



Karen Human Rights Group

Documenting the voices of villagers in rural Burma

News Bulletin

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Human rights violations by BGF Cantonment Area Commander Kya Aye in Paingkyon Township, Hpa-an District, February 2013 to July 2014

This News Bulletin describes human rights abuses occurring in Paingkyon Township, Hpa-an District between February 2013 and July 2014, including killing, forced labour, arbitrary taxation and land confiscation. These violations were committed either directly by Border Guard Force (BGF) Cantonment Area Commander Kya Aye, or indirectly through BGF Battalion #1015 soldiers under his command. In one case, Cantonment Area Commander Kya Aye directly ordered the execution by BGF soldiers of a family in Paingkyon Township accused of practicing witchcraft.¹

Between February 2013 and July 2014, KHRG received reports of ongoing human rights violations committed by Border Guard Force (BGF)² Cantonment Area Commander³ Kya Aye in Paingkyon Township, Hpa-an District. These abuses include land confiscation, killing, forced labour and arbitrary taxation. Cantonment Area Commander Kya Aye, an ethnic Karen and Buddhist, is administratively responsible for BGF Battalions #1015 and #1016 in Hpa-an District. He is a powerful, well known figure in the area and is feared by villagers in Paingkyon Township. He is responsible for many of the human rights abuses in Paingkyon Township, either directly committed by him, or by BGF Battalion #1015 soldiers under his orders. Cantonment Area Commander Kya Aye, also known as Hpah T’Kaw, lives in A--- village, Poh Yay Hpoo village tract, Paingkyon Township, Hpa-an District.⁴

¹ This News Bulletin was written by KHRG office staff and is based on information from a community member from Hpa-an District who has been trained by KHRG to monitor local human rights conditions. It summarizes information from two incident reports, three situation update and one interview received by KHRG between June 2013 to July 2014. In order to increase the transparency of KHRG methodology and more directly communicate the experiences and perspectives of villagers in eastern 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.

² 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/Myanmar government and agreed to transform into battalions within the Tatmadaw. BGF battalions are assigned four digit battalion numbers, whereas regular Tatmadaw infantry battalions are assigned two digit battalion numbers and 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.

³ In many of KHRG’s published and unpublished reports, BGF Cantonment Area Commander Kya Aye’s rank is incorrectly referred to as Battalion Commander. In actuality, his correct title is Cantonment Area Commander and he is responsible for overseeing the administration of BGF Battalions #1015 and #1016 in Hpa-an District.

⁴ See “[Hpa-an Situation Update: T’Nay Has Township, March to May 2013](#),” KHRG, August 2013.

Land Confiscation

On February 1st 2013, Cantonment Area Commander Kya Aye confiscated an A--- villager's land in Paingkyon Township in order to plant rubber trees.⁵ According to Naw B---, she had inherited this land from her parents and she holds a land title with both the Burma/Myanmar government and the KNU.⁶ She was not informed by Cantonment Area Commander Kya Aye prior to the confiscation and she did not receive any compensation.

In March 2013, Cantonment Area Commander Kya Aye and BGF Officer Kyaw Hay confiscated 20 acres of land owned by two women from C--- and D--- villages in Paingkyon Township.⁷ The BGF soldiers demanded the women pay a total of 1,100,000 kyat (US \$1,130.53)⁸ for return of the land. While the women attempted to negotiate with the BGF soldiers, they ultimately sold several of their personal belongings in order to pay for the return of their land. According to the women, Cantonment Area Commander Kya Aye told them that he would not disturb their land anymore, however they were not provided with any documentation to confirm this.⁹ Both women assert they inherited their lands from their parents and that they hold a title for that land with the Burma/Myanmar government.¹⁰

In early July 2014, Cantonment Area Commander Kya Aye confiscated approximately 3 acres of land from E--- villagers who used this land to feed their cattle.¹¹ Seeing that this land was uncultivated land, Cantonment Area Commander Kya Aye confiscated the land and measured it into small plots, which he subsequently sold to the villagers for use as commercial property.

Killing

On June 11th 2013, Cantonment Area Commander Kya Aye ordered the arbitrary execution of a family in F--- village, Pee T' Ka village tract, Paingkyon Township, Hpa-an district.¹² The killings of Saw G---, his wife and two daughters, the youngest of which was 13 years old, were committed by six soldiers from BGF Battalion #1015 under the direct orders of Cantonment Area Commander Kya Aye. The killings were ordered over accusations that Saw G--- had been practicing black magic. No investigation into these accusations was carried out. Saw G--- and his family were executed without question and their bodies, hut and belongings were set on fire. Soldiers also took two gold necklaces and a small amount of money from the victim's hut.

Forced labour and arbitrary taxation

In 2013, BGF Battalion #1015 soldiers led by Cantonment Area Commander Kya Aye collected tax on a variety of goods in Paingkyon Township.¹³ Two checkpoints were established in Paingkyon Township in order to collect an arbitrary tax from villagers who were transporting cows or buffalos for the purpose of trade. If villagers could not provide the requested tax, they were asked to pay the tax upon their return, after they had sold their livestock. Villagers were able to reduce the amount of tax after submitting a complaint to the local monk and other BGF commanders in the area. Cantonment Area Commander Kya Aye's soldiers also demanded an

⁵ This information was included in an unpublished Situation Update report submitted to KHRG by a community member in Hpa-an District.

⁶ This information was included in an unpublished Incident Report submitted to KHRG by a community member in Hpa-an District.

⁷ See "[Hpa-an Situation Update: T'Nay Has Township, March to May 2013](#)," KHRG, August 2013.

⁸ All conversion estimates for the Kyat in this report are based on the August 29th 2014 official market rate of 972.99 kyat to the US \$1.

⁹ See "[Hpa-an Situation Update: T'Nay Has Township, March to May 2013](#)," KHRG, August 2013.

¹⁰ This information was included in an unpublished Interview and Incident Report submitted to KHRG by a community member in Hpa-an District.

¹¹ This information was included in an unpublished Situation Update report submitted to KHRG by a community member in Hpa-an District.

¹² See "[Hpa-an Situation Update: Paingkyon Township, June to November 2013](#)," KHRG, June 2014 and "[Hpa-an Incident Report: Extrajudicial killing in Paingkyon Township, June 2013](#)," May 2014.

¹³ See "[Hpa-an Situation Update: Paingkyon Township, June to November 2013](#)," KHRG, June 2014.

annual tax on villagers with telephone lines installed. For those who had phone lines with tall antennas for village use, BGF Battalion #1015 soldiers collected 30,000 kyat (US \$30.83) per phone owner each year in every village in Paingkyon Township. Again, after negotiating with local monks and BGF leaders, the number of demands for tax were reduced in some areas. Furthermore, Cantonment Area Commander Kya Aye instructed his soldiers to collect 5,000 kyat (US \$5.14) in taxes per boat in each village in Paingkyon Township. They also demanded 50,000 kyat (US \$51.39) a year per automobile. Villagers who bought wild yam and cardamom seeds in bulk for commercial use were also subject to an arbitrary tax of 250,000 kyat (US \$256.94) per year. Villagers from Paingkyon Township reported that these abuses have become a regular practice.

In January 2014, Cantonment Area Commander Kya Aye ordered villagers to clear land in order to plant rubber trees and build pagodas in Noh Hkwee village tract, Paingkyon Township, Hpa-an District.¹⁴ The Cantonment Area Commander also demanded money from villagers in order to build pagodas. The villagers reported that they felt compelled to comply with the order to provide funds for construction and that they felt they lacked any means to refuse his demands.

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

- “Hpa-an Incident Report: Stone Mining Damages Villagers’ Fields in Paingkyon Township,” (August 2014)
- “Hpa-an Short Update: Hti Lon Township, March 2014,” (August 2014)
- “Hpa-an Situation Update: Hlaingbwe, Don Yin and Hti Lon Townships, April 2014,” (July 2014)
- “Hpa-an Short Update: Don Yin Township, March 2014,” (July 2014)
- “Hpa-an Situation Update: Nabu Township, May 2012,” (July 2014)

¹⁴ This information was included in an unpublished Situation Update report submitted to KHRG by a community member in Hpa-an District.

Hpa-an District



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