



Situation Update

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Nyaunglebin Situation Update: Shwegyin and Kyaukkyi Townships, November 2017 to February 2018

This Situation Update describes events occurring in Shwegyin and Kyaukkyi Townships, Nyaunglebin District between November 2017 and February 2018. It includes information about land confiscation, gold mining, gold stone mining, logging, education and health.

- *The Burma/Myanmar government confiscated the land of Saw X--- from Y--- village, P'Deh Kaw village tract, Kyaukkyi Township. Saw X--- has spent 2,500,000 kyat [US \$ 1,698] trying to bring his case to the attention of the local authorities, to no avail.*
- *Gold mining and logging have increased in Shwegyin Township since the 2015 Nationwide Ceasefire Agreement (NCA). These projects have polluted water sources and damaged local forests.*

Situation Update | Shwegyin Township, Nyaunglebin District (November 2017 to February 2018)

The following Situation Update was received by KHRG in February 2018. It was written by a community member in Nyaunglebin 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 Nyaunglebin District, including 7 interviews, 95 photographs and 28 video clips.²

Introduction

This Situation Update describes the human rights situation in Nyaunglebin District between November 2017 and February 2018. This report contains information on land confiscation, gold mining, logging, education and health.

Land confiscation

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.

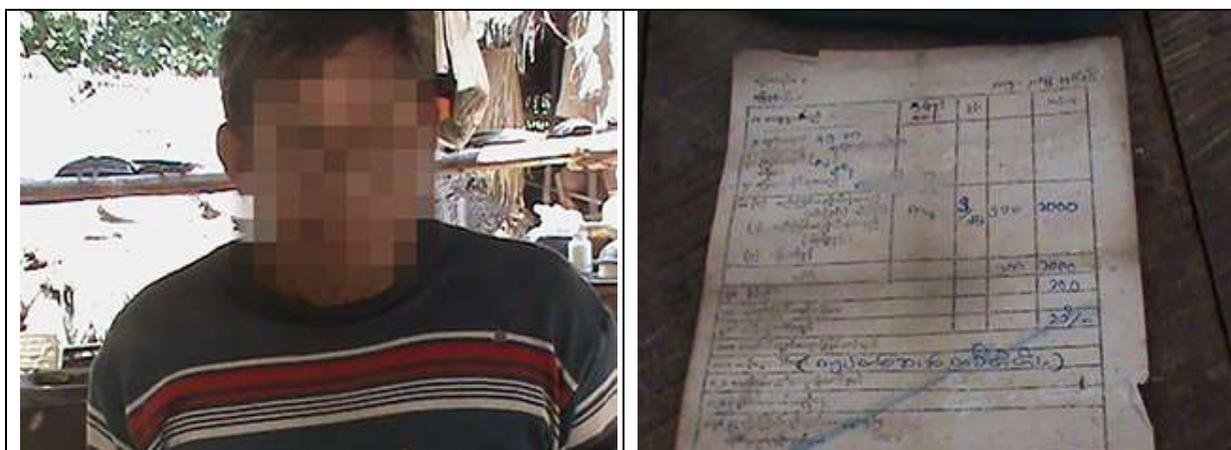
² In order to increase the transparency of KHRG methodology and more directly communicate the experiences and perspectives of villagers in southeastern Burma/Myanmar, KHRG aims to make all field information received available on the KHRG website once it has been processed and translated, subject only 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.

Saw³ X---'s land was confiscated by the Burma/Myanmar government. They confiscated his land to build a *Ta Sel Chauk Ka Day* [a sixteen hospital beds] hospital. The construction began on September 6th 2015. The local community does not know which company was responsible for its construction. The Burma/Myanmar government did not hold a consultation meeting with Saw X--- [to gain his consent]. He did not receive any compensation.

Saw X--- lives in Y--- village, P'Deh Kaw village tract, Ler Doh [Kyaukkyi] Township, Kler Lwee Htoo [Nyaunglebin] District. According to the Burma/Myanmar government, Y---village is situated in Pa Deh Kaw village tract, Shwegyin Township, Bago Division. Saw X--- cleared vegetation and worked on his land since 1999. He planted fruit trees [on this land], including cashew, lime, bergamot, jackfruit, and mango. He also farmed vegetables. He owned more than 10 acres of land. When he first applied for the [Burma/Myanmar government] land title, he wanted [to register] only five acres of land, in order to pay less tax. He was given a Burma/Myanmar government land title for five acres of his land.

[All 10 acres of land were confiscated.] After his land was confiscated, he worked with other villagers to try to get his land back. They spoke with the local authorities [village and village tract leaders] about his confiscated land. However, the authorities did not take any actions to address this issue. Therefore, Saw X--- submitted a complaint letter to Burma/Myanmar government and to the Karen National Union (KNU) Township authorities. He wanted them to consider this land issue. He did not receive a response from either of the parties.

He also tried to contact other people who could advocate on his behalf. He already spent 2,500,000 kyat [US \$ 1,698] trying to get his land back.⁴ He explained that he took out a loan from his neighbours to fund these efforts. He has to pay a monthly interest for his loan.



These photos were taken on February 2nd 2018 in Y--- village, P'Deh Kaw village tract, Kyaukkyi Township, Nyaunglebin District. They show Saw X--- [whose land was confiscated by the Burma/Myanmar government] and his official land title. The Burma/Myanmar government did not inform or compensate Saw X--- for his land. Saw X--- explained that he would accept either money or replacement land as compensation. [Photos: KHRG]

Gold and stone mining

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

⁴ All conversion estimates for the kyat in this report are based on the 9 August 2018 official market rate of 1,471 kyats to US \$1.

In the years after the Nationwide Ceasefire Agreement [NCA]⁵ was signed, wealthy individuals and companies were granted permission by the [Burma/Myanmar] government and local authorities to mine for gold and stone in Hsaw Htee [Shwegyin] Township, Kler Lwee Htoo, [Nyaunglebin] District.



This photo was taken on January 15th 2018 in Htee Ner Auh Loh Klow River, Ler Wah village tract, Shwegyin Township, Nyaunglebin District. It shows the Shadow Company mining for gold in the river near the Shwegyin Dam. The Karen National Union (KNU) partakes in gold mining. [Photo: KHRG]

Consequently, the mining operations damaged the local environment and the farmlands of the local community. Gold mining and logging are common in many areas of Shwegyin Township.⁶

Local villagers are concerned for the future of their great-grandchildren. They worry about how future generations will secure their livelihoods [given the negative impacts of gold and goldstone mining]. Gold mining workers use toxic substances, including mercury, to extract gold. Fish and frogs in the local river have died due to chemical exposure. Local people are concerned for their health.



⁵ On October 15th 2015, after a negotiation process marred with controversy over the notable non-inclusion of several ethnic armed groups and on-going conflicts in ethnic regions, a [Nationwide Ceasefire Agreement \(NCA\)](#) was signed between the Burma/Myanmar government and eight of the fifteen ethnic armed groups originally invited to the negotiation table, including the KNU, see “[Myanmar signs ceasefire with eight armed groups](#),” Reuters, October 15th 2015. The signing of the NCA followed the January 12th 2012 preliminary ceasefire agreement between the KNU and Burma/Myanmar government in Hpa-an. Karen civilians and the KNU have more recently expressed their concerns about the lack of progress in moving from a ceasefire towards genuine political dialogue. See, [KNU Chair Highlights Weaknesses In The NCA During Anniversary Celebrations](#), Karen News, October 2017 and [NCA signatories urge government to reboot peace process](#), DVB, October 2017. In February 2018, two additional armed ethnic groups signed the NCA under pressure from the Burma/Myanmar government.

⁶ Both gold mining and logging are conducted in Saw Ther Hkee village tract, Htee Bla village tract and Ler Hpa village tracts. Gold mining project are conducted in the area like Htee Bla, Maw Tha Mee Ser, Der Wee Hkoh, Hsaw Oh Lo Kloe, Meh Hteh Lo Klo, Htee Bla, P’Da Lo Klo, Saw Ther Hkee, Ta Say Der, Khow Kha Lo, Su Mu Lo Kloe, Khaw Lo Kloe and Kaw Gu Lo Kloe areas.



These photos were taken in February 2018 in Shwegyin Township, Nyaunglebin District. They show the gold and goldstone mining conducted by wealthy individuals.⁷ Local villagers, local authorities and companies have cooperated to mine for gold. This has resulted in the destruction of farmlands and forests, and the contamination of local water sources. The picture on the right shows a gold miner heating the gold in order to process it. He is using six different types of chemicals that can harm people, animals and biodiversity. [Photos: KHRG]

Logging

Logging for economic purposes is damaging the forests in the area. Wealthy individuals, illegal loggers, local authorities, and the Shway Kyone Kyi Company are all responsible for logging the nearby forests. There are other groups that log the forest [for wood] to build schools, bridges, monasteries and other religious buildings. At times, they log more than the required amount for each building. For example, one school building only needs 5 tons of wooden planks. However, they logged 100 tons of wooden planks.



These photos were taken on February 7th 2018 in Htee Blah village tract, Shwegyin Township, Nyaunglebin District. The local villagers logged the forest for wood to build a monastery, a school and some bridges in the area. They were not granted permission to log this forest from the [Shwegyin] Township or the [Nyaunglebin] District. [Photos: KHRG]

⁷ Goldstone mining is a locally used expression referring to the process of separating gold from stone using a grinding machine; gold mining is locally used to refer to the separation of gold from sand using water. Both processes involve the heavy use of chemicals to refine the separation of gold from other materials.

Deforestation has caused local streams to dry up, temperatures to rise, and more insect infestations in local plants. It has also shrunk the grazing lands of local animals. Therefore, villagers are concerned about the on-going logging. There has been a notable increase in logging ever since the NCA was signed.

Local villagers, wealthy individuals from Shwegyin Town, Yay T'Gu [Yagon] Town, Shadow Company and Kyaw Min Naing [Shwe Kyon Kyi company' owner] are all complicit in the conduct of gold and stone mining, and logging.

Education

Access to education in Shwegyin Township has improved. Local villagers are now able to send their children to school. The quality of some KNU school buildings and of the local roads has improved. However, the support provided by the KNU Karen Education Department [KED]⁸ for teachers is insufficient. Therefore, local communities still need to pay a tuition fee of 10,000 kyat [US \$ 6.80] for each student in order to support the teachers. Schools in rural areas do not always have access to sufficient school supplies. Parents in rural areas need to purchase school supplies and books for their children.



These photos were taken in H--- village, Ler Wah village tract, Shwegyin Township, Nyaunglebin District in February 2018. They show a school and a clinic in Ler Wah village. The KNU authorities in Nyaunglebin District support these institutions. [Photos: KHRG]

The number of standards⁹ and teachers differs from school to school. For example, some schools go up to standard three and have only one teacher, while some schools go up to standard four and have two teachers.

⁸ The Karen National Union's Education Department. The main goals of the KED are to provide education, as well as to preserve Karen language and culture. During the civil war in Burma/Myanmar the KED became the main organisation providing educational services in the KNU controlled areas in southeast Burma/Myanmar. The KED also previously oversaw the educational system in the seven refugee camps along the Thai-Burma/Myanmar border, however in 2009 these activities were restructured under the Karen Refugee Committee – Education Entity (KRCEE). See "[Conflict Erupts over Govt teachers deployed to KNU areas](#)," Karen News, August 20th 2013 and the KRCEE website: "[About](#)," accessed July 21st 2015.

⁹ 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.

Because there is a lack of teachers, community members need to fill the vacancies. Because they are not trained teachers, they lack the capacity to teach in an efficient and comprehensive way. Additionally, some teachers are not qualified to teach because they did not graduate [from high school or college] and they do not have teaching experience.

The KED Township and District level workers cannot provide teacher training to all teachers. For example, Ler Wah Middle school is run by the KED. It only has six teachers. The school goes up to standard six and has 70 students. However, only six students out of seventy have passed their standardised examinations in the second semester.

Health

Even though there are health workers in local villages, many basic medicines are unavailable. If they become ill, local villagers have to go to the KNU Township and District level hospitals and clinics. However, those health centres do not always have the medicines necessary to cure major illnesses. In that case, some patients have to go to Shwegyin and Kyaukkyi towns. This is difficult for them because there are no vehicle roads in the area. Local villagers have to carry patients by themselves [and travel by foot].

Another difficulty is that many villagers do not have enough money to pay the higher medical fees in the towns. They also may not know how to get to Shwegyin and Kyaukkyi towns, may not know anyone there, and may not know of the security situation there. Finally, villagers who cannot speak Burmese face an additional barrier accessing healthcare services in these towns.

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

- “Nyaunglebin Short Update: Mone Township, November 2016 to February 2018” (July 2018)
- “Nyaunglebin Interview: Saw A---, May 2017”, (December 2017)
- “Nyaunglebin Field Report: Militarisation, land confiscation, violent abuse, ‘re-relocated’ IDPs, landmines, and development projects, December 2015 to December 2016”, (October 2017)
- “Nyaunglebin Situation Update: Kyaukkyi Township, January to May 2017”, (October 2017)

Kler Lwee Htoo (Nyaunglebin) District



Karen Human Rights Group (KHRG)