiscated [by an unknown] in order to establish San Pya village. Therefore, the villagers are worried about changes that could force them to leave the village. If there is road construction planned in Hpapun District, the villagers worry that their lands and accommodation would be damaged and that no compensation would be provided.

In Way Moh village, you mentioned that the villagers would have to move [due to the founding of San Pya village]. In this case, how many households would have to move to another place?

There are around 70 to 80 households.

The project [of founding San Pya village], has it started already or is the land still being measured?

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 A Tatmadaw Light Infantry Battalion (LIB) comprises 500 soldiers. However, most Light Infantry Battalions in the Tatmadaw are under-strength with less than 200 soldiers. Yet up to date information regarding the size of battalions is hard to come by, particularly following the signing of the NCA. LIBs are primarily used for offensive operations, but they are sometimes used for garrison duties.

The project has not been started yet. The land is still being measured. We [villagers] do not know that when the project will start. Likely, the villagers do not know that they would have to destroy their houses or rearrange the infrastructure.

Do you know which company is going to construct the road?

The company is not known yet because the project has not yet been started.

Similarly, in Hpapun, there would be road construction or road extension projects right? Therefore, will the villagers confront the company before any impacts are felt?

No confrontation. For instance, the road construction in the last year damaged many plantations but none of the villagers confronts the company over it.

Did the villagers report the land confiscation case to the section leader?

No. The Burma/Myanmar government sent an order and notified the section leader about the road construction process. The section leaders or village head also dare not to help the villagers in confronting over the lands. As they [village head] received a salary from the authorities, their attitude became like the authorities.

What was the villagers' main confrontation method for when their lands were confiscated suddenly?

There was a case in K'Ma Moe village, Dwe Lo Township, Hpapun District, where the township officer, Saw Ta Klo Htoo confiscated a large amount of villagers lands. Then, he [Township officer] sold the villagers land back to the local people. The villagers did not take any action to confront him over their land as they were afraid of the authority.

When did he [Township officer Saw Ta Klo Htoo] confiscate the villagers' land?

He confiscated the land in 2017 but I do not remember the month.

Did he confiscate the land in town area?

Yes, he confiscated land in K'Ma Moe town area.

How did he sell the land back to the local people?

He measured it by land area but I am not sure about the price.

Did villagers confront him about this land confiscation case?

No, I have not heard of any confrontation yet.

Did the landowners know that their lands were confiscated? Did they report it?

Yes, they knew about it, but they did not report it yet.

How do the villagers protect themselves from human rights abuse such as land confiscation?

The Karen people are not brave [feel secure] to protect themselves because even the past generations were afraid of the authorities. For those who reported the issues [land confiscation] to the authority, there was no response.

Is there any danger in villagers confronting over their rights abuses?

As I said above, the villagers are afraid of the authorities and believe that they would be threatened or violated due to taking action. The villagers also fear the armed group will arrest them and take them to court.

We talked about land confiscation, road construction, dam project and gold mining. Do you want to talk about any other cases?

I want to say that, by implementing the dam project or gold mining, do it without damaging local people's rights because we also want our rights. The dam project is a big process. Therefore it can have a wide effect on the local people when the problems arise in the process. The development project workers claim that they would pay the compensation for damaged land and displacement. However, we want our generation to stay on the ancestral lands with the natural resources that our generation has been using. We [villagers] do not want the natural environment that we live in to be damaged or harmed.

As the development project workers claimed that they would pay the compensation for damaged land and people's homes, did they do as they claimed?

They [development project workers] did not do as they claimed to do. For instance, the gold mining project in past, I do not remember the company name and the date; they claimed that they will build a school after the gold mining done. However, they did not build it and blamed it on their lost profit in the gold mining project. Therefore, the local people perceived that the village leaders are also involved in the dishonest development project process.

How did they respond to this? Did they gather together and reported it to the village leaders or development project workers?

The villagers discussed with the village leaders but when the development project workers left, they [villagers] could not do anything at all.

Do you want to say anything else?

I want to say that, when operating a corporate development project, make sure that it does not affect villagers' lives. In this case, it is important to support or pay fair compensation to villagers as they rely on the ancestral lands which were handed over to them by generation to generation for their livelihoods. In another way, I hope that the corporate development project workers will negotiate with the local people, especially the landowners, before starting their operations. Similarly, it is important for company workers to do as they promise for villagers, especially when it comes to a compensation payment.

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

- "Hpapun Incident Report: Tatmadaw road construction results in the indiscriminate firing or mortars and displacement in Lu Thaw Township, March 2018", (June 2018)
- "Hpapun Situation Update: Bu Tho Township and Dwe Lo Township, September 2017 and February 2018", (June 2018)
- "Hpapun Situation Update: Lu Thaw Township, February to March 2018", (May 2018)
- "Attacks on villagers, ongoing fighting and displacement in Hpapun and Toungoo districts from January to April 2018", (May 2018)

Mu Traw (Hpapun) District



Karen Human Rights Group (KHRG)