



Karen Human Rights Group

Documenting the voices of villagers in rural Burma

Situation Update

September 28, 2018 / KHRG #18-31-S1

Mergui-Tavoy Situation Update: Tanintharyi Township, November 2017 to March 2018

This Situation Update provides information on the restriction of Karen language in schools, environmental pollution due to lead mining, drug trafficking, and land confiscations in Tanintharyi Township, Mergui-Tavoy District.

- *Access to learning Karen language is limited in Tanintharyi Township.*
 - *Lead mining has increased in Kay Hkee and Kay villages, Tanintharyi Township. It has caused the contamination of many water streams, and has polluted the natural environment.*
 - *Between January and March 2018, when the Shway Kyun Aa Man Company was building a road, they damaged 300 rubber plants owned by Saw W---. The company did not compensate him for the damaged property.*
 - *Tanintharyi authorities have arrested a number of civilians for drug trafficking related offenses.*
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Situation Update | Tanintharyi Township, Mergui-Tavoy District (November 2017 to March 2018)

The following Situation Update was received by KHRG in March 2018. It was written by a community member in Mergui-Tavoy 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 Mergui-Tavoy District, including one other incident reports, 1 interview and 56 photographs.²

Education

Access to learning (Karen) language has been limited since the national peace process has begun. More Myanmar government teachers were assigned to teach in rural communities. The schools had to adopt the Myanmar Government curriculum in which ethnic minority languages were not prioritised. In some joint [Myanmar government and KNU] schools in

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.

P'Leh Aor Kloh Hkoh, K'Mah Loh and D'Haw villages, pupils were allowed to learn Karen language on Saturdays but not on the regular school days.

There are two Karen high schools in Mergui-Tavoy District where students can the teaching of Karen is not restricted. One is the Ler Muh Lah Township high school, which goes up to Standard Ten. The other is the Tanintharyi Township School. It is located in Thoo Lei Plaw village and goes up to Standard Seven.

Poverty remains a barrier for rural communities to access education in Tanintharyi Township. In 2017, some children had limited opportunities to study because their parents could not afford to pay for their education. Instead of attending school, children in poor families have to help their parents earn livelihoods.

Lead mining

Since 2012, local businessmen have started extracting lead in Kay Hkee and Kay villages, Tanintharyi Township, Mergui-Tavoy District. Initially, there were no issues. However, after 2015, more businesses and workers arrived to the area. The large-scale mining caused water to turn muddy in the Kay River. It also polluted a forest. Villagers were negatively affected because they rely on the Kay River for water and on the natural environment for their daily needs. Some local people worked in the lead quarries as day workers to earn money.

In Kay Hkee village, lead is not being mined by registered companies, but by rich individuals. *Padoh*³ Nya Wah from Tanintharyi Township is monitoring the lead mining operations that are causing tensions. He learned that there are 120 groups that operate lead mining sites, and 800 labourers.

A code of conduct was agreed upon between different local business groups. It states that whoever contaminates waters as a result of lead mining would be fined 1,300,000 Kyat [USD 835.50]⁴ and would be forced to stop their operation for one month. In 2018, the lead mining operators agreed to have a meeting on the 25th of every month.



³ *Pa Doh* is a title meaning 'governor' or 'minister,' within the government or military.

⁴ All conversion estimates for the kyat in this report are based on the 12/09/2018 official market rate of 1554.38 kyats to US \$1.



The first two photos were taken in Kay Hkee village, Kay Hkee village tract, Tanintharyi Township in January 2018. The top left photo shows lead processing. The top right photo shows lead miners excavating the land. The remaining two photos show a truck that transports gasoline to the mining area. [Photos: KHRG]

Road Construction

The construction of a ring road by the Shway Kyun Aa Man Company damaged local plantations in T'Pah village, Kadan Island. It affected the rubber and cashew plantations of Saw ---. During the road construction, from January to March 2018, the company used stones from Saw W---'s land to build the road. They also damaged 300 rubber trees during the process, out of a total of 400 trees. No negotiations were held before the road construction took place. No compensation was provided for the damaged plantations.

The company responsible for this is Shway Kyun Aa Man. The operation was organised by Kyaw Nay So. It was managed by Lwin Ko, who would not often visit the construction site. At the moment, the road construction is still ongoing.





These photos were taken on March 3rd 2018 in T’Pah village, K’Tah Kloh village tract, Tanintharyi Township. They show the road being built by Shway Kyun Aa Man Company. The company did not consult with the villagers or provide compensation for damages that it caused. [Photos: KHRG]

Drug use

Drug trafficking remains a prevalent issue in Mergui-Tavoy District, despite the efforts of local authorities to prevent it. On December 7th 2017, KNU police arrested a 39-year-old man for drug trafficking.

On December 15th 2017, the KNU vice-police chief Saw Dah Beh and his policemen arrested a 33-year-old man for drug trafficking. He had previously been arrested at a KNU check point in Bein Taw village tract, Tanintharyi Township.

On December 23rd 2017, the police arrested Naw N---, a 22-year-old woman, for transporting 300 opium pills in her car. Currently, Naw N--- is detained in the Burma/Myanmar government prison in Mergui-Tavoy. Her court date has not yet been decided.

On March 2nd 2018, the Tatmadaw military police from Tanintharyi Township, Burma/Myanmar government officials, and local civilians organised a marijuana clearing event [search and destruction of marijuana plants] in Kyweh Htein Kon village. This event was attended by Tatmadaw Light Infantry Battalion (LIB) #561 Captain Aung Ko Lat, soldiers Soe Naing Thu, Nay Lin Oo, Myit Htay, Nyein Chan Aung, Lin Aung, Min Min So, Than Aung, Kyaw Win, Tanintharyi Chief police Saw Maung, Daw Hpyu Win from Women Affairs, and Daw Yi Yi. It was also attended by the chief of the militia⁵ in Nyaung Pin Kwin village Htay Oo and his nine soldiers, five firemen, five elders and the Chief of Tanintharyi’s Forestry Department Aung Kyaw So.

Many people in this area struggle financially because they do not have plantations to work on. To sustain their livelihoods, many landless people turn to casual work. They clear plantations for which they receive 7,000 Kyat [USD 4.5] a day. The average daily payment for casual work is 8,000 Kyat [USD 5.14] for men and 5,000 Kyat [USD 3.21] for women. The local community believes that there has been an increase in drug problems because of poverty.

⁵ This refers to the ‘people’s militia,’ a militia structure into which local civilians are conscripted to serve in village or town militia groups.

Land disputes

A land dispute has occurred in Kloh Hkoh area between a Bamar⁶ man, U Han Htun, and a Karen woman, Naw P---. U Han Htun confiscated land owned by Naw P--- and cut down trees on her plantation to build boats. He did not provide any compensation nor did he return the land to Naw P---. She reported this case to the KNU Township leader Nya Wah in Tanintharyi Township and the District leader Thoo Yeh. The KNU leaders promised to take action to prevent land disputes from occurring again in the future. In January 2018, *Padoh* Nya Wah resolved this problem by ordering the U Han Htun to vacate the land.



These photos were taken on December 19th 2018 in K'Mah Loh village, Tanintharyi Township. The photo on the left shows Naw P---, who was a victim of land confiscation. The photo on the right shows the perpetrator U Han Htun. The KNU leaders in Tanintharyi Township resolved this issue on December 19th 2017 after the victim reported the case. [Photos: KHRG]

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

- “Mergui-Tavoy Situation Update: K’Ser Doh and Ler Muh Lah townships, December 2017 to February 2018”, (July 2018)
- “Mergui-Tavoy Field Report: Growing concerns about land confiscations and development-related abuses, January 2016 to December 2017”, (July 2018)
- “Mergui-Tavoy Situation Update: Ler Doh Soh Township, October 2016 to October 2017”, (June 2018)
- “Mergui-Tavoy Situation Update: Ler Doh Soh Township and K’Ser Doh Township, February to April 2017,” (February 2018)

⁶ The majority ethnic group in Myanmar, also known as ethnic Burmese or Burman.

Mergui/Tavoy (Thanintharyi) District



Karen Human Rights Group (KHRG)