



# Karen Human Rights Group

Documenting the voices of villagers in rural Burma

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## Situation Update

July 22, 2014 / KHRG #14-28-S2

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### **Hpa-an Situation Update: Hlaingbwe, Don Yin and Hti Lon townships, April 2014**

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*This Situation Update describes land confiscation committed by local armed actors in Hlaingbwe, Don Yin and Hti Lon townships, Hpa-an District during 2014.*

- *Tatmadaw soldiers destroyed approximately 3,000 acres of villagers' paddy fields during the construction of a dam in Hti Lon village.*
  - *In the western part of Maw Ko village tract, a monk, coordinating with the Border Guard Force, confiscated villagers' paddy fields and plantations. They also cut down trees which villagers use to make roofing for their houses and turned the area into a rubber plantation.*
  - *Uncultivated land belonging to villagers who had emigrated to Thailand was confiscated even though the villagers held formal land titles.*
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### **Situation Update | Hlaingbwe, Don Yin, and Hti Lon townships, Hpa-an District (April 2014)**

*The following Situation Update was received by KHRG in April 2014. 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.<sup>1</sup> This report was received along with other information from Hpa-an District, including six other situation updates, 1,080 photographs and one video clip.<sup>2</sup>*

#### **Hlaingbwe Township, Township #4 [Hti Lon] and Township #5 [Don Yin]**

In the areas where I have been [during January and February 2014], I have seen, heard and know that one of the issues that the villagers complain about the most is land confiscation. The people who have confiscated the villagers' land in the area are the armed actors. The people who have power, such as the village tract leaders and the monks, have also confiscated the villagers' land. When I entered into these three areas, most of the villagers were suffering from land confiscation. I am going to write down the names of the villages where the land has been confiscated. Tatmadaw [Light Infantry] Battalion (LIB) #338, LIB #339 and LIB #28 are located in

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<sup>1</sup> 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.

<sup>2</sup> 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 categorised by Type, Issue, Location and Year, please see the Related Readings component following each report on KHRG's Website.

Lu Pleh [Hlaingbwe] Township and they have confiscated the villagers' land, such as paddy fields and plantations. Tatmadaw Light Infantry Division (LID) #22, LIB #202, LIB #203, and an artillery unit are based close to Taung Ka Lay [village], and have also confiscated villagers' land. When the industrial zone was built up in the eastern part of Taung Ka Lay, people [the Tatmadaw] also confiscated the villagers' paddy fields and plantations. When the Tatmadaw re-measured [the land] near Meh Baw village, Meh Baw village tract, they also destroyed much of the villagers' land, their paddy fields and plantations. When the Tatmadaw was building up the dam in Hti Lon village, they also destroyed about 3,000 acres of the villagers' paddy fields.

[Tatmadaw LIB] #203 is based at the entrance to Hti Lon village. [LIB] #203 asked the local Muslim people [to leave the area] and they took all of their land. The place that [LIB] #203 controls is called Ka La Kon. Muslim people are located there. In Kaw Paw village, which is near to the main road, BGF [Tatmadaw Border Guard Force]<sup>3</sup> Officer Hpah Nwee, [who is the] Cantonment Area Commander; Officer Win Naing Sein; and their soldiers confiscated much of the villagers' land, such as paddy fields and plantations. In the western part of Maw Ko village tract, a monk, coordinating with the BGF, measured their land and confiscated a lot of the villagers' paddy fields and plantations. They also cut down the *t'la aw*<sup>4</sup> trees which the villagers collect the leaves from [to make thatched shingle] roofing for their houses in these three areas, and they turned the area into a rubber plantation. When I go to these villages, I see that the villagers are still oppressed and they are frightened of them [the monk and BGF forces]. What I hear and see is that they hope the KNU [Karen National Union] will come back and fix things.

Most of the people living in these three areas are Sgaw Karen and Pwo Karen. Karen people who live in these areas cannot read and write the Karen language. Most of them can read and write only Burmese.

When I visited these three areas [Hlaingbwe, Hti Lon and Don Yin townships] I saw that there is a lot of uncultivated land. As a result, armed actors have taken [advantage of] this opportunity and planted rubber trees in the uncultivated paddy fields and land.<sup>5</sup> When I entered into the villages, I saw that the older people were looking after their grandchildren. I asked them where their parents had gone and they replied to me that they had gone to work in Bangkok. They are able to build up their houses because their children are in Bangkok [and send money home]. As they have gone to Bangkok, their uncultivated land has been confiscated. They even have the title for their land but their land has been arbitrarily confiscated. Therefore, I tell you that the villagers who are living in these three areas are oppressed and afraid.

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<sup>3</sup> 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.

<sup>4</sup> *T'la aw* trees are teak-like trees with large leaves, which are traditionally collected by villagers and used to make thatched shingles for the roofs of houses.

<sup>5</sup> This land may have been appropriated under one of the Burma government laws that allows rights to land to be transferred from villagers to private entities. The Wasteland Instructions Law (1991) enabled both domestic and foreign investment in large-scale commercial enterprises through transfer of use rights to designated "wasteland" (or "vacant, fallow and virgin land"). This practice was recently reaffirmed by the Vacant, Fallow, Virgin Land Law (2012). As development has increased in southeastern Burma since the signing of the government-KNU ceasefire in January 2012, KHRG has received an increasing number of complaints of confiscation of "uncultivated land" or "wasteland." For KHRG documentation of land confiscation arising from development projects, see: [Losing Ground: Land conflicts and collective action in eastern Myanmar](#), KHRG, March 2013. For summary and analysis of the legal and policy framework relating to land management in Burma, see: [Legal Review of Recently Enacted Farmland Law and Vacant Fallow and Virgin Lands Management Law](#), Food Security Group - Land Core Group, November 2012.

Whenever I go and meet with the villagers, I tell them that [other] people cannot address the problems for us. We have to solve the problems by ourselves. We have to solve [problems] like this. For example, if our own belongings are damaged, we have to note the information in detail and we need to report it to the media. We do not need to feel scared and anxious. We need to have the mind-set of being like a soldier who is fighting in a battle, and if one has been shot [in a battle], one will be dead. In other words, we need to fight to get back our land. We need to fight for our rights by ourselves. In these three areas, I also heard the [villagers] say that no one has come to work here yet or to give them [information about human rights] like me. And the villagers have not seen anyone [else] yet. Therefore, I believe that we need to have more discussion with them. There are only people who are living under the control of the Tatmadaw in these areas. Although they are living under the control of the Tatmadaw, they are Karen people and they are being oppressed [by the Tatmadaw]. Because they are living under the control of the Tatmadaw, they have to work with the Tatmadaw in order for the villages to be peaceful and developed.

As for Township #4 [Hti Lon] and Township #5 [Don Yin], the Tatmadaw LIB #203 is located near the entrance of Hti Lon village. [One unit of] Tatmadaw LID #22 is located in the middle of Shwe Kon village in Hpa-an District. The industrial zone is located in See Hpa Raw village, See Hpa Raw village tract. An artillery battalion is located in the lower part of the industrial zone. The prison is located a little bit to the west of the artillery battalion. LID #22 and LIB #202's Headquarters are located at the entrance of Taung Ka Lay. In the village, there is one hospital and the villagers call it the "villagers' hospital bank" [because the villagers have to pay a lot of money for medical treatment there]. Another building you will see [close to the hospital] is a factory that makes artificial legs. If you pass Taung Ka Lay village and come back to Hpa-an [town], you will see the camp where the families of [LIB] #203 live. If you go past it, you will see a camp for soldiers who have lost their legs, arms and eyes in battles. In Township #4 [Hti Lon] and Township #5 [Don Yin], the soldiers of the Karen Peace Council (KPC)<sup>6</sup> are everywhere. Similarly, BGF soldiers are also everywhere. The people [KPC] who came back [to Burma] to sign the ceasefire and engage in business activities like *P'Doh*<sup>7</sup> Aung San are located in-between Hti Lon village and Htee Hpoh Hkler village and they call their camp "husbandry land" [where they raise animals]. Light Infantry Battalion #338, LIB #339 and LIB #28 are in Luh Pleh [Hlaingbwe] Township.

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

- "Hpa-an Situation Update: Nabu Township, May 2012," (July 2014)
- "Negative impacts of dam building and drug use in Paingkyon and Nabu townships, Hpa-an District, May 2014," (July 2014)
- "Chapter: The impact of anti-personnel and other mines in Southeast Myanmar since the January 2012 ceasefire," (July 2014)
- "Chapter: Drug production, use and the social impacts in Southeast Myanmar since the January 2012 ceasefire," (June 2014)
- "Hpa-an Situation Update: Paingkyon Township, June to November 2013," (June 2014)

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<sup>6</sup> 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: "[KPC to be outlawed if it rejects BGE](#)," *Burma News International*, August 30<sup>th</sup> 2010.

<sup>7</sup> *P'Doh* is a Karen title used when speaking of a member of Karen armed groups.

## Hpa-an District



Karen Human Rights Group (KHRG)