



Situation Update

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Dooplaya Situation Update: Win Yay and Kyainseikgyi Townships, June and August 2017

This Situation Update describes events occurring in Win Yay Township and Kyainseikgyi Township Dooplaya District during the period between June and August 2017, including Tatmadaw activity, education, healthcare, development projects, land confiscation and recently returned IDPs and refugees.

- *In June 2017, Tatmadaw Infantry Battalion (IB) #283, IB #31, local business people and a Karen National Liberation Army (KNLA) company commander from Battalion #17 conducted logging in community forests in violation of village rules.*
- *Tatmadaw Light Infantry Battalion (LIB) #406 was quartered at a monastery and a house in P---village Kyainseikgyi Township. P--- villagers submitted a complaint letter to the Karen National Union (KNU) District office in opposition to the Tatmadaw quartering but no response has been received.*
- *Many schools in Win Yay Township face challenges such as a shortage of available school teachers, a reduction in financial support for some schools, and a lack of accountability for the performance of some Burma/Myanmar government teachers.*
- *Villagers whose land was damaged by road construction for the Than Phyu Zayet-Three Pagodas Pass road have not received compensation and feel that the overall road construction process lacks transparency.*
- *One major challenge villagers faced in Win Yay Township is land confiscation by the Burma/Myanmar government and by the Tatmadaw. Without access to land, villagers have difficulty securing their livelihoods.*
- *Internally Displaced Peoples (IDPs) and refugees who relocated to an area with houses constructed by the Nippon Foundation faced difficulties accessing water, education, healthcare and were concerned about their security. Consequently, some refugees returned their houses to the local authorities and went back to the refugee camp from which they had left.*

Situation Update | Win Yay and Kyainseikgyi Townships, Dooplaya District (June to August 2017)

The following Situation Update was received by KHRG in September 2017. It was written by a community member in Dooplaya 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

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.

report was received along with other information from Dooplaya District, including six interviews and 180 photographs.²

Introduction

This Situation Update describes events occurring in Win Yay Township and Kyainseikgyi Township, Dooplaya District during the period between June 5th and August 31st 2017, including Tatmadaw activity, education, healthcare, development projects, land confiscation, and recently returned Internally Displaced Peoples [IDPs] and refugees.

Tatmadaw activity

Although the Tatmadaw has not conducted significant military activity in Win Yay Township, Dooplaya District, they are violating village rules by cutting down trees in the community forest (Inn Taw [T'la aw forest])³, burning logs to make charcoal and then transporting the charcoal to town to sell it. Some Tatmadaw soldiers from Infantry Battalion⁴ [IB] #283 based in Kyainseikgyi are also cutting down [villagers'] trees in M--- village, Kwin K'saw Kyi village tract, Win Yay Township, and selling villagers' flowers [gathered from the felled trees] for business purposes; they sold the flowers at a rate of 2,500 kyat (US \$1.86)⁵. The Tatmadaw soldiers who organised the logging are [IB #283] Camp Commander Myat Lin and [IB #283] Battalion Commander Aung Shwe Oo. In March 2017, before they [Myat Lin and Aung Shwe Oo] began conducting the logging, Strategic Operations Commander⁶ Myo Tun Win from Southeast Command Headquarters officially requested and secured permission from the Karen National Union [KNU] in Win Yay Township to log seven tonnes of trees. After a new Strategic Operations Commander replaced Myo Tun Win and a new A'nan Kwin Operations Commander, Aung Thite Tun, was appointed, IB #283 Battalion Commander Aung Shwe Oo secretly cut down the rest of the trees [more than the seven tonnes requested by the Southeast Command Headquarters] without permission, burned the logs to make charcoal, and then sold the charcoal in the town.

Afterwards, a KNU official in charge of the forestry department scolded the village head and villagers, asking them, "*Don't you know about what happened?!*" According to some villagers, villagers' lives are like salt amongst peanuts [they lack power and struggle against powerful actors]. After the KNU said that nobody is allowed to conduct logging, local villagers who merely wanted to use some trees for their personal house construction were prevented from logging and were arrested but no one [in authority] cared about [prevented] the logging conducted by wealthy individuals in N--- village, Kawkareik Township, which was transported by cars and crossed checkpoints before being sold in the town. According to the N--- village head, villagers want business people from towns, local residents and local armed groups to respect and follow the KNU [forestry] law and they want the KNU to enforce the KNU forestry law [equally for everyone].

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.

³ T'la aw trees are teak-like trees with large leaves, which are traditionally collected by villagers and used to make thatch shingles for the roofs of houses.

⁴ An Infantry Battalion (Tatmadaw) comprises 500 soldiers. However, most 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. They are primarily used for garrison duty but are sometimes used in offensive operations.

⁵ All conversion estimates for the kyat in this report are based on the 22nd January 2018 official market rate of 1,342 kyats to US \$1.

⁶ The Strategic Operations Commander typically has under his regional command, three to four battalions and a headquarters, mostly for defence.

Although the KNU does not allow anyone to conduct logging in O--- village, Kru Kyi village tract, Kyainseikgyi Township, a Karen National Liberation Army [KNLA] company commander from Battalion #17 has secretly been conducting logging and so the KNU ordered the O--- village head to arrest the KNLA company commander. However, when the O--- village head went to arrest the KNLA commander, he was threatened and told not to report the incident [to top KNLA leaders]. Although the village head said that he can forgive the KNLA company commander for what he has done [his threat to the village head], he [village head] also said that it was not good that he was intimidated and wanted a report about this incident to be recorded and kept by KHRG in case something further happened to him.

On May 9th 2017, Light Infantry Battalion⁷ [LIB] #406 Battalion Commander Si Thu Aung and his 25 soldiers under Column #2 quartered at a monastery in P--- village, Kyainseikgyi Township. As the monastery was not comfortable for them [Tatmadaw], they requested village head Saw⁸ Z--- to give them permission to be quartered at Saw Y---'s house that nobody lives in. The village head allowed them to quarter at that house and the Tatmadaw said that they will return to Q--- village by the end of June 2017. As local villagers did not accept or want the Tatmadaw to base their camps in their village they submitted a complaint letter to the KNU District office.

In addition, after the Tatmadaw heard about activity by the Democratic Karen Buddhist Army [DKBA] (splinter group)⁹ led by Bo San Aung they became more active, primarily in Kawkareik Township. This was a major concern for civilians.

As of August 29th 2017, the Tatmadaw camp in Win Yay Township relocated to R--- village, Meh Tha Lee village tract. After they left their temporary army camp, the village secretary dismantled their camp.

The Tatmadaw is also secretly conducting logging in M--- village, Kwin K'saw Kyi village tract in order to make charcoal. According to a KNLA warrant officer from Company #2, Battalion #16, IB #31 Battalion Commander Thet Aung is using three charcoal kilns to process the logs. The logging recommences every time a new army camp is replaced [with another battalion]. In response, local villagers have been sending complaint letters to the KNU Township office and District office, which resulted in the authorities from the Township office and District office coming to observe the situation in the village; however, nothing happened [no action was taken after the authorities' visit]. When villagers met with the Tatmadaw, a Tatmadaw officer told the villagers, "*Your so-called KNU authorities say that no one is allowed to conduct logging but they*

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.

⁸ Saw is a S'gaw Karen male honorific title used before a person's name.

⁹ The Democratic Karen Buddhist Army (DKBA) was re-formed on January 16th 2016 as a splinter group from the Democratic Karen Benevolent Army (2010 – present), and is also referred to as Na Ma Kya ('Deaf Ear'). During fighting between the Tatmadaw and DKBA Benevolent throughout 2015, there was internal disagreement within the DKBA Benevolent which resulted in a number of commanders being dismissed in July 2015. These former commanders then issued a statement in January 2016 declaring the formation of a new splinter group. This organisation has phrased the formation of this group as the revival of the original Democratic Karen Buddhist Army which was formed in 1994 until it was broken up in 2010 into the BGF and the still-active DKBA Benevolent. The group is led by General Saw Kyaw Thet, Chief of Staff and General Saw Taing Shwe aka Bo Bi, Vice Chief of Staff. Other lower ranking commanders in the DKBA Buddhist splinter group are San Aung and late Kyaw Moh aka Na Ma Kya (reportedly killed on August 26th 2016). The group is currently based in Myaing Gyi Ngu area in Hlaing Bwe Township, Karen State. This DKBA Buddhist (2016 – present) should not be confused with the DKBA Benevolent (2010 – present) from which it broke away in January 2016, or with the original DKBA (1994 – 2010) which was broken up in 2010 into the BGF and the DKBA Benevolent. Importantly, the DKBA Buddhist has not signed the preliminary or nationwide ceasefire with the Myanmar government whereas the DKBA Benevolent has signed both agreements.

ignore those [business people] who conduct logging and transport their logs with cars. Don't they [KNU] see those cars? If they [business people] stop logging, we, the Tatmadaw, will stop logging.”



These photos were taken on June 26th 2017 in M--- village, Kwin K'Saw Kyi [Sin Pyay] village tract, Win Yin Township, Dooplaya District. The photos show flowers in T'la aw trees that were cut and sold by Infantry Battalion (IB) #283, as well as the trees have been cut down to make charcoal and sold in town. [Photos: KHRG]

Education

According to information documented and photos taken during the period between June 5th and July 21st 2017 in Win Yay Township, Dooplaya District, the education situation has improved overall. Nevertheless, [in some villages] there are currently no Burma/Myanmar government teachers at local schools that the Burma/Myanmar government constructed. Therefore, villagers have to hire local school teachers to teach their children. There are only three school teachers in A'pa Lon village, Meh Tha Lee village tract but as there are 74 students it is difficult for these teachers to teach those students. School teachers, who are hired by villagers, also do not get a good salary so it is difficult for them [school teachers] to support their family. Furthermore, the KNU is also not fully supporting local schools. Saw X---, a member of the local school committee, said that a senior monk from the Buddhist temple in Three Pagodas Pass is no longer supporting local schools because of lack of budget and is supporting his followers instead.

Although villagers reported it [education situation] to the Burma/Myanmar government, they have not yet received a response. Burma/Myanmar government teachers are present in other villages but as some of these teachers use social media and play games with their smartphone during school hours, villagers want the Burma/Myanmar government to more closely monitor whether or not the Burma/Myanmar government teachers are interested in teaching and enforce stricter rules to improve the situation.

Additionally, villagers from A'pa Lon village and Myaing Thar Yar village reported that some schools do not have sufficient educational materials such as chairs and tables. Villagers from Myout Kwin Phyu village reported that children still have to study at church. Nevertheless, as these schools are allowed to teach the Karen language [during school hours], we can say that it [education] has improved.

Also, there are some concerns in Kawkareik Township because Tatmadaw came to base their temporary camp in both the Buddhist temple's compound and the school's compound.



These photos were taken on June 27th 2017 in A'pa Lon village, Meh Tha Lee village tract, Win Yay Township, Dooplaya District. The photos show a sub-primary school which is from Kindergarten to Standard Three.¹⁰ There are 74 students and three teachers attending this school. The school faces financial difficulties accessing school materials. In the past, the school was supported by the local monk. However, according to the school committee and some local villagers, the school is difficult to run because it is neither supported by the KNU nor Burma/Myanmar government. [Photos: KHRG]



This photo was taken on August 30th 2017 in Myaing Thar Yar village, Meh Z'Li village tract, Win Yay Township, Dooplaya District. The photos show a Myaing Thar Yar school which was built by the Sha Moo Lah Company. The Ministry of Border Affairs established this school for ethnic minorities in Burma/Myanmar to have access to education. Currently, there are 70 students (30 females and 40 males). The standards start from Kindergarten to Standard Four. There are only three teachers at the school, all of whom were recruited by local villagers. Students do not have desks and thus face challenges. [Photo: KHRG]

Healthcare situation

During the period between June 5th and July 21st 2017, only a few people in Win Yay Township, Dooplaya District suffered from malaria. Nevertheless, a child from Wa Lu village, Kyainseikgyi Township died in June 2017 because the child had bird flu [H5N1].¹¹ In addition, many villagers from Kyout Kwin Phyu village, Dawei Pauk village tract, Win Yay Township have suffered from flu and travelled to Kyainseikgyi hospital to receive medical treatment despite ongoing floods during the rainy season and therefore faced many survival challenges. This year, villagers from Shel Eain Su village and Myout Kwin Phyu village said that they have faced serious difficulties due to health issues and must overcome many healthcare problems. However, although the Burma/Myanmar government is very familiar with this situation, they have not yet come and built clinics in these villages.

Development project

¹⁰ A standard refers to a school year in the education system of Burma/Myanmar. The basic education system has a 5-4-2 structure. Primary school runs from Standard 1 to Standard 5, lower secondary school is Standard 6 to Standard 9, and upper secondary school is Standard 10 to Standard 11.

¹¹ For more information about this incident, please see the following news article: "[Myanmar reports outbreak of H5N1 bird flu on poultry farm: OIE](#)," Reuters, July 2017.

Development projects are increasingly being implemented in Kyainseikgyi Township and Win Yay Township, Dooplaya District, and villagers gain many benefits from these development projects. Villagers travel more easily, can communicate with each other quickly and their overall standard of living is improving. However, development projects also have negative consequences.¹² Some villagers are aware of these [negative consequences] but some villagers are unaware because they lack experience and knowledge about development projects. Thus, they easily believe everything local authorities, government officers and business people say [regarding development projects].

The Than Phyu Zayet-Three Pagodas Pass road will be constructed up to 230 feet wide in the future.¹³ U Tin Myo Oo, the current NLD parliament representative from Kyainseikgyi Township, has said that this road construction project will be part of the Asian Highway and has been officially accounted for in legal documents. However, villagers have still not yet received any compensation for damage caused by road construction and have currently only been able to observe the situation. Although villagers understand their rights, they have difficulty claiming their rights in KNU controlled areas. Moreover, some villagers also feel that there is a lack of transparency [regarding the road construction process].

Villagers want land grants from the Burma/Myanmar government but local KNU authorities do not permit anyone to measure land [in order to obtain the Burma/Myanmar government's land grants]. In Kyainseikgyi Township, the unknown company confiscated villagers' lands along the road which goes to Three Pagodas Pass for the road construction project. Villagers' lands and plantations were also damaged. This road construction project was drawn by the Burma/Myanmar government. The company approached the Karen National Liberation Army [KNLA] to provide security for them when they constructed the road in order to prevent villagers from trying to act against them. As the owners of the land which was impacted by road construction only possess KNU land grants, villagers wanted to know why the Burma/Myanmar government do not recognise their KNU land documents. Villagers remain silent until now because they are afraid to say anything related to the land confiscation case due to the involvement of the KNLA in it.

Saw Moe Eh Doh, the Dooplaya District vice secretary, said that more land will be confiscated in the future unless villagers fence their land for the next three years, during which time the KNU will revise their land policy. Villagers did not speak out against it [the KNU land policy]. However, this does not necessarily mean that they love the KNU leaders [fully support KNU decisions]; one reason why they did not speak out is because they did not want to negatively affect the reputation of the Karen ethnicity.

¹² For an example of the negative consequences of development in Dooplaya District, please see, "[Villagers raise concerns regarding proposed stone mining and cement production in Win Yay Township, Dooplaya District](#)," (KHRG, January 2018) and "[Dooplaya Field Report: A quasi-ceasefire? Developments after the Nationwide Ceasefire Agreement, from January to December 2016](#)," (KHRG, September 2017).

¹³ KHRG has previously reported on villager disagreements with this national highway road construction project in "[Dooplaya Interview: Saw A---, September 2016](#)," (KHRG, August 2017) and "[Dooplaya Situation Update: Kawkaik Township and Win Yay Township, November 2016 to January 2017](#)," (KHR, August 2017)



These photos were taken on August 29th 2017 in between S--- village, Kyainseikgyi Township and Win Yay Township, Dooplaya District. These photos show the poor quality of the national road. [Photo: KHRG]



This photo was taken on August 30th 2017 in T--- village, Meh Z'Li village tract, Win Yay Township, Dooplaya District. The photo shows the damaged national road between Than Phyu Zayat and Three Pass Pagoda. [Photo: KHRG]

Land confiscation

The Burma/Myanmar government has confiscated villagers' land in U--- village, Kyain Shwe Doe village tract, Kyainseikgyi Township but they have not returned the land to villagers. Even though villagers reported this incident to representatives of parliament, they have not received a response from anyone. Mainly, villagers work on plantations and farms and therefore need land to secure their livelihoods. However, due to the land confiscation there are currently only 80 acres of land left for villagers to use.

[Tatmadaw] Strategic Operation Command Group, based in Kyainseikgyi Township, also confiscated villagers' lands. Nevertheless, they do not actively use their confiscated lands and instead just keep it as empty space. There are rubber plantations, lemon plantations and lime plantations located in the confiscated lands. U Tin Myo Oo, the parliament representative from Kyainseikgyi Township, says that in this case, there is still hope for villagers [it may be possible to reclaim these confiscated lands].

Inadequate living conditions for recently returned refugees and IDPs

300 houses were constructed in V--- (S---) village, Kyainseikgyi Township.¹⁴ This housing construction project was [constructed by Shwe Min Ta Mun Public Co. LTD] funded by the Nippon Foundation for use by IDPs and refugees. However, on July 12th 2017, refugees began

¹⁴ KHRG previously reported on the construction of these houses in "[Dooplaya Situation Update: Kyainseikgyi Township, February to May 2017](#)," (September 2017, KHRG). KHRG reported in that situation update that villagers were dissatisfied with the houses because of livelihood challenges due to the lack of accompanying farmland.

to return those houses to local authorities because of difficulties accessing water, education, healthcare and electricity. Additionally, they could not guarantee their security [in V--- village]. Even though the Nippon Foundation supported these IDPs and refugees, the Burma/Myanmar government did not provide any assistance to these IDPs and refugees. Consequently, although the KNU in Dooplaya District had already accepted these IDPs and refugees, some refugees left their houses and went back to the refugee camp.

Conclusion

According to the information I [KHRG researcher] have collected in Win Yay Township, Dooplaya District, the education situation has improved slightly because school construction is implemented in rural areas; nevertheless, there are not enough school teachers at schools. Although there is a limited amount of support provided to schools in Karen State, there are an insufficient number of school teachers and school materials available.

Roads have been extended and many roads are being constructed along the border but many of the roads were poorly constructed. After just one year of use, many roads are already damaged. Several bridges also collapsed during the rainy season. As the Ministry of Road Construction is not actively monitoring this situation they are unaware of these recent developments.

Both in the past and in the present, villagers face many healthcare challenges. Currently, if villagers are sick, they travel to the hospital in town because health workers are sometimes absent from local clinics and because medical supplies are insufficient. There is now a Win Yay Township hospital; this benefits villagers because villagers can at least access medical treatment quickly if they are sick.

Before the roads were constructed and extended, villagers were afflicted with fewer diseases and car accidents and motorbike accidents were rare. After the completion of recent infrastructure projects, including road and hospital construction projects, many villagers have become sick because of pollution. Additionally, due to dust in the summer and damage to roads and bridges during the rainy season, car accidents were very frequent. Moreover, as the population has increased and many people live together in the village, more clinics need to be constructed. Villagers wanted to build a clinic in N--- village, Kawkareik Township but the Kawkareik Township administrator did not give permission to villagers to build a clinic.

Development projects have improved villagers' ability to travel. However, business companies, governments and armed groups do not sufficiently consider the negative consequences development projects have on villagers. Regarding military recruitment, the DKBA (splinter) annually demands at least one person from each village to join their army. Villagers from N--- village, Azin village tract, Kawkareik Township reported that they have to pay 3,000,000 kyat (US \$2,239.31) to the DKBA if they do not want anyone in the village to be recruited. Furthermore, each house has to pay four baskets of rice [as tax] to the DKBA. Although villagers are happy to pay taxes to the KNU,¹⁵ as there are many armed groups that villagers also have to pay taxes to they face significant livelihood challenges. Villagers reported that while in the past they were more fearful of the Tatmadaw, they are currently more fearful of Karen armed groups.

Tatmadaw are active across Dooplaya District but in different ways than they were before. They regularly patrol as security guards and monitor any activities taken by the DKBA (splinter) led by Bo San Aung.¹⁶ One negative action conducted by the Tatmadaw that I [KHRG researcher]

¹⁵ For further information on how the KNU collects taxation please see "[Ceasefire, Governance and Development: The Karen National Union in Times of change](#)," Kim Jolliffe, The Asia Foundation, December 2016

¹⁶ Tactical Commander General (Bo) Saw San Aung is a low-ranking but widely known commander of the DKBA (Buddhist) splinter group which was formed from a breakaway group of DKBA (Benevolent) in January 2016 in

want to highlight is that the Tatmadaw is cutting down the community forest owned by villagers. I [KHRG researcher] want to conclude that this Tatmadaw activity should be restricted.

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

- “Villagers raise concerns regarding proposed stone mining and cement production in Win Yay Township, Dooplaya District,” (January 2018)
- “Dooplaya Situation Update: Kyainseikgyi Township, July to August 2017,” (December 2017)
- “Dooplaya Situation Update: Kawkareik Township, November 2016 to January 2017” (October 2017)
- “Dooplaya Interview: Saw A---, September 2016,” (May 2017)
- “Dooplaya Situation Update: Kawkareik Township and Noh T“Kaw Township, April to May 2016,” (March 2017)

Hpa-an District. Prior to the formation of the DKBA (Benevolent) splinter group, Bo San Aung had been twice dismissed from DKBA (Benevolent) for his conduct. See, [“DKBA sacks Brigadier General Saw Kyaw Thet and Colonel Saw San Aung.”](#) Mizzima, July 2015. DKBA (Benevolent) splinter group have been active in fighting in the Hpa-an District, see [“Recent fighting between newly-reformed DKBA and joint forces of BGF and Tatmadaw soldiers led more than six thousand Karen villagers to flee in Hpa-an District, September 2016.”](#)

Dooplaya District



Karen Human Rights Group (KHRG)