



News Bulletin

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Incident Report: Land confiscation and forced labour in Thaton District, April 2012

The following Incident Report was written by a community member who has been trained by KHRG to monitor human rights abuses, which describes an incident that occurred on April 25th 2012, when BGF soldiers forced villagers from T--- village, Meh K'Na Hkee village tract, Hpa-an Township, Thaton District, to clear plantations owned by Thein Lay Myaing and Shwe Than Lwin companies, which were located on land confiscated from the villagers. The report identifies the perpetrators as Thein Lay Myaing and Shwe Than Lwin companies, KSDDP and a company affiliated with BGF Battalion #1014, commanded by Tin Win and based out of Law Pu village in Hpa-an Township. This report has been summarized along with three other Incident Reports received from this area in: "Border Guard #1014 forced labour and forced recruitment, April to May 2012," KHRG, May 2013.

Incident report | Hpa-an Township, Thaton District (April 2012)

The following incident report 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 Thaton District, including four other incident reports, five interviews, one situation update and 139 photographs.²

Part 1 – Incident details

Table with 2 columns: Type of Incident, [Villagers were] forced to clear the company's plantation

1 KHRG incident reports are written or gathered by community member in Thaton District who has been trained by KHRG to monitor human rights conditions. KHRG trains community member in eastern Burma 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 eastern Burma, 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. As companion to this, a redesigned website will be released in 2013. An Incident Report involving Battalion #1014 abuses against Saw B---, a 38 year-old man from W--- village, was submitted with this Incident Report and is published as "Incident Report: Forced Labour in Thaton District," KHRG, March 2013. These incidents were also reported in an unpublished Situation Update submitted by this community member. For more information on trends in land confiscation, as well as the relationships between development companies and the Tatmadaw, see Losing Ground: Land conflicts and collective action in eastern Myanmar, KHRG, March 2013.

Date of Incident(s)	April 25 th 2012
Incident Location (Village, Township and District)	T--- village, Meh K'Na Hkee village tract, Hpa-an Township

Victim Information								
Name	Age	Sex	Nationality	Family	Occupation	Religion	Position	Village
Naw S---	46	Female	Karen	Married with six children (eldest one, 17-years-old; youngest one, 6-years-old)	Hill farming	Buddhist	15-day-village head	T--- village

Perpetrator Information				
Name(s)	Rank	Unit	Base	Commander's Name
Thaw Ma Na	Company second-in-command	Battalion #1014	Law Pu village	Myint Way
Tin Win	Company Commander			
Thein Lay Myaing Company				

Part 2 - Information Quality

1. Explain the specific manner in which you collected this information.
On April 25 th 2012, Thein Lay Myaing Company and Shwe Than Lwin Company worked together with Border Guard [Border Guard Force (BGF)] Battalion #1014, which is [locally] led by Tin Win and Thaw Ma Na. They worked together and came into [the region] and confiscated 500 acres of land, which is between T--- village and X--- village. Then, they forced the villagers to go and clear the bushes but they didn't give any wages.

2. Explain how the source verified information accuracy.
Naw S---, a villager from T--- village, who had to go and clear the bushes in the rubber plantation owned by the companies and the Border Guard, which is between T--- and X---, reported that each house had to go and clear [the bushes] for three days, but that they didn't give any wages. Moreover, the villagers had to bring their own food and materials.

PART 3 – Incident Details

Describe the Incident(s) in complete detail. For each incident, be sure to include 1) <u>when</u> the incident happened, 2) <u>where</u> it happened, 3) <u>what</u> happened, 4) <u>how</u> it happened, 5) <u>who</u> was involved, and 6) <u>why</u> it happened. Also describe any villager response(s) to the incident, the aftermath and the current living situation of the victims. Please use the space prepared below, and create an attachment if needed.
On April 25 th 2012, Border Guard Battalion #1014, which is based in Law Pu camp and is [locally] led by Commander Tin Win, forced each house from the T---, W--- and V--- and X--- villages to go and clear a rubber plantation that is between T--- and X---; a place in Ha T'Reh village tract and T--- village. The Border Guard was known to have taken bribes from Thein Lay Myaing Company and Shwe Than Lwin Company before they forced the villagers [to clear the plantation]. The companies worked together with Karen State Democracy and Development

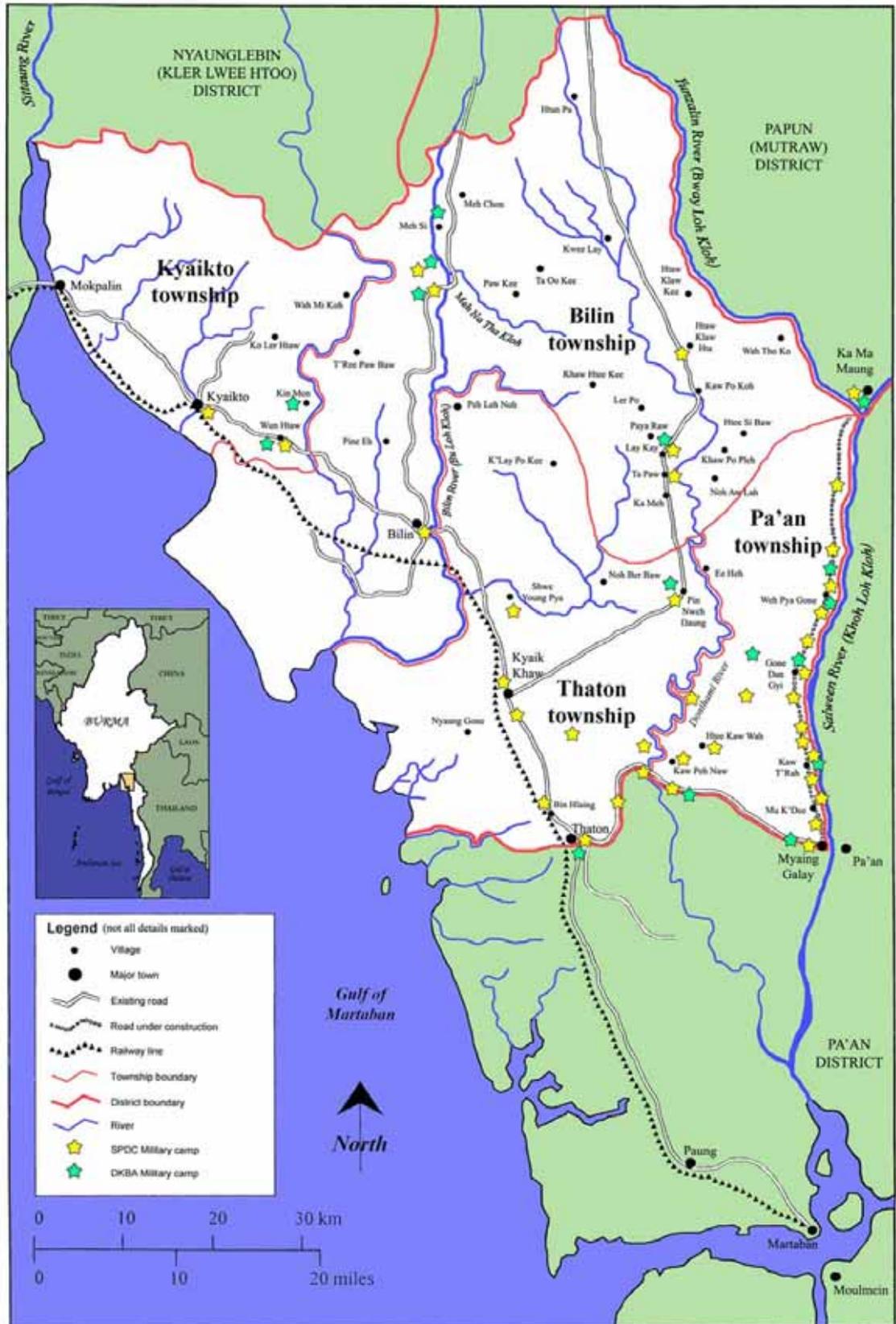
Party [KSDDP], which was formed by old leaders from the DKBA [Democratic Karen Benevolent Army], who did not join the Border Guard. These people became advisors for the Border Guard, but they didn't have any way to receive income. Therefore, when the Burmese [Burma] government held the [2010] election, they formed a party. The people who lead the party are Chairman U Tha Htoo Kyaw, Secretary U La Ba, Joint Secretary U Kyaw Than and Committee Member U Han Soe.

U Han Soe, who is among the people from that party, is working with Shwe Than Lwin Company, and he established this plantation place. Because such a broad and wide area of plantation land was designated, the nearby villages faced problems with farming, grazing their cows and buffalos, and finding food like vegetables and firewood, which they get from the forest. The villagers will have to face [a problem] with insufficient food in coming years, which is what they [the villagers] have already expected.

Further background on the current situation in Thaton District can be found in the following KHRG reports:

- "Torture and killing in Thaton District," (October 2012)
- "Thaton Interview: Saw L---, October 2010," (June 2012)
- "Thaton Interview: Saw L---, October 2010," (June 2012)
- "Sustained Tatmadaw resupply operations in Thaton, Nyaunglebin and Papun during ceasefire," (May 2012)
- "Forced labour in Bilin Township," (May 2012)
- "Thaton Situation Update: Bilin and Kyaikto Townships, October 2012 to June 2011," (March 2012)

Thaton (Doo Tha Htoo) District



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