



## Situation Update

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## Dooplaya Situation Update: Kyainseikgyi and Kawkareik townships, August to October 2014

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*This Situation Update describes events occurring in Kyainseikgyi and Kawkareik townships, Dooplaya District between August and October 2014, include forced recruitment, land confiscation, taxation and killings.*

- *A group of Democratic Karen Benevolent Army (DKBA) soldiers led by Battalion Commander Pa Nyay forcefully recruited soldiers in A--- village, Kyaw Hta village tract, Kawkareik Township. The villagers did not want to serve the DKBA soldiers but they would have had to pay 280,000 kyats (US \$241.79) for the whole village instead of serving.*
  - *Two wealthy individuals who live in Mu Don and Seik Gyi towns confiscated 12 acres of land belonging to a villager, Maung B---. He submitted the case to the local Karen National Union (KNU) leader Saw Hsa Bleh Htoo and received 50,000 kyats (US \$43.18) in compensation for losing his land.*
  - *DKBA battalion led by Pa Nyay's also demanded 150,000 kyats (US \$129.53) per chainsaw for taxation in C--- village, Noh Taw Pla village tract, Kyainseikgyi Township.*
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## Situation Update | Kyainseikgyi and Kawkareik townships, Dooplaya District (August to October 2014)

*The following Situation Update was received by KHRG in November 2014. It was written by a community member in Dooplaya 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>*

Situation Update [regarding] human rights violations from August 6<sup>th</sup> 2014 to October 31<sup>st</sup> 2014.

### Introduction

When I went to C--- village, Noh Taw Pla village tract, Noh T'Kaw [Kyainseikgyi] Township, Dooplaya District, I heard a villager say a group of DKBA<sup>2</sup> [soldiers] had collected a [chainsaw]

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<sup>1</sup> KHRG trains community members in southeast Burma/Myanmar 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> The Democratic Karen Benevolent Army (DKBA), sometimes referred to as the Klo Htoo Baw Battalion or DKBA-5, formerly the Democratic Kayin Buddhist Army, was formed in December 1994 and was originally a breakaway group from the KNU/KNLA. They were known to cooperate with the Tatmadaw on occasion. The DKBA now refers to a splinter group from those DKBA forces that were [absorbed into Tatmadaw Border Guard Forces in 2010](#), also remaining independent of the KNLA. The DKBA leader for many years was [General Saw Lah Pwe](#) aka Na Khan Mway, who led the group after it rejected the government's plans to integrate it into Border Guard Forces in 2010. The current DKBA signed a preliminary ceasefire with the Burma/Myanmar Government on

tax. The DKBA battalion commander's name is Saw<sup>3</sup> Pa Nyay. He ordered one of his soldiers to collect [the chainsaw tax] after he had seen the villagers cutting wood with chainsaws. They cut wood to build a church. The DKBA asked for 200,000 kyats (US \$172.71)<sup>4</sup> per chainsaw. The villagers asked him [Saw Pa Nyay] whether he had brought a [official] receipt with him. He had not brought the receipts [to give to them] so he reduced it to 150,000 kyats (US \$129.53) [per chainsaw] and the villagers paid him.

### **Harm [restrictions on villagers' livelihoods]**

There are two armed groups based near C--- village. They are the DKBA and the Karen Peace Force [KPF].<sup>5</sup> They told the villagers that they will reserve the river and that no one is allowed to fish [in the river] for three years. After three years the river will be opened for fishing and we will all be able to fish together. But when the villagers were not aware of [the ban], they [the DKBA and the KPF] used electrofishing<sup>6</sup> for fishing. Even when the villagers caught them [the DKBA and KPF] fishing they dared not to tell [criticise] them. The river that they prohibited [fishing in] is D--- River. DKBA and KPF are the [only] ones who now fish [in the river]. The DKBA are led by Saw Pa Nyay and the KPF are led by Poh Daw. They are based in Kyaikdon Town.

### **Harm [land confiscation]**

A villager from E--- village, Noh T'Kaw Township, Dooplaya District reported to me [a KHRG community member] on October 25<sup>th</sup> 2014 and said that ten acres of land had been confiscated many years ago but the land has not been returned [to the villager] yet. At the present time, the people [who confiscated the land] planted paddies on that land. I [KHRG community member] asked [the person whose land was confiscated], '*did you not submit the case to [the village head]?*' The villager submitted the case to the village head and [the KNU] area leaders. The leaders said [to the villager], '*do not worry about your land; we will resolve it [the problem] for you.*' [The villager] said that, '*the land problem had already been discussed but it [the land] had not been returned back yet. The day when the land problem was being discussed I [the villager] asked for the land title but they [the village head and the KNU area leaders] did not give it to me. They gave it to the perpetrator who confiscated the land instead.*' The land owner was unhappy [that her/his land had been confiscated]. The land owner has been waiting for the [KNU] area leaders [to act] and cannot do anything else.

### **Villager death**

On October 20<sup>th</sup> 2014, I heard a villager say that a villager died in his hut, in E--- village, Noh Ta Khaw village tract, Noh T'Kaw Township, Dooplaya District. I will find out more detailed information about how the villager died. The villager died on October 3<sup>rd</sup> 2014, on Friday evening. [His] hut was 30 minutes away from E--- village but I do not know what time he died. His wife found out he had died on Saturday morning. He was lying down very straight in his hut and with his arms on his chest. The people saw that the left side of his cheek was bruised, his watch had disappeared and his shoes had been separated from one another. Some people said cows had kicked him to death.<sup>7</sup>

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November 3<sup>rd</sup> 2011. As of April 2012, the DKBA changed its name from "Buddhist" to "Benevolent" to reflect its secularity. The DKBA [signed the Nationwide Ceasefire Agreement \(NCA\)](#) on October 15<sup>th</sup> 2015 with the Burma/Myanmar government and its military. The group is based in Son Si Myaing area, Myawaddy/Kawkareik Township, Dooplaya District, southern Kayin State.

<sup>3</sup> Saw is a S'gaw Karen male honorific title used before a person's name.

<sup>4</sup> All conversion estimates for the kyat in this report are based on the May 10<sup>th</sup> 2016 official market rate of 1,158.02 kyats to the US \$1.

<sup>5</sup> Karen Peace Force (KPF) was formed in February 1997 after splitting from the KNU/KNLA and surrendering to and signing a ceasefire with the Burmese military government. Significant parts of the KPF merged with the Burmese military government into Tatmadaw Border Guard Force #1023 after 2010, whilst others remained independent. The independent (non-Border Guard) KPF controls some administrative areas in addition to road and river checkpoints in the area of Three Pagodas Pass.

<sup>6</sup> Electrofishing is a fishing technique using electric rods.

<sup>7</sup> KHRG is unable to confirm the cause of death at the present time.

### **Human rights violation [land confiscation]**

[I collected information] on September 15<sup>th</sup> 2014 in Kya Aye village tract, Noh T’Kaw Township, Dooplaya District. [Previously] the land [owner] had exchanged a pair of cows in order to purchase the land. It is located in F--- area. The landowner’s name is Maung<sup>8</sup> B--- and two perpetrators confiscated his land. They [the perpetrators] are female and male [wealthy individuals] and one of them lives in Moo Toh [Mu Don] Town and the other one lives in Kyainseikgyi Town. They confiscated [the entire] 12 acres of land and [then planted] the rubber trees on the land. Landowner Maung B--- found a way to submit a complaint [to the KNU] in order to get his land back. A group of military [Tatmadaw] based near Tho Maing [village] encouraged them [the perpetrators] and they planted rubber trees all over the land. They [the perpetrators] divided [the land into] two plots of land and took one plot each and planted rubber trees. Maung B--- did not dare to submit [a formal complaint for] this case [directly to the perpetrators]. Therefore, he submitted it to the KNU area leader Hsa Bleh Htoo. He [Hsa Bleh Htoo] arranged it with the village head and Maung B--- received 50,000 kyats (US \$43.18) in compensation but he was not satisfied [with that amount of compensation].

### **Oppression [of civilians by armed groups]**

[The incident occurred between] a villager and an individual KNU [KNLA] soldier in Meh Pra Hkee village tract, Noh T’Kaw Township, Dooplaya District. The event took place on September 28<sup>th</sup> 2014. The soldier’s name is Hsa Eh Dah and he lives in Meh Pra Hkee village. He is a Platoon Commander. He had previously told a child that if he moved logs for him [using a buffalo], he would pay the child 300 baht (US \$8.52)<sup>9</sup> per tonne of logs. The victim’s [child’s] name is Saw G--- and he is [censored for security] years old. He lives in H--- village. His mother’s name is Naw<sup>10</sup> I--- and his father’s name is Maung J---. He was exploited like that [by being made to transport logs] and the soldier had told him he would pay him 300 baht per tonne of logs. Later on the soldier’s buffalo died because it was too tired [after] moving the logs. He [the soldier] said that the child forced his buffalo to work [by moving the logs] until it died. In reality, the person who forced the buffalo to move the logs until it died was a different person. When he [Saw G---] first moved the logs he used an old buffalo and the other person used the young buffalo to move the logs. He [the other person] used the young buffalo until it almost died [from exhaustion] so he exchanged it for the old buffalo with him [Saw G---]. He [Saw G---] used it for two days and then the buffalo died. Platoon Commander Hsa Eh Dah told him [Saw G---] that he had exhausted his buffalo. First, he fined him 40,000 baht (US \$1135.72) and he later reduced it to 35,000 baht (US \$993.75). He already knew that the child was not able to pay him [the fine]. He then sent the child to DKBA [Commander] Saw Aee Wah without letting his parents or village head know. He [Hsa Eh Dah] took 10,000 baht (US \$283.93) from Saw Aee Wah and left the child [with Saw Aee Wah]. He asked Saw Aee Wah to kill him if he escaped. Later the village head found out about the incident and followed the case with the DKBA [Commander Saw Aee Wah] then he [Saw G---] was brought back [home].

### **Forced recruitment**

I heard a villager talking about forced recruitment when I was in [A---] village head’s house on September 2<sup>nd</sup> 2014, in A--- village, Kyaw Hta village tract, Kaw T’Ree [Kawkaareik] Township, Dooplaya District. That villager said that Saw Pa Nya, Battalion Commander from the DKBA, had forcefully recruited soldiers in A--- village and asked villagers to serve as soldiers. The villagers did not go to serve and said that [it would be] better to serve [as] KNU soldiers instead of DKBA soldiers. They said that if you did not go you have to pay 300,000 [kyats] (US \$259.06) for replacement [soldiers]. The village head asked them to reduce [the amount of money] and

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<sup>8</sup> Maung is a Burmese male honorific title used before a person’s name.

<sup>9</sup> All conversion estimates for the baht in this report are based on the May 10<sup>th</sup> 2016 official market rate of 35.22 baht to the US \$1. This report was received from close to the Thai border where Thai baht is commonly used in transactions.

<sup>10</sup> Naw is a S’gaw Karen female honorific title used before a person’s name.

they reduced it by 20,000 kyats (US \$17.27) so they have to pay 280,000 kyats (US \$241.79) [for the whole village]. The village head collected it from the villagers, including the poor people. 10,000 kyats (US \$8.64) was collected from each poor household with male children and 30,000 [kyats] (US \$25.91) [was collected] from the households [with people] who have a proper job. If their money was not enough they then asked for help from the monastery [monks]. The villagers did this. The DKBA forcefully recruited soldiers in many villages. In K--- village they demanded 300,000 kyats (US \$259.06) [for the entire village].

### **[Arbitrary taxation]**

The Tatmadaw police force, KNU/KNLA Peace Council [KNU/KNLA PC]<sup>11</sup>, DKBA and [Burma/Myanmar] government military are based in Kyaw Hta village and a total of three armed groups [KNLA/PC, DKBA and Tatmadaw] are based there. KPF [KNU/KNLA PC] asked for between 2,000 (US \$ 1.73) and 3,000 kyats (US \$2.59) and the DKBA also demanded between 1,000 (US \$0.86) and 2,000 kyats (US \$1.73) from the tractor [drivers as a tractor tax]. The Dooplaya information was documented between August 6<sup>th</sup> 2014 and October 31<sup>st</sup> 2014.

### **Development**

On September 13<sup>th</sup> 2014, I went to L--- village. I saw a new church being built beside the western main road in Kaw T'Ree Township, Dooplaya District. It started to be built on May 5<sup>th</sup> 2014 but it is still under construction. It was not supported by any [organisation]. The villagers themselves helped to build the church. When it was under construction it had already cost 4.5 million kyats (US \$3,885.94) but it has still not been completed.

When I came to K--- village I saw the road was being repaired by the Burma/Myanmar government because the rain had already stopped. They [the Burma/Myanmar government] hired people to fill the gravel on the road. They paid them 4,000 kyats (US \$3.45) per day and it [the road] was being repaired by Mya Kan Thar Company. Shwe Chaung Son Company has been expanding [another part of] the road since October 2014, in Hkyaw Soh village, Noh T'Kaw Township, Dooplaya District.

This situation update was collected from August 6<sup>th</sup> to October 31<sup>st</sup> 2014, in Dooplaya District.

Further background reading on the situation in Dooplaya District can be found in the following KHRG reports:

- “Dooplaya Incident Report: Killing in Kyainseikgyi Township, March 2015,” (May 2016)
- “Growing drug use and its consequences in Dooplaya and Hpa-An Districts, between February and December 2015,” (May 2016)
- “Dooplaya Photo Set: Road construction and expansion results in destruction of villagers’ plantations in Kyonedoe and Kyainseikgyi Townships, December 2014 to July 2015,” (March 2016)
- “The 2015 elections and beyond: perspectives from villagers in rural southeast Burma/Myanmar,” (February 2016)
- “Dooplaya Interview: Naw A---, July 2015,” (February 2016)

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<sup>11</sup> The KNU/KNLA Peace Council (also called the Karen Peace Council or KPC), is an armed group based in Htoh Kaw Koh, Hpa-an District, which split from the Karen National Union (KNU) and signed a ceasefire agreement with the SPDC government in 2007. The KNU/KNLA-PC subsequently refused to comply with orders from the then-SPDC government to transform into a Tatmadaw Border Guard Force in 2010. See: “[KPC to be outlawed if it rejects BGE](#),” *Burma News International*, August 30<sup>th</sup> 2010. The KNU/KNLA-PC signed a preliminary ceasefire agreement with the Burma/Myanmar government on February 7<sup>th</sup> 2012, and the Nationwide Ceasefire Agreement (NCA) on October 15<sup>th</sup> 2015.

# Dooplaya District



## Karen Human Rights Group (KHRG)