



## Report from the field

October 29<sup>th</sup> 2009 / KHRG #2009-F19

## Living conditions for displaced villagers and ongoing abuses in Tenasserim Division

*Villagers in SPDC-controlled parts of Tenasserim Division, including 60 villages forced to move to government relocation sites in 1996, continue to face abuses including movement restrictions, forced labour and arbitrary demands for 'taxation' and other payments. In response, thousands of villagers continue to evade SPDC control in upland jungle areas. These villagers report that they are pursued by Burma Army patrols, which shoot them on sight, plant landmines and destroy paddy fields and food stores. This report primarily draws on information from September 2009. Because KHRG has not released a field report on the region since 2001, this report also includes quotes and photographs from research dating back to 2007.*

Tenasserim Division is Burma's southernmost region, bordered by the Andaman Sea to the west and Thailand to the east. Fairly narrow and never more than 60 miles (97 kilometres) across, the 400 mile (644 kilometre) long division constitutes a narrow peninsula, shared with Thailand and pointing towards Malaysia. The northern end of the division, Kaw Te Hgah Township, has received extensive international coverage for abuses related to the Yadana and Yetagun gas projects,<sup>1</sup> both owned by international energy companies, as all well as the government-owned Kanbawk to Myaing Kalay gas pipeline.<sup>2</sup>

Abuses in areas of Tenasserim Division south of the pipeline area have received little coverage, however, belying the degree to which human rights continue to be consistently violated by the Burma Army.<sup>3</sup> In 1996, the State Law and Order Restoration Council (SLORC)<sup>4</sup>



This photo, taken on September 19<sup>th</sup> 2009 in Ler Mu Lah Township, shows a bullet wound sustained by Saw G--- two weeks after SPDC LIB #557 opened fire on him and ten other villagers as they returned from working on their paddy field. [Photo: KHRG]

<sup>1</sup> Earth Rights International began publicizing abuses related to the Yadana project with the release of the report *Total Denial* in July 1996, later pursuing a litigation strategy in the United States that spread to Belgium and France. The group has continued to release reports on pipeline related abuses since 1996. Most recently, see *Total Impact: The Human Rights, Environmental, and Financial Impacts of Total and Chevron's Yadana Gas Project in Military-Ruled Burma*, September 2009; *Getting it Wrong: Flawed 'Corporate Social Responsibility' and Misrepresentations Surrounding Total and Chevron's Yadana Gas Pipeline in Military-Ruled Burma (Myanmar)*, September 2009. KHRG also documented abuses related to the pipeline project. See, "Ye-Tavoy area update," January 1996; "Effects of the gas pipeline project," May 1996.

<sup>2</sup> See, *Laid Waste: Human rights along the Kanbawk to Myaing Kalay gas pipeline*, Human Rights Foundation of Monland, May 2009.

<sup>3</sup> For the most recent report by KHRG dedicated to documenting abuses in Tenasserim Division, see *A Strategy of Subjugation: The Situation in Ler Mu Lah Township, Tenasserim Division*, KHRG, December 2001.

began forcibly relocating thousands of villagers to government-controlled areas. A decade later, villagers still living in these sites, as well as villagers in previously existing villages in nearby areas, report exploitative abuses including forced labour, arbitrary 'taxation,' movement restrictions and punishment as alleged supporters of the Karen National Union (KNU). Because of abuses such as these, thousands of villagers and internally displaced people (IDPs) continue to pursue life hiding in areas not under State Peace and Development Council (SPDC) control. These villagers report that they are targeted by the Burma Army, which works to create living conditions so untenable that villagers are forced to move to villages under SPDC control.

## Life for villagers evading SPDC control



This photo, taken on September 19<sup>th</sup> 2009 in Ler Mu Lah Township, shows the injured arm of Saw E---, who was shot by an Burma Army patrol in April 2009. Though nearly seven months after the incident, his arm had yet to heal. Saw E--- told KHRG he would like to help his parents on their hillside paddy field, but is prevented from doing so by the injury. [Photo: KHRG]



This photo, taken during the 2007 rainy season in Tenasserim Division, shows a child as he goes into shock from a high fever. Malaria and dengue fever are endemic in the area. IDPs and villagers in hiding often have access only to irregular health services provided by mobile health teams that launch operations from Thailand. [Photo: KHRG]

Tenasserim Division is home to relatively fewer displaced villagers in hiding when compared with other Karen areas, such as the northern districts of Toungoo, Nyaunglebin and Papun. More than 3,050 people remain in hiding throughout Ler Mu Lah and Te Naw Th'ri Townships,<sup>5</sup> however, and villagers continue to report abuses similar to those suffered by IDPs hiding elsewhere in Karen State. SPDC Army soldiers patrol non-SPDC controlled areas for IDPs, destroying plantations, hill fields, homes and food stores. Patrols in Tenasserim Division also operate on a shoot-on-sight policy, and villagers report being shot at by the Burma Army while working at their farms and plantations, while walking and staying inside their villages. The SPDC also continues to make extensive use of unmarked landmines, as does the Karen National Liberation Army (KNLA, the armed wing of the KNU), though to a lesser degree.

On September 2<sup>nd</sup> 2009, for instance, a group of 11 IDP villagers were attacked as they returned from their hill fields near Ht--- village, Ler Mu Lah Township, Tenasserim Division. At 4:00 pm, the group, along with a KNLA escort, encountered 100 soldiers from SPDC Light Infantry Battalion (LIB) #557, which opened fire upon sighting them. All but one of the villagers were able to safely flee. The 11<sup>th</sup>, Saw G---, was wounded in the leg, but was able to escape

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<sup>4</sup> The SLORC changed its name to the State Peace and Development Council (SPDC) in 1997, but the changes were mostly cosmetic; in Karen areas, trends in abuse continued much as before.

<sup>5</sup> These townships include SPDC-designated Palaw, Mergui, Tenasserim and Bokpyin townships. See, *Protracted Displacement and Militarisation in Eastern Burma*, Thailand Burma Border Consortium, November 2009.

after the KNLA soldier stayed behind to fire on and delay LIB #557. Villagers told KHRG that they found the dead body of the KNLA soldier the next day.

Like IDPs elsewhere in Karen areas, villagers hiding in Tenasserim Division continue to employ a variety of strategies to resist abuse by the SPDC army, including using flight to avoid SPDC-control and advanced preparation of hiding sites and food storage to make this evasion more effective.<sup>6</sup> Below is an extended quote from Naw R---, who lives in N--- village, Te Naw Th'ri Township, in which she describes her experience fleeing from Burma Army patrols and the measures she and her husband have since taken to prepare for future flight. The interview took place during May 2007; it has not previously been published by KHRG:

*“Because of the operation of SPDC soldiers we dare not to live in our own village. We always have to move to another new place. We’re afraid of them [SPDC soldiers] because if they see us they might use us as porters or shoot us. I came to escape here at N--- village last year... We had to swim and cross the river from N--- village to Ht--- village because our boat was broken. We slept in Ht--- village for one night; we were in trouble, and there were no places to sleep... [The next day] SPDC soldiers came to this village [Ht---] and started to shoot at the villagers. We were very worried and had to [leave and] find our own safe place. I couldn’t carry my children and bags. It was raining a lot so we couldn’t run very far. Pa Ht--- [her neighbour] could carry just one blanket. We had to run as fast as we could. We almost lost our way. There were five families altogether. One of my neighbours lost his child because he had to carry things and his three children also. After that we became separated in groups and couldn’t find each other... We ran without stopping until we reached a safe place. It was beside the stream. There was no food this time. Mosquitoes kept biting us. I felt very sad for my children. A leech bit my husband. We stayed hiding ourselves here until we knew that the SPDC soldiers had gone away from us... Regarding the issues [described above], we decided to build a secret hut for our family deep in the jungle. If the soldiers come, then we run immediately to our own hut.”*



This photo, taken during August 2007 in Tenasserim Division, shows a shelter prepared by villagers to keep paddy and other food stores from being destroyed by Burma Army patrols. [Photo: KHRG]



This photo, taken during June 2007 in Ler Mu Lah Township, shows boats belonging to villagers attending a memorial service for five people who had recently been killed by landmines. Villagers in the area travel primarily by boat because landmines make overland travel too dangerous. [Photo: KHRG]

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<sup>6</sup> For more on the strategies villagers use to resist abuse, see *Village Agency: Rural rights and resistance in a militarized Karen State*, KHRG, November 2008.

In spite of the difficult conditions in which they live, villagers have also described attempts to maintain their sense of community. In the quote below, Saw B--- describes how he and other villagers from the T--- village area responded to 5 villagers being killed by landmines by holding a memorial service, in spite of danger from SPDC activity in their area. The interview took place in June 2007; it has not previously been published by KHRG:

*“The situation here is very bad and unstable. SPDC soldiers put landmines around our paddy fields and betel nut plantations. Very recently, five villagers accidentally stepped on landmines and died. We did not even dare to go and carry them to the village. We were very upset by this, so we held a memorial service for them... The SPDC soldiers have lots of movement in this area. They never leave the villagers alive; they just shoot us when they see us. Even if we are not their enemies they shoot at us. Last year they came to our village many times. We had to flee and find our own safe places. But after they left we went back to our village. They [the SPDC soldiers] destroyed and burnt our paddy fields.”*

## **Life in SPDC-controlled villages and relocation sites**

In September 1996, concurrent with an offensive against Karen National Liberation Army (KNLA, the armed wing of the KNU) positions in Tenasserim Division and Dooplaya District, the SLORC forcibly relocated thousands of villagers to government controlled relocation sites. Affected areas included more than 40 densely populated villages between the Andaman coast and Tenasserim River, from Palauk in northern Ler Mu Lah Township to Tenasserim Town in Te Naw Th’ri Township. Another 20 villages were forcibly located from areas south of Tenasserim Town. Villagers were ordered to relocate to sites near the north-south Tavoy-Mergui motor road, or near majority ethnic-Burman villages near the southern end of the Tenasserim River.<sup>7</sup>

More than ten years later, villagers in these relocation sites as well as other villages in SPDC controlled parts of Tenasserim Division report exploitative abuse and movement restrictions that make meeting livelihood needs intensely difficult. In the area around the Le Nya SPDC Army camp in Te Naw Th’ri Township, for instance, villagers report abuses including forced labour and cash payments for building army facilities. On September 5<sup>th</sup> 2009, SPDC soldiers from LIB #559 based in Le Nya under the command of officer Aung Myint Lin ordered the head of nearby M--- village to send them two porters to carry army equipment. The village head told KHRG after his village provided the porters that he had no knowledge of where they had gone.

Elsewhere in Te Naw Th’ri Township, on September 20<sup>th</sup> 2009 LIB #561 based at Tone Daw ordered villagers from T---, N--- and B--- village tracts to provide 40 porters. These village tracts are made up of a total of 20 villages, each of which was ordered to send two people. Before the porters were actually sent to Tone Daw, however, the villagers were informed that they should send cash payment for the hire of porters in lieu of sending actual people. The villages were instructed to collect a total of 1.6 million kyat (approx. US \$1,516) and deliver it to the army camp at Ler Ker, Te Naw Th’ri Township. Villagers subsequently told KHRG researchers that they do not believe the money will be used for hiring porters. These villagers said that this kind of incident happens at least twice a year; they are required to both make payments allegedly for hiring porters, and work as unpaid porters themselves.

Residents of relocation sites have also complained of exploitative abuses, which weigh especially heavy because villagers at these sites live under restricted conditions that drastically limit their ability to support themselves, let alone meet SPDC demands for forced labour and

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<sup>7</sup> For more on this forced relocation, see “Free-fire zones in southern Tenasserim,” KHRG, August 1997.

arbitrary 'taxation.' At the H--- relocation site in the Le Nya area, for instance, villagers describe restrictions on their ability to access farm fields as well as conduct outside trade, regular demands for forced labour and cash payments. It has been over a decade since more than 430 households from 6 villagers were relocated to the H--- site in an SPDC-controlled area, but villagers report that they are still sometimes accused and beaten as if they are KNLA supporters. Though from June 2007, the extended quote below does a remarkable job describing the full gamut of abuses suffered by villagers in H---; in October 2009, everything described below by Saw G--- is still accurate:

*All the villagers from L--- village area came down here [to H---]. No one is back there [at L---] because everybody left. If the SPDC sees villagers that stayed behind, they'll kill [them] all. They [the SPDC] will keep no one alive. At the upper area [near L--- village], they killed Saw P--- and Saw K---. There are still some hiding in the jungle. Some villagers from the relocation site ran away... They didn't have arrangements for us at the site [when we first arrived]. We had to build our own houses and look for our own food... If we are sick we have to buy the medicine and use it [ourselves, without a doctor]. They don't distribute medicine for us. If they [the SPDC] hear of some bad situation [activity by the KNLA], they come into the site and accuse the villagers of contacting outside people [the KNLA]. They pretend to be confident about what they say so people will be afraid of them. We have to be afraid of them. Sometimes they tortured people, but sometimes not...*

*We also have to pay the taxes. We have to pay for their office and for their battalion. Many things we have to pay for. I have many debts to pay. I had to pay 30,000 kyat [to the SPDC]. I couldn't collect [the money] from the villagers. I have to pay by myself [because he is the headman]. They [the SPDC] often come and collect money and we have to pay it... They've asked for so many things, I can't remember all of them... They've also often asked us to go and cut bamboo, make fences for them and dig the ground. We often have to go for loh ah pay.<sup>8</sup> It's not scheduled and it changes. Sometimes [the SPDC demands forced labour] once a week and sometimes twice a month. Sometimes for a whole month we don't have to go. Every time we go we have to bring our own food and equipment. They don't give us anything, but we have to give them food. We have to do their work, and give them our food... They often demand more than 15 people, 10 people has been the least that they've demanded... Even people who are seriously sick still have to pay money to be allowed not to go [and do forced labour]... We can't ask to be excused—if we do that, it's possible that they'll beat us dead...*

*I would like to let the world know that the SPDC demands a lot of money from the villagers and has asked villagers from L---, Hs---, and Gk--- to do forced labour. I can't say the date and year because I don't understand [calendrical] records... They [the SPDC] restrict people trading food or other things. If they see people carrying lots of things with them, they arrest them and demand money... We can carry only 10 packets of coffee mix and some other small packets of MSG. When all of these are sold, we have to go again to get more. We have to go half an hour by boat to get these things and the cost of the petrol is more than what we can make from selling these things... Most of the prices for things are high... We want the prices to get lower. But now they're going up and up."*

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<sup>8</sup> A Burmese term traditionally referring to voluntary service for temples or the local community, not military or state projects; now commonly used to refer to most forms of forced labour.

## Conclusion

*“One thing that we would like to say and request to the SPDC is: ‘please don’t disturb us and stop killing us and using us as porters.’ We don’t want to stay under the control of SPDC soldiers... Now the animals here are gone because the SPDC soldiers took them as their own. We’re so poor; we have nothing. Why do the SPDC soldiers keep collecting money from us, taking our properties and killing us? We don’t know where to go next. We are already exhausted.”*

Saw B--- (male, 38), T--- village, Te Naw Th’ri Township, Tenasserim Division (June 2007)

*“The area [Te Naw Th’ri Township] is good for plantations and paddy. One big tin [12.5 kgs. / 27.6 lbs.] of paddy seed for sowing could yield 120 baskets of [harvested] paddy. It’s a plain and nice place. The river is good and full of fish; [the jungle is] full of animals like elephants, deer, monkeys, buffaloes and other kinds of animals. If we look at all this, if it weren’t for the SPDC abuses, life here would be plentiful.”*

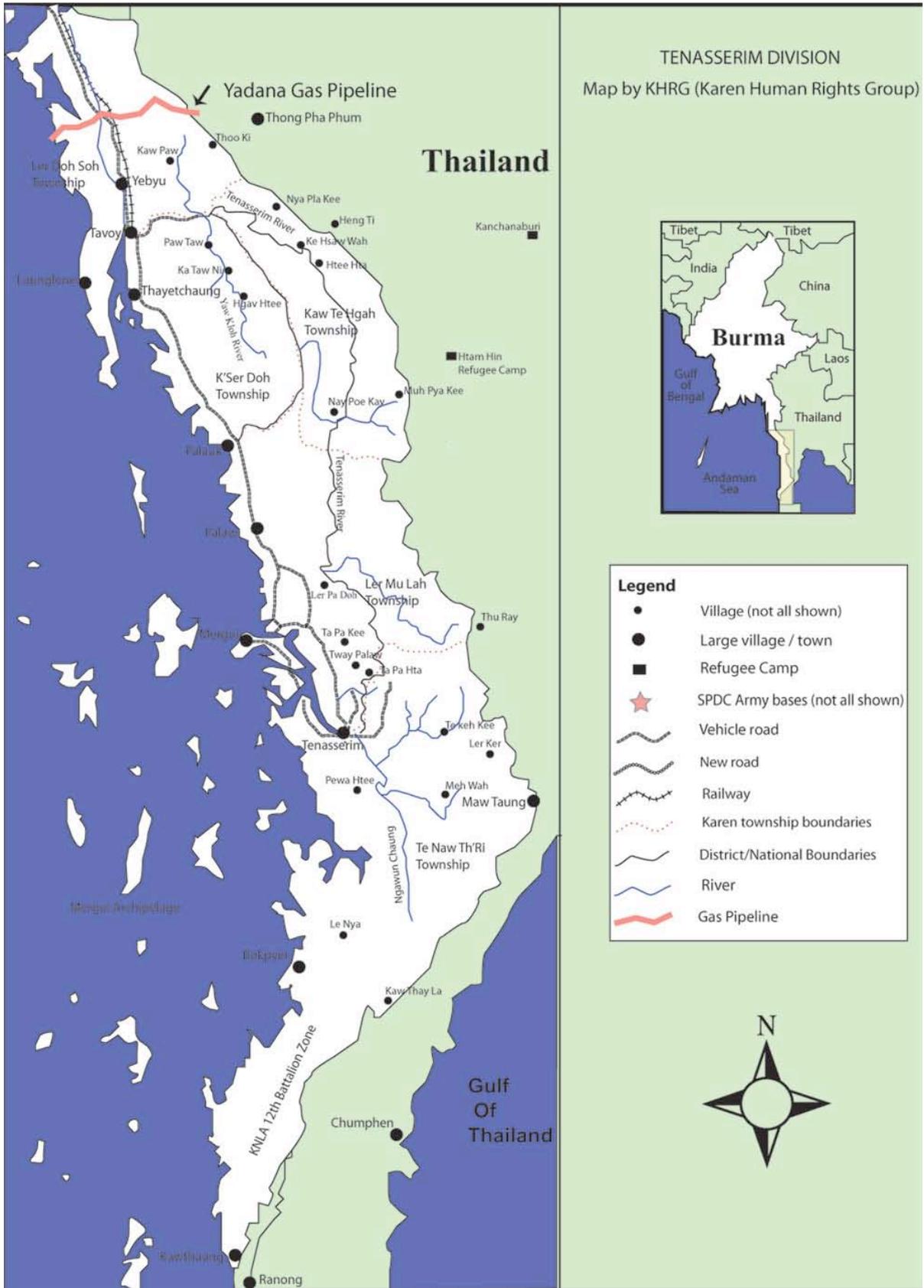
KHRG field researcher, Te Naw Th’ri Township, Tenasserim Division (July 2007)

Human rights conditions for villagers living in areas both inside and outside SPDC control in Tenasserim Division, particularly southern areas in Ler Mu Lah and Te Naw Th’ri townships, have received little coverage since the late 1990s. This is not an accurate reflection of the degree to which villagers in these areas suffer abuse at the hands of the Burma Army. In SPDC controlled villages and relocation sites, villagers continue to report livelihood conditions that are severely undermined by exploitative abuses such as forced labour and extortionate and arbitrary ‘taxation.’ At least 3,050 displaced villagers hiding in southern Tenasserim Division, meanwhile, continue to be subjected to the Burma Army’s shoot-on-sight policy; villagers report that they are pursued by SPDC patrols, injured by landmines and attacked in their villages and as they work on their farms.

Further background on the situation in Tenasserim Division can be found in the following KHRG reports:

- *A Strategy of Subjugation* (December 2001)
- *Tenasserim Division: Forced relocation and forced labour* (February 1997)
- *Summary of Forced labour in Burma* (August 1997)
- *Ye-Tavoy areas update* (January 1996)
- *SLORC murders in Mergui/Tavoy District* (December 1993)

Recent photos from the area are presented in *KHRG Photo Gallery 1997* and *KHRG Photo Gallery 2007*. These and other KHRG reports and maps of the region can be found on the KHRG web site at <http://www.khrg.org>.



# Karen Districts



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Scale: 1 cm to 22 km  
1 in. to 35 miles