



**Karen Human Rights Group**

Documenting the voices of villagers in rural Burma

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**Interview**

December 14<sup>th</sup>, 2017 / KHRG #17-71-A5-I1

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**Nyaunglebin Interview: Saw A---, May 2017**

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*This Interview with Saw A--- describes events occurring in Phyu Township [Bago Division], Nyaunglebin District in 2017, including land confiscation and violent abuse.*

- *Saw A--- stated that pasture land owned by villagers from six villages in K'nyin Tai Gyi village tract, Phyu Township, Nyaunglebin District has been confiscated on an ongoing basis by other villagers since 2011 in order to construct houses and sell the confiscated land for profit. The land confiscators have sold around 70 to 80 acres of the approximately 891 acres total of pasture land confiscated.*
  - *Local villagers have formed a farmer rights protection group and have reported the details of this land confiscation with photographic evidence to several different levels of the Burma/Myanmar government but have not received any responses.*
  - *Saw A--- reports that land confiscators attacked and intimidated villagers who entered the confiscated land to look after their cattle. No response was taken after villagers reported this incident to several different levels of the Burma/Myanmar government.*
  - *Villagers suspect that the authorities such as the Burma/Myanmar government and the Township general administrator collaborated with the land confiscators to confiscate the 891 acres of pasture land.*
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**Interview | Saw A--- (male, 57), B--- village, Phyu (Bago division) Township, Nyaunglebin District (May 2017)**

*The following Interview was conducted by a community member trained by KHRG to monitor local human rights conditions. It was conducted in Nyaunglebin District in May 2017 and is presented below translated exactly as it was received, save for minor edits for clarity and security.<sup>1</sup> This interview was received along with other information from Nyaunglebin District, including four other interviews and 17 photographs.<sup>2</sup>*

**Ethnicity:** Karen

**Religion:** Buddhist

**Marital Status:** Married

**Occupation:** N/A

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<sup>1</sup> 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.

<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.

**Position:** Villager

**What is your name?**

My name is Saw<sup>3</sup> A---

**How old are you?**

I am 57 years old.

**Do you have a family?**

Yes.

**How many children do you have?**

I have eight children.

**How many daughters and sons do you have?**

I have four daughters [and four sons].

**What is your religion?**

I am a Buddhist.

**What is your position in your village?**

I am just a villager.

**Can you tell me in which township, district and region you live?**

I live in K'nyin Tai Gyi village tract, Phyu Township, [Nyaunglebin District], Bago Region.

**K'nyin Tai Gyi village tract? What is your village's name?**

My village's name is B--- village. B--- [village] used to be known as C--- [village]. Local residents have recently changed the name of the village to D--- [village], which is otherwise known as B--- village.

**Oh, so local residents have changed the name of the village from C--- [village] to B--- [village]?**

The original name of the village is C--- but the local residents have renamed it to B---. Regarding the change of the village's name, people mutually agreed to change the village's name. Actually, the official name of the village is C--- according to the district office. [Similarly,] the name of the Tha Pyay Lar village tract in the district office is now officially listed as Tha Pya Lar village tract. C--- village became B--- village. This is what I want to clarify first. Land disputes have also increased in our area since 2011.

**What is the land dispute about? Which land is being disputed?**

The land owned by the village community [is being disputed].

**Is that pasture land?<sup>4</sup>**

Yes.

**So what is the problem?**

The problem is that some people [land confiscators] are constructing their houses in that [pasture] land area.

**When did the land dispute occur [in your area]?**

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<sup>3</sup> Saw is a S'gaw Karen male honorific title used before a person's name.

<sup>4</sup> Pasture land is land collectively shared between multiple villages and used primarily for grazing domesticated livestock.

It happened since the military government period but most of the land disputes occurred during the Thein Sein government period.<sup>5</sup> Since the Thein Sein government came to power [in 2011], the situation [the pasture land dispute] has become harder and harder to resolve.

**Who owns the pasture land?**

The pasture land is owned by the villages in the area.

**How many villages own this pasture land?**

The [pasture] land is owned by six villages.

**Can you tell me those villages' names?**

There are B--- village, E--- village, F--- village, G--- village, H--- village and I--- village (I--- village is also known as J--- village).

**How many acres are there in the pasture land?**

There are 291 acres [891 acres]<sup>6</sup> in the pasture land according to the land department office but we do not know the actual number of acres. However, I am sure that there are more than 291 acres [in total 891 acres] in this pasture land.

**Are you now involved with this land dispute? I mean, are you trying to get this land back?**

Yes. We [villagers] are trying to get back our land together.

**How many people are trying to get back the land?**

There are many people from every village [six villages] who are trying to get back the [pasture] land. Most of the village heads are acquiescent in this pasture land confiscation case [not taking action to resolve the land dispute], so local villagers are unwilling to take action without the village heads' involvement. Otherwise, villagers would more strongly oppose this land confiscation case. No one wants to allow this land confiscation to succeed. Moreover, there are many streams in our village tract [in the pasture land]. Our local streams have been damaged due to the land grab [due to construction by land confiscators on the pasture land].

**Who is taking a leading role to reclaim this land?**

There are many people who are now taking leading roles to get back the land. We are working together to get back the land.

**What about U<sup>7</sup> K---?<sup>8</sup>**

Yes. He is involved.

**What is U K---'s position?**

He is a member of the farmer rights protection group.

**Was all of the pasture land confiscated?**

Yes. Almost all of the pasture land was confiscated.

**Who confiscated the [pasture] land?**

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<sup>5</sup> Thein Sein, a former general, served as the President of Myanmar from March 2011 until November 2015. His presidency was the first election in Myanmar in over 20 years. While he led many meaningful reforms, such as freeing political prisoners, relaxing media laws, and starting peace deals with ethnic minority groups, many analysts suggest his appointment was orchestrated by the former military junta, the SPDC.

<sup>6</sup> KHRG has received updated information that the official number of acres included in the pasture land is 891 acres, and not 291, as stated in this interview.

<sup>7</sup> U is a Burmese title used for elder men, used before their name.

<sup>8</sup> A KHRG community member interviewed U K--- in a separate, currently unpublished interview.

Some villagers from this village and other people from other villages confiscated the [pasture] land.

**Can you tell me their names?**

Yes. I can tell you their names. Some people sold the [pasture] land. Some people confiscated the [pasture] land and constructed their houses on the confiscated land. Some people confiscated the pasture land as they wanted to work on this land. U Htee Moo, U Thein Sein and U Win Aung [other villagers who confiscated the pasture land] are among the people who confiscated the [pasture] land. There are many people who confiscated the [pasture] land. It is impossible to call out all of their names.

**How did they confiscate this pasture land? What support did they have when they took the land?**

We do not know what support they have but we can better understand the situation if we consider the role of our village heads. This pasture land is owned by the village community so our village heads should be responsible for protecting this community land [pasture land]. However, our village heads are not currently taking any responsibility to protect the community land [pasture land]. Therefore, we villagers must take a stand to protect our community land [pasture land]. We have evidence [of land confiscation]. We took photographic evidence to show others. We also reported it many times.

**Did you submit it [land confiscation case] to the [government] office?**

Yes.

**When did you report it [land confiscation case]?**

We started to report it since 2011.

**Who did you report it to?**

We reported it to the Phyu [Township] general administration office, the Township administration department and the land record department.

**Did they help you?**

No. They did not take any action to resolve this land confiscation issue. That is why the land confiscation issue is still ongoing.

**Did you report it to the administration office at the division level?**

Yes. We reported it to the general administration office at the division level and at the district level. Indeed, we reported it to the district administrator and division administrator twice but we did not receive an appropriate reply from them. They just told us that they had already come to investigate what we reported and that they would report it to the upper administration office.

**Regarding the community land [pasture land] confiscation, has it become a big problem for villagers?**

Yes. It has become a big problem for villagers.

**Can you tell me what problems they faced?**

Villagers cannot look after their cows and buffalos in that community [pasture] land. Also, the villagers cannot enter this [pasture] land. Since 2011, some people came to this pasture land and they took some land and built a fence around the pasture land that they confiscated. Some villagers know that we [farmer rights protection group] are working on this land confiscation case so they asked us to help them but we cannot help them because we are not village heads. They should communicate [their concerns] to their village heads. If they do not discuss [their concerns] with their village heads, the [land] dispute will not be resolved.



This photo was taken on May 18<sup>th</sup> 2017 in the eastern part of B--- village, K'nyut Kwin Town, Phyu Township, Nyaunglebin District, Bago Division. It shows Saw A---, who was interviewed by a KHRG researcher regarding the confiscation of pasture land in B--- village. [Photo: KHRG]

**Yes. This is a problem that villagers face.**

Yes. Villagers face many problems.

**Can you tell me how you feel about the land confiscation?**

I want this land to remain community land [pasture land] which is collectively shared. I do not want this land to be only owned by one person. Most of the people are no longer able to benefit from this pasture land. Those who confiscated this land do not think about the future and about whether the next generation will benefit or not [from the pasture land].

**What about those who confiscated the pasture land? What benefits did they get?**

I am not sure whether or not they [land confiscators] can benefit by working on this [pasture] land but I know that it is not easy to cultivate this [pasture] land. In the beginning [before land confiscation], this land was full of wild trees and nobody planted any trees. However, they [land confiscators] came to work on this land. They will probably personally benefit but most of the other villagers will face many problems [as a result of the land confiscators' actions]. Some people also sold some of the pasture land for their business.

**How many acres of land have they sold? Can you estimate how many?**

They have currently sold at least 70 or 80 acres of community land [pasture land]. This is just my guess.

**Will they also continue to sell the rest of the pasture land?**

Yes. They will surely continue to sell the rest of the pasture land. Some people will continue to take the land if they want to. Some people will protect their confiscated land to maintain their trees and bamboos.

**Have you ever gone to meet and talk to the local authorities in order to [officially] designate the land as community land [pasture land]?**

Yes. We went to the Township land department. We reported information about the land issue to the department. The Township land record administrator said that he did not give land titles for the community land [to the land confiscators]. Those land confiscators [claimed to] have land titles but their land titles are fake land titles. So he confiscated all of the fake land titles. Nevertheless, the land confiscation issue is still ongoing.

**Has this pasture land existed for a long time?**

Yes. This pasture [land] has existed since before I was born. I am now 57 years old. Actually, my great grandparents told my grandparents that this land is community land [pasture land]. My

great grandparents' great grandparents told my great grandparent that this has been community land [pasture land] since a long time ago. This is what I know.

**Can you tell me about this pasture land? What will happen to it in the future? What do you want to see happen?**

If the authorities do not take any action to resolve this land confiscation issue, there will most likely no longer be any pasture land left. I do not see any possibility that this land will remain pasture land [if no actions by the authorities are taken]. If the authorities recognise or measure this pasture land which is owned by the community according to the law, this land will continue to be community land. If the authorities do not take any action to resolve this issue, this pasture land will slowly disappear.

**Given that you want this land to remain community land [pasture land], what do you think should be done regarding the already existing houses in this pasture land?**

Only the authorities have the responsibility to resolve the issue regarding the existing houses which are located in the pasture land. The houses have been constructed in this pasture land because the authorities ignored [did not take any action] the issue when the houses were constructed. That is why those people who came to build their houses in the pasture land and the authorities have to solve this issue together. As for me, I think villagers cannot resolve this issue [by themselves].

**Will you continue to nevertheless try and reclaim the land as community land [pasture land]?**

Yes. I will continue to try.

**Is it dangerous for you when you try to get back the pasture land?**

Yes. We have experienced many dangerous things and have even had to risk our lives but we have overcome those challenges and dangerous things. We think we will also have to face many challenges and dangerous things in the future.

**Were you threatened when you tried to get the pasture land back?**

Yes. We were threatened.

**How were you threatened?**

Tin Tin Htut [land confiscator] acted against us. He attacked us with a knife when we entered his [confiscated] land. Moreover, these land confiscators intimidated other villagers to not graze their cattle or enter this community land area [pasture land]. If villagers entered this area to look after their cattle, they [land confiscators] threw knives at the cattle [to scare the cattle] and also attacked the villagers. We reported it [this incident] to many different levels of government officials including the regional parliament representatives. We reported it to them by providing photographic evidence. Some of the land confiscators cultivated the pasture land with Myanmar/Burma government tractors. We have photographic evidence that this is happening. We reported it to different Myanmar government department level but no one has taken effective action to solve this problem.

**Are they [land confiscators] supported by authorities?**

Yes. I think so. That is why they [land confiscators] are willing to confiscate the community land [pasture land].

**Have you ever inquired about whose tractors they are using?**

My honest perspective is that the Burma/Myanmar government authorities and Township general administrator have to take on the responsibility to take action and solve this land issue. If they [the Burma/Myanmar government authorities and Township general administrator] fulfil their responsibilities and hold the land confiscators accountable for the land confiscation case, nobody would be willing to confiscate our pasture land.

**Are you saying that the land confiscators should not be held responsible for this land confiscation case and that the Burma/Myanmar government authorities should be held responsible instead? Is this right?**

Yes. This is what we understand.

**So what do you think about it [what are the implications of this situation]? Do you think that these land confiscators would not be willing to confiscate the community land [pasture land] if the Burma/Myanmar government authorities did not allow them?**

Yes. I also think that the Burma/Myanmar government authorities informed them [land confiscators] that they can grab the community land [pasture land] and that they [the Burma/Myanmar government authorities] would not take any action in response. There is a mutual understanding between them [land confiscators and the Burma/Myanmar government authorities]. That is why they [land confiscators] were willing to threaten the villagers. They [land confiscators] also intimidated and attacked the people who are trying to get the community land [pasture land] back. I think it [intimidation and attacks] will continue to happen in the future.

**Do you want to say anything more regarding the pasture land confiscation case?**

Regarding the pasture land confiscation case, I want to say that this pasture land is owned by the community, including multiple villages. Therefore, I think that selling the community land [pasture land] for their business is illegal. They [land confiscators] act like this community land [pasture land] is their own land. However, the Burma/Myanmar government authorities just ignore the land confiscation case and they [authorities] have not taken any action in response. Therefore, I have significant doubts about these authorities. These authorities are local authorities and Township authorities. They have not prohibited any land confiscators from confiscating the community land [pasture land]. Therefore, I assume that they gave permission to those land confiscators to confiscate the community land [pasture land]. Just think about it! If they did not allow the people to confiscate the community land [pasture land], no one would be willing to confiscate this community land [pasture land]! This is the underlying reason causing the land confiscation.

**When you try to work for the villagers to get back the community land [pasture land], do local villagers support you?**

Yes. They vocally support us. They say that this is the right thing to do and they agree with us. They vocally support us but they are not working closely together with us and supporting us materially. They cannot support us with transportation and travel [costs] because they are obviously afraid of the local authorities. However, we will act bravely. If we are wrong, we will face the consequences. That is why we will act without any fear. Even if the land confiscators attack us, we have to protect this community land [pasture land]; nevertheless, we will not [violently] resist them.

**Regarding this land issue, what do you want to suggest for our human rights group?**

I want to suggest that you and your human rights group publicise this land confiscation case to the relevant Burma/Myanmar government departments as you are collecting the information. In reality the information [they have] is very inaccurate. This is what I want to suggest. Otherwise, there will surely be serious negative consequences and impacts for the villagers. That is all I want to say.

**Thank you so much for sharing this information with me.**

You are welcome.

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

- “Nyaunglebin Situation Update: Kyaukkyi Township, January to May 2017” (October 2017)
- Two separate killing incidents committed by Tatmadaw soldiers in Shwegyin Township, Nyaunglebin District (March and May 2017)”
- “Nyaunglebin Interview: Naw A---, November 2016” (September 2017)
- “Nyaunglebin Interview: Saw P---, December 2015,” (December 2016)
- “Nyaunglebin Interview: Naw I---, November 2015,” (October 2016)

