



Karen Human Rights Group

Documenting the voices of villagers in rural Burma

News Bulletin

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A Karen Community Leader, Saw O Moo, Was Murdered by Tatmadaw forces in Hpapun District, April 2018

On April 5th 2018, Saw O Moo was murdered by Tatmadaw forces on the edge of Htee Hsee Hta Plaw [also known as T'Ree Plaw] farm area, Ler Mu Plaw village tract, Lu Thaw Township. He was on his way back home from a meeting to organise humanitarian assistance to internally displaced people (IDPs). Until now, the Tatmadaw has refused to allow his family to retrieve his body and bury it according to the traditional Karen way.¹ This News Bulletin will pay tribute to the important work that Saw O Moo did for his community, and will analyse how his murder violated the Nationwide Ceasefire Agreement (NCA) Code of Conduct.

Introduction

An indigenous Karen community leader, Saw O Moo, was murdered by Tatmadaw forces on April 5th 2018. According to information received by KHRG, he was shot and killed by Tatmadaw Southern Command Headquarter (SCH) Light Infantry Battalion (LIB) #351 when he arrived at Wah Klo Hta place, on the edge of Htee Hsee Hta Plaw [also known as T'Ree Plaw] farm, Ler Mu Plaw village tract, Lu Thaw Township. He was on his way back home from a meeting to organise humanitarian assistance to internally displaced people (IDPs). At the time of his murder, Saw O Moo was riding on his motorbike with Saw Hser Blut Doh, a Battalion Deputy Commander from Karen National Defence Organisation [KNDO] Battalion #1, Company #2. The Battalion Deputy Commander had asked Saw O Moo to drive him to Ler Mu Plaw.

During the incident, Saw O Moo was shot dead. Until now, the location of his body is unknown. The Battalion Deputy Commander escaped, leaving four mortar shells in the area where the incident took place. Saw O Moo's motorcycle was damaged and his motorcycle battery was stolen by Tatmadaw. When Karen National Liberation Army [KNLA] soldiers approached at the incident place, they only saw Saw O Moo's blood on the ground and his damaged motorcycle. Because Saw O Moo's body has not been found, local community members are afraid that he might have been tortured until his death. They believe that the Tatmadaw might have buried his body secretly.

About Saw O Moo

Saw O Moo is an indigenous man from Ler Mu Plaw area. He was 42 years old, and survived by his wife and his seven young children. His youngest child is only ten months old. According to a documentary by

¹ This News Bulletin was written by KHRG office staff and is based on information from a community member from Hpapun District who has been trained by KHRG to monitor local human rights conditions. It summarises information from two situation update and tow interview received by KHRG in April. In order to increase the transparency of KHRG methodology and more directly communicate the experiences and perspectives of villagers in southeast 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.

the Karen Environmental and Social Action Network [KESAN]², Saw O Moo was a defender of Karen indigenous rights, of Karen ancestral territories, traditions, and of the environment. He was actively engaged in community work and development as an indigenous leader. He worked for the development of Salween Peace Park and Luthaw Paw Day. He was passionate about education, environmental conservation and wildlife protection.

Saw O Moo's murder: A Violation of NCA Code of Conduct and of International Human Rights

Saw O Moo's wife, Naw K---, explained why her husband was still travelling during the conflict period: he believed that the Tatmadaw will not shoot civilians because of the NCA Code of Conduct. Prior to his death, the Tatmadaw put letters on civilian roads to explain the purpose of their military operation and build better relations with the local community. The letters deposited in the area stressed that the Tatmadaw would not harm civilians.

Despite this, Tatmadaw forces from Southern Command Headquarter (SCH) LIB #351 did not keep their word and shot Saw O Moo, an unarmed civilians. Although the Deputy Commander he was travelling with had two guns and four grenades on him, the killing of Saw O Moo is a violation of the NCA³ Code of Conduct. KHRG has received other reports of Tatmadaw shooting at civilians on motorbikes in the morning of April 5th, 2018.

By killing Saw O Moo, the Tatmadaw violated the following article of Section 3 of the NCA Code of Conduct, according to which armed groups have agreed to *"avoid acts violating a person's dignity, violence, extrajudicial detention, kidnapping, torture, inhumane treatment, imprisonment, killing or otherwise causing the disappearance of the individual."* In addition to this, Tatmadaw violated Article 3 of the Universal Declaration of Human Rights [UDHR],⁴ that states that *"everyone has the right to life, liberty and security of person."* The murder of Saw O Moo by Tatmadaw forces is also a war crime, since it violates Common Article 3 of the 1949 Geneva Conventions, which prohibits the murder of civilians.⁵



These photos were taken on April 13th 2018 in Htee Hsee Hta Plaw [also known as T'Ri Plaw] plain farm area, Ler Mu Plaw village tract, Lu Thaw Township, Hpapun District. The first picture shows Saw O Moo's motorbike

² "<https://www.youtube.com/watch?v=VdQ77U0vygU&t=492s>," Karen Environmental and Social Action Network, May 2018.

³ 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 govt 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...

⁴ "<http://www.un.org/en/universal-declaration-human-rights/>," December 1048.

⁵ "https://ihl-databases.icrc.org/customary-ihl/eng/docs/v2_rul_rule89," International Committee of Red Cross, 1949.

on the ground in the place where he was shot by the Tatmadaw forces of the Southern Command Headquarter (SCH) LIB#351. The Tatmadaw did not take his motorcycle, but they damaged it by cutting off the motorcycle wire and stealing the motorcycle battery. The second picture shows his blood on the ground and the bamboo, which was damaged by Tatmadaw bullets. [Photos: KHRG]

The Tatmadaw released a statement regarding the incident on True News Information Team,⁶ in which they denied wrongdoing and claimed that Saw O Moo ran away when they ordered him to stop. In this statement, the Tatmadaw claimed that the two civilians that they shot at were suspected of being involved in sabotage attacks and planting mines. They also captured one of the men dead with evidence of his wrong-doing. This statement was also mentioned in The Irrawaddy news report⁷.

Regarding the Tatmadaw statement, Naw K--- responded that she strongly believed that her husband would not have run away during the incident because a considerable amount of his blood was found on the ground where the incident took place, as well as on surrounding trees and bamboo.

Saw Hser Blut Doh who was travelling with Saw O Moo reported that, *"When I saw the Burma Army soldiers, I immediately jumped off from the motorbike and ran. Saw O Moo could not stop his motorbike immediately, so the soldiers shot him. I could hear gunshots as I ran into the forest."*, as reported by Burma Link⁸.

Contested Military Road Reconstruction led to clashes and displacement

Since November 2017⁹, there has been tension in this area between the Tatmadaw and the KNLA. The Tatmadaw have been reconstructing a road for military purposes between Ler Mu Plaw and Kay Pu village tracts. The Tatmadaw personnel who constructed the military road are from Toungoo District (which is the Tatmadaw Southern Command Headquarter). Burma Link¹⁰ has stated that the Tatmadaw Southern Command had issued prior notification of this to the KNLA and Nyaunglebin District authorities.

This road is in Karen National Union (KNU) territory. Local civilians use it to travel. It would also cross the farm land of local communities and indigenous Karen reserved forest without having prior permission from either local civilians or the KNU authority. Local civilians are already at risk when they travel because of Tatmadaw violence. The murder of Saw O Moo by Tatmadaw is an example of how dangerous military roads can be for local communities.

The Tatmadaw soldiers based in the army camps in Hpapun District have been providing security for the other Tatmadaw personnel who have been reconstructing the military road. The reconstruction of the military road has damaged many civilians' plain and hill farms, and reserved forests in three village tracts: Saw Mu Plaw, Ler Mu Plaw and Kay Pu village tracts. Despite the land confiscation and land damage, no consultations have taken place with the local community, and no compensation has been offered.

Because the Tatmadaw military road construction was planned in the KNU control area without the permission from KNU authority, the Tatmadaw abused the NCA Code of Conduct Article 8 Section B, which states that "movement of armed troops in the areas controlled by the other is allowed only after obtaining prior agreement".

Saw O Moo's wife Naw K--- reported that local civilians did not consent to the reconstruction of the military road, because civilians wanted to construct a road that would serve their transportation needs. As a result, clashes broke out between Tatmadaw and Karen National Liberation Army [KNLA] on March 5th 2018. The violence led to the displacement of more than 2,000 civilians, including Saw O Moo's family.

Impact on Saw O Moo's family

⁶ "<https://www.facebook.com/Cincds/posts/1660069000780625>," True News Information Team, April 2018.

⁷ "<https://www.irrawaddy.com/news/burma/tatmadaw-claims-killed-karen-community-leader-plainclothes-fighter.html>," The Arrawaddy, April 2018.

⁸ "<https://www.burmalink.org/a-tribute-to-saw-o-moo/>," Karen Environment and Social Action Network, April 2018.

⁹ "18-41-S2," KHRG, May 2018.

¹⁰ "<https://www.burmalink.org/tatmadaw-claims-killed-karen-community-leader-was-a-plainclothes-fighter/>," Burma Link, April 2018.

When a KHRG researcher interviewed his wife Naw K---, she reported: *"Even if I ask them [Tatmadaw] to resurrect my husband, they cannot do it so I strongly urge all of the Tatmadaw to withdraw from my area [Mu Traw District] and I don't want any compensation for my dead husband case. I am happy to pay compensation back to them for their leaving my area. This is my biggest dream and calling for the Tatmadaw to go back [to their place]"*

Saw O Moo's wife urges the Tatmadaw to withdraw from indigenous Karen land. She desires genuine peace for her children and community. She wants nothing more than to return to her village and work on her farm in peace.

Saw O Moo's family is currently displaced and hiding in the forest due to conflicts between Tatmadaw and KNLA. Being displaced has been a challenge to their livelihoods. Saw O Moo's wife has to struggle alone, and secure her children's health and education without her husband. This is a huge burden for a woman who is displaced due to violent conflict. She added that, *"I am currently displaced in the forest because of the Tatmadaw activities so the biggest problem that I am facing now is food and health problems."*

Conclusion

Saw O Moo's murder by Tatmadaw forces is a violation of human rights, as well as a violation of the NCA Code of Conduct.¹¹ His death profoundly affected his wife and children, who face livelihood challenges and are worried about their future. In Karen culture, a father is the main shelter of his family. His death is a great loss to the Karen community, which has lost indigenous leader advocating for their rights.

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

- "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)
- "KHRG tribute to Saw Oh Moo", (May 2018)



This photo was taken on April 13th 2018 in Ler Mu Plaw area, Ler Mu Plaw village tract, Lu Thaw Township, Hpapun District. This photo shows Saw O Moo's wife, Naw K---. She is 35 years old. She reported the details of her husband's murder by Tatmadaw forces. She also reported her opinion regarding the statement released by the Tatmadaw denying being responsible for the murder of Saw O Moo. She explained the challenges her family now faces. [Photo: KHRG]

¹¹ 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 govt 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...

Mu Traw (Hpapun) District



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