



News Bulletin

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Hpa-an Situation Update: T'Nay Hsah Township, April 2013

This Situation Update describes events occurring in T'Nay Hsah Township, Hpa-an District in April 2013, including ongoing landmine contamination, cultivation of rubber plantations by businessmen, the sale of methamphetamines, as well as a description of healthcare problems and livelihood activities.

- *P---, L--- and T--- villagers reported ongoing landmine problems. Landmine contamination and lack of information on the location of mines have led to the deaths of villagers and livestock and present ongoing movement and livelihood restrictions.*
 - *Business people from nearby towns have established rubber plantations, and conduct logging for aloe and eagle wood. Local villagers have responded by requesting the assistance of the Forest Administer and a local armed group to put a stop to the logging activities, but neither authority has taken action.*
 - *The KHRG community member reported the sale of a methamphetamine drug called 'yaba' by family members of BGF soldiers. Villagers are worried about the effect of the drug on their children and want the sale of the drug to stop. In response, local villagers have discussed the problem with their village head and requested assistance from KNLA Battalion #101 soldiers, however, all groups worry that any attempts to stop the sale of the drug could lead to conflict.*
 - *Villagers cited concerns about the education of their children. As there is no high school in their village, the children have to travel to a larger town in order to finish high school. With the travel costs, school can be expensive for the villagers.*
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Situation Update | T'Nay Hsah Township, Hpa-an District (April 2013)

The following Situation Update was received by KHRG in April 2013. It was written by a community member in Hpa-an 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 Hpa-an District, including three interviews, one other situation update and 140 photographs.²

¹ KHRG trains community members in eastern Burma 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 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. For additional reports categorized by Type, Issue, Location and Year, please see the Related Readings component following each report on KHRG's redesigned Website.

Situation update in T’Nay Hsah Township, Hpa-an District

This situation update is based on information that was collected during the period of April 2nd 2013 to April 11th 2013 in Htee Hpoh Kyaw village tract and Noh Kyaw village tract, in T’Nay Hsah Township, Hpa-an District. Karen National Liberation Army [KNLA] Battalion #101 of the 7th Brigade is operating between Th’Waw Thaw and Meh Pah Leh near the main road of Myawaddy. The BGF [Tatmadaw Border Guard Force],³ Karen Peace Council⁴ and the Democratic Karen Benevolent Army [DKBA]⁵ also operate around those areas. There have been several visible and common human rights abuses such as drug trafficking, land confiscation and logging in T’Nay Hsah Township, as there are so many armed groups in that area. The KNLA Battalion #101 also just entered into the Government controlled areas. According to the villagers, while the KNLA has entered these areas, they do not intend to bother other armed groups, as they do not want any problems during the ceasefire. To sum up, the villagers said, “*The armed groups are not negotiating [with] each other so it is a big problem for the villagers to face. [Also] there are no Burmese military [Tatmadaw] camps or troops operating around those areas.*” As the villagers said at the time, “*The areas are black areas [non-Government controlled areas]⁶ so they didn’t cross here*”.

Saw P---, the village head of M---, said that he asked [for] official land registration from Kawkareik Township to survey the size of his villagers’ lands. Saw P--- said that, in case there is an attempt at confiscating his land, he can prove with official evidence that he

³ Border Guard Force (BGF) battalions of the Tatmadaw were established in 2010, and they are composed mostly of soldiers from former non-state armed groups, such as older constellations of the DKBA, which have formalised ceasefire agreements with the Burmese government and agreed to transform into battalions within the Tatmadaw. BGF battalions are assigned four digit battalion numbers, whereas regular Tatmadaw infantry or light infantry battalions are identified by two or three-digit battalion numbers. For more information, see “DKBA officially becomes Border Guard Force” Democratic Voice of Burma, August 2010, and, “Exploitation and recruitment under the DKBA in Pa’an District,” KHRG, June 2009.

⁴ The KNU/KNLA Peace Council (also called the Karen Peace Council or KPC), is an armed group based in Htoh Gkaw Ko, Hpa-an District, which split from the Karen National Union (KNU) in 2007 and subsequently refused to comply with orders from the then-SPDC government to transform its forces into the Tatmadaw Border Guard; see: “KNU/KNLA Peace Council,” Mizzima News, June 7th 2010 and “KPC to be outlawed if it rejects BGF,” *Burma News International*, August 30th 2010.

⁵ The Democratic Karen Benevolent Army (DKBA), formerly the Democratic Karen Buddhist Army, was formed in December 1994 and was originally a breakaway group from the KNU/KNLA that signed a ceasefire agreement with the Burma government and directly cooperated at times with Tatmadaw forces. The formation of the DKBA was led by monk U Thuzana with the help and support of the State Law and Order Restoration Council (SLORC), the name of the military government in Burma at that time. For more information on the formation of the DKBA, see “Inside the DKBA,” KHRG, 1996. The DKBA now refers to a splinter group from those DKBA forces reformed as Tatmadaw Border Guard Forces, also remaining independent of the KNLA. As of April 2012, the DKBA changed its name from “Buddhist” to “Benevolent” to reflect its secularity.

⁶ Tatmadaw expert Maung Aung Myoe explains that the three-phased Tatmadaw counter-insurgency plan, developed in the 1960s, designates a territory as black, brown or white according to the extent of non-state armed group (NSAG) activity. Phase one transforms a ‘black area’ into a ‘brown area,’ meaning it transforms from an area controlled by NSAGs where the Tatmadaw operates, to a Tatmadaw-controlled area where NSAGs operate. The second phase is to transform the area from a ‘brown area’ into a ‘white area,’ where the area is cleared of insurgent activities. The final phase is to transform a white area into a ‘hard-core area,’ during which more organisational works are necessary and the government forms pro-government military units for overall national defence. See Maung Aung Myo, *Building the Tatmadaw: Myanmar Armed Forces Since 1948*, Singapore: Institute of Southeast Asian Studies, 2009, p. 31-32; see also *Neither Friend Nor Foe: Myanmar’s Relations with Thailand Since 1988*, Singapore: Institute of Defence and Strategic Studies Nanyang Technological University, 2002, p.71.

owns the land. He said that there are gardens, farms and community lands but there are no vacant lands. However, the official [from the Burma Government] refused to come to measure and said, "*We can't as those areas are black areas*". The official also said that it is dangerous for them to enter those areas.

All of the various forces are quiet as their families live around there [Htee Hpoh Kyaw village tract]. However, some of the BGF families sell drugs [methamphetamines]⁷. These drugs are very popular in these areas and you can find them in most of the villages around there such as, Meh Pah Leh, and Htee Hpoh Kyaw. Methamphetamines are quite expensive: one pill can be sold for 3,000 kyat [US \$3.08]⁸. One of the female villagers said, "*You can have half profit by selling amphetamines*". Some women worry about their children as people can find drugs easily around the villages and they worry for the young people who are using those drugs. One woman said that after people take drugs, they [are] restless and sometimes they do not come back home as they go around even at night. However, it seems like they cannot do anything to protect themselves and their family. One villager said, "*Even the village head and village tract leader can't behave as the people do who sell the drug. They have Oh Daw Aner* [translated directly is, "have their horns," which means that they have weapons]." One of the KNLA [Battalion] #101 military intelligence [officers] said that, if they take action to stop this, they worry there will be a conflict between armed groups, so they just stay quiet and do nothing. Most of the villagers want to stop drugs from being sold in their village but they are helpless. Also there are so many people in Htee Hpoh San [Htee Hpoh Kyaw] who use drugs and the village tract head also wants to stop this drug issue, but he has no idea about how to approach the armed groups.

Now, most of the private people who are business people from outside of the village come and set up rubber plantations and log aloe wood or eagle wood. Among these, the logging issue is the one which the villagers have wanted to stop, but the villagers cannot do anything as the forest administrator will not take action. Armed groups seem like they do not care about each other, for example, they do not tell [communicate with other armed groups], they do not negotiate, and they do not stop, but they just care about their own business. One of the private businessmen came to Meh Pah Leh with the intention of setting up a plantation project [planting aloe trees], which is a very popular business now. If you are successful, you can get a lot of profit, as a 5-year-old aloe tree will be offered for 1,500,000 kyat [US \$1,540]. On the other hand, you have to hire an expert from the city to make your aloe seeds grow, and the villagers said that, the expert costs up to 1,000,000 kyat [US \$1,027] and each tree also has to be vaccinated which costs 100,000 kyat [US \$103] according to what the villagers said. Only outsiders come to set up plantations in those areas.

Landmines are also common risks in those areas, especially since there are plenty of landmines near P---, L----, and T---villages according to research and interviews by KHRG staff. They [the landmines] are still a threat for the villagers. This issue started two years ago in 2010 when the DKBA split away from Tatmadaw by refusing to become a part of the BGF.⁹ At [the end of] those two years, the armed groups planned to protect

⁷ It is likely the community member is referring to the drug commonly referred to as "yaba". *Yaba*, which means "crazy medicine" in Thai, is a tablet form of methamphetamine. First developed in East Asia during World War II to enhance soldiers' performance, methamphetamine has become increasingly popular in Thailand, Laos, Cambodia Vietnam, and in Burma where it is typically manufactured. See "Yaba, the 'crazy medicine of East Asia,'" UNODC, May 2008.

⁸ As of October 16, 2013, all conversion estimates for the Kyat in this report are based on the official market rate of 973.99 kyat to the US \$1.

⁹ While Tatmadaw and DKBA units had operated together for years, this operational hierarchy became formalised with the DKBA's transformation into a 'Border Guard Force' under control of the Tatmadaw

themselves or to trap their opposition by planting landmines around their operating areas. But, sometimes they even planted [the mines] in the villagers' plantation gardens or farms which they thought their enemy might operate from. As a result, the villagers from P---, L--- and T--- villages said that they do not even dare to think about going into the forest or into the gardens as some of the villagers have stepped on the landmines before, and also their domestic animals were hit by landmines. Because of those experiences, the villagers are very aware of the landmines and, also, the armed groups have not informed the villagers where they planted the landmines. The villagers said that they could not remember the places, some even step on their own landmines, and some may have already died. One of the KNLA Battalion #101 soldiers said that they inform the villagers where the landmines are planted because they knew where most of their landmines are. As a warning, the villagers tell their children to be aware of landmines during the daytime, and also to be aware of viper snakes at night time.

Villager situation

The following is an update on the situation in the village tract. This report was written around the time of the Water Festival,¹⁰ when the villagers were busy with the preparation for the coming Water Festival. Some families had their children return home, as well as their relatives who were finding money for their families [working] in Bangkok. Some have already come back from Bangkok to celebrate the Water Festival with their family. Some young people and men became monks and novices, as during this month most of the people want to be monks or novices. Some families were in a rush to try to finish their work before Water Festival, as most of the villagers want to stop all of their work during Water Festival. The schools are closed and there is a closing ceremony also held before the Festival because children and kids usually join the Water Festival.

Noh Kay and Noh Gyaw village tracts do not have high schools, only middle schools, so the children who graduate from middle school have to continue their further studies in larger towns, such as Kawkareik or Hpa-an. As a result, the school fees cost a lot for the parents. Tenth standard [the final year of high school in Burma], especially, costs a lot of school fees for the villagers. Some years the cost is over 1,000,000 kyat per year and the villagers cannot see their children until the summer holidays, as they are studying in another place.

People are rebuilding their houses for the new-year and coming rainy season. Some villagers only collect logs and bamboo to rebuild their houses. During summer, villagers have a hard time finding jobs to earn money for their family. The villagers there only use wells that they dig by themselves, as there is no stream or river near those areas. There is a brook nearby Th'Waw Thaw, but it seems dirty and people only use it for washing their clothes. There is only one clinic in Noh Yaw Thaw which is supported by an unknown group from the border. This group is new to them and they just came into the area around this month [April]. There are over 20 health workers who held the meeting

and containing a fixed number quota of Tatmadaw officers. This transformation dates to at least May 2009, when commanding officers stated in high-level meeting of DKBA officers that the DKBA would transform itself into a 'Border Guard Force;' unpublished leaked minutes from the May 2009 meeting are on file with KHRG. Ceremonies attended by Tatmadaw commanders officially announced the transformation of large portions of the DKBA into Border Guard Forces in September 2010; see, for example: "Border Guard Forces of South-East Command formed in Paingkyon of Kayin State," *New Light of Myanmar*, August 22nd 2010

¹⁰ The Water Festival, called 'Thingyan' in Burmese, is the New Year's celebration that takes place between April 13th and 15th in Southeast Asian countries such as Burma, Cambodia, Laos and Thailand, as well as Yunnan, China. During this festival, people splash water at one another as part of the Buddhist cleansing ritual to welcome the New Year.

on April 7th 2013 in Noh Yaw Thaw Clinic. But some villagers go to Kawkareik public hospital when they have a serious disease. According to what the villagers said, there are no serious diseases and they rarely see sick people.

Most of the people go to the monastery as there are always religious events celebrated in the monastery which are led by the monks. Most of the villagers are religious but hardly participate in the random village meeting and do not respect the village heads. There was previously a problem, that most of the villagers do not want to be village heads and the village head positions changed each month. But now, because of the ceasefire, most of the village heads last for years. Most of the participants in the VA workshop said that some villagers are breaking village rules.¹¹ However after being questioned about the rules of the village, it is obvious that most of the villages there do not have village rules for the villagers. Moreover, the villagers said that they are not united, as they do not see each other much in work or in any social events or village work.

Livelihood

Most of the women in the village tract do not have special jobs, as most of the housewives only make or cook alcohol and this work becomes their career. They earn money very quickly, as the cost of a bottle of alcohol is 1,000 kyat [US \$1.02] and most of the villagers there drink a lot of alcohol. There is also a sawpit which is owned by a private businessman in the village. Now, some villagers have already prepared for growing paddy in the coming rainy season. Most of the villagers make charcoal for household use and for selling it in the town. In the summer, this business is also popular for the villagers as a seasonal occupation. Some families go around with a Hand Tractor 590 and sell raw goods such as fresh honey, boiled betel vine, betel nuts,¹² and fish paste or prawn paste. There are some people who have enough money to start selling things in their house such as selling snacks like dried food and raw goods.

Further background on the current situation in Hpa-an District can be found in the following KHRG reports:

- "Hpa-an Situation Update: T'Nay Hsah Township, March to May 2013," (August 2013)
- "Hpa-an Photo Set: BGF production and sale of yaba in T'Nay Hsah and Ta Kreh townships," (July 2013)
- "Hpa-an Situation Update: T'Nay Hsah Township, June 2012 to February 2013," (June 2013)
- "Hpa-an Situation Update: Ta Kreh and T'Nay Hsah Townships, December 2012," (April 2013)
- "Hpa-an Situation Update: T'Nay Hsah Township, November to December 2012," (March 2013)

¹¹ In this context the term 'rules' most likely refers to acceptable norms of behaviour in the village.

¹² In Burmese, "betelnut" and "betel leaf" are referred to as "konywet" and "konthih," as if they are from the same plant. The Burmese names are also commonly used by Karen language speakers. "Betel nut" is the seed from an areca palm tree, areca catechu; "Betel leaf" is the leaf of the Piper betel vine, belonging to the piperaceae family. See "Attacks on cardamom plantations, detention and forced labour in Toungoo District," KHRG, May 2010.

