



Incident Report

June 6, 2018 / KHRG #18-13-I1

Hpa-an Incident Report: Forced navigator in Hlaingbwe Township, October to November 2017

This Incident Report describes how the Border Guard Force (BGF) armed group led by Non-commissioned Officer (NCO) Maung Na forced Saw Z--- from Y--- village, T'Kwee Kla village tract, in Hlaingbwe Township to serve as a navigator (guide) in the period between October and November 2017. This was dangerous for Saw Z--- due to the presence of landmines in the area and the risk of the Democratic Karen Buddhist Army (DKBA) splinter group attacking. Since Saw Z---did not have time to secure his family's livelihood, his family faced food shortages and health challenges while he was away.

Incident Report | Hlaingbwe Township, Hpa-an District (October to November 2017)

The following Incident Report was written by a community member in Hpa-an District who has been trained by KHRG to monitor local 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 on 13 February 2018 from Hpa-an District.2

Part 1 – Incident Details

Table with 2 columns: Type of Incident, Date of Incident(s). Row 1: BGF forced labour (forced navigator). Row 2: October - November 2017

1 KHRG trains community members in southeastern Burma/Myanmar to document individual incidents of abuse 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 incident reports, community members are encouraged to document incidents of abuse that they consider to be important, by verifying information from multiple sources, assessing for potential biases and comparing to local trends.

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.

<b>Incident Location (Village, Township and District)</b>	Y--- village, T’Kwee Kla village tract, Lu Pleh [Hlaingbwe] Township, Hpa-an District
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<b>Victim Information</b>	
<b>Name</b>	Saw Z---
<b>Age</b>	[censored for security]
<b>Sex</b>	Male
<b>Ethnicity</b>	Karen
<b>Family</b>	Married
<b>Occupation</b>	Farmer
<b>Religion</b>	Buddhist
<b>Position</b>	Villager
<b>Village</b>	Y--- village

<b>Perpetrator Information</b>				
<b>Name(s)</b>	<b>Rank</b>	<b>Unit</b>	<b>Base</b>	<b>Commander’s Name</b>
Saw Maung Na	Non-commissioned Officer (NCO)	Border Guard Force Battalion #1012	K’Hser Thay Bay Area	Major Soe Naing <sup>3</sup>

## **Part 2 - Information Quality**

### **1. Explain in detail how you collected this information.**

I [KHRG researcher] met with the victim, Saw Z---, and interviewed him on November 22<sup>nd</sup> 2017 in Y--- village, T’Kwee Kla village tract, Lu Pleh Township, Hpa-an District. He talked about his experiences journeying to the front line as a navigator for the Border Guard Force (BGF).

### **2. Explain how the source verified this information.**

The victim provided the information himself, therefore it is accurate.

## **Part 3 – Complete Description of the Incident**

### **Describe the Incident(s) in complete detail.**

Saw Z--- is [censored for security] years old and lives in Y--- village, T’Kwee Kla village tract, Lu Pleh [Hlaingbwe] Township, Hpa-an District. Since the first week of October

<sup>3</sup> BGF Battalions under Major Soe Naing’s have been implicated in previous abuses against villagers according to KHRG reports. See “[Hpa-an Incident Report: Violent abuse and killing committed by BGF soldiers in Myaing Gyi Ngu Town, Hlaingbwe Township, April 2015](#),” August 2015.

until November 2017, he has been forced to be a navigator for the Border Guard Force [BGF] on the front line.<sup>4</sup>

Saw Z--- is a native villager in the fighting area, so the BGF forced him to be their navigator so the BGF could attack the DKBA splinter group<sup>5</sup> in T--- area. The distance between Y--- [village] and T--- area is one day by foot. Saw Z--- had to walk ahead of the BGF, which was dangerous due to the presence of landmines in the area and the risk of the DKBA splinter group attacking.

Since he was forced to be a guide for the BGF for almost two months [from October and November 2017], he did not have time to secure his family's livelihood, so his family faced food shortages and fell into debt while he was away. His family now faces major challenges in their daily life.

Furthermore, when I [KHRG researcher] interviewed Saw Z--- on November 22<sup>nd</sup> 2017, he reported that the BGF ordered him to go to the frontline as a navigator again the day after the interview [November 23<sup>rd</sup> 2017]. He added,

*“Villagers are afraid of all armed groups [BGF, DKBA splinter and Tatmadaw] because all of them abuse their power against villagers. Villagers have to follow their orders, whatever and whenever their orders are, and villagers must fulfil orders according to the time they [armed groups] desire.”*

For example, the armed group [BGF] ordered Saw Z--- to meet with them, and he could not make it to them on time by travelling on foot. He became concerned they might become angry with him, so he borrowed money from his neighbour for a motorcycle taxi to reach the armed group in time. Similar situations occur where villagers have to borrow money when the armed groups order food, such as pig [pork], chicken and more in order to bring what the armed groups orders on time. Saw Z--- also heard a rumour that commander Bo<sup>6</sup> Bee of the DKBA splinter group ordered his soldiers to shoot the [BGF] navigator first, so Saw Z--- felt threatened and felt that his life was at

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<sup>4</sup> This information has been reported by KHRG previously in, [“Ongoing fighting, displacement, landmines, porter demands, and child recruitment in Hlaingbwe Township, Hpa-an District, October and November 2017.”](#) December 2017.

<sup>5</sup> 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.

<sup>6</sup> *Bo* is a Burmese title meaning ‘officer’.

risk. Thus, he asked the BGF to give him a gun in order to protect himself on the front line.<sup>7</sup> Saw Z--- spent only two days with his family after he returned from the front line as a guide for BGF, but he was ordered by that armed group [BGF] to guide them again [on November 23<sup>rd</sup> 2018].

## **Part 4 - Permission for Using the Details**

**Did the victim(s) provide permission to use this information? Explain how that permission was provided.**

The victim gives permission to KHRG to use the information in this publication.

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

- “Hpa-an Incident Report: Villager accused of burning BGF rubber plantation in Paingkyon Township, April 2016,” (May 2016)
- “Hpa-an Incident Report: Explicit and violent threats to Myaing Gyi Ngu Town, Hlaingbwe Township, April 2015,” (August 2015)
- “Hpa-an Incident Report: Land confiscation in Paingkyon Township, May 2015,” (June 2015)
- “Hpa-an Incident Report: Land confiscation in Paingkyon Township, February 2013,” (November 2014)
- “Hpa-an Incident Report: Stone mining damages villagers’ fields in Paingkyon Township, March 2013,” (August 2014)



This photo was taken on November 22<sup>nd</sup> 2017 in Y--- village, T’Kwee Kla village tract, Hlaingbwe Township, Hpa-an District. The photo shows Saw Z---, who served as a BFG navigator during the period between October and November 2017. During his interview with KHRG on November 22<sup>nd</sup> 2017, he discussed his experience of being forced by BGF Non-commissioned Officer (NCO) Maung Na to serve as a navigator for almost two months. [Photo: KHRG]

<sup>7</sup> According to the 1949 Geneva Convention III and 1997 Additional Protocol I, as well as other sources of customary international law (IHL) civilians are defined as “persons who are not members of the armed forces” and those who do not carry arms openly. Therefore, this villager’s status as a civilian is complicated by the fact that he was forced to act as a navigator for the BGF, as well as by the fact that he chose to openly carry a weapon while accompanying the two armed groups to the front line. IHL is ambiguous as to whether members of armed groups, such as navigators, are considered civilians or not, however, it is possible that this villager lost his status as a civilian by openly carrying a weapon, and was thus no longer protected as a civilian under IHL from attack by armed forces while he was on the front line

# Hpa-an District

