



Karen Human Rights Group

Documenting the voices of villagers in rural Burma

Complaint Letter

December 8, 2015 / KHRG #15-125-CL4

**Complaint Letter to the chairperson of the
Burma/Myanmar government Land Management
Committee, November 2015**

The Complaint Letter below was written by the Shwegyin Karen Baptist Association, a missionary association from Kyaukkyi Town, Kyaukkyi Township, Nyaunglebin District, and sent to the chairman of the Burma/Myanmar government Kyaukkyi Township Land Management Committee, on November 5th 2015. The letter concerns the Burma/Myanmar government's construction of buildings on a Christian church compound. According to the letter, the compound has belonged to the church for 55 years. The Burma/Myanmar government has begun construction of a Cooperative Department building and plans to construct a Department of Rural Development building and commission offices within the church compound. This has been done without prior consultation with the Shwegyin Karen Baptist Association.

The Shwegyin Karen Baptist Association reported to KHRG that they submitted the complaint letter to Burma/Myanmar government officials, members of the KNU, and other political parties, but they have not seen any action taken in response; instead the construction has continued. This report also includes details of earlier letters sent to authorities by the Shwegyin Karen Baptist Association in an attempt to have the church compound officially measured and recorded, to prevent the land from being confiscated.¹

**Complaint Letter | Kyaukkyi Township, Nyaunglebin District
(November 2015)**

[From the] Shwegyin Karen Baptist Association Land Management Headquarters
Committee

To:

Chairperson

[Burma/Myanmar government] Land Management Committee

Kyaukkyi Township, Bago Region

Date: 5.11.2015

Subject: Objection to the construction of buildings on missionary land.²

¹ This Complaint Letter was submitted to KHRG in November 2015 and is presented here, translated into English exactly as originally written, save for minor edits for clarity and security. It was received along with one Situation Update and 88 photographs.

² According to historical church records, the missionary land, or church compound, was first officially measured and recorded by the Burma/Myanmar government Bago Region (then called Pegu Division) headquarters commander in 1959. The total size of the land is 46.2 acres and it was donated to the church by late schoolteacher, U Saw Htoo.

1. Shwegyin Karen Baptist Association is a religious organisation that has existed for 55 years, from generation to generation.
2. Starting from 1960, because of the situation in the area, the Tatmadaw asked for permission to use the Shwegyin Karen Baptist Association's missionary land, and gave it the name *Byu Har Kone* [military operation land]. There are historical records of the respectful gratitude given [to the Shwegyin Karen Baptist Association] by the operations commanders who used the missionary land, for their being granted permission to use it.
3. There are [recorded] examples that previous, successive [Burma/Myanmar] governments asked for permission to build public buildings that were necessary for the area on the missionary land, and the Missionary Association also allowed this, willingly. (For example: a high school, electricity department office, commercial warehouse, and township stadium [were built]).
4. Shwegyin Karen Baptist Association, Kyaukkyi [Town], has to do projects that are related to missionary work [with this land].
5. Currently, there are plans to build a Department of Rural Development building, commission offices, and construction of a Cooperative Department building has started.
6. For locating the lands, as well constructing the buildings, there were no prior discussions or negotiations with the Missionary Association, so we would like to request that the project's construction stop, and state that we object to the construction.

Respectfully,
Sd.
Rev. Doctor Wah Wah Din
General Secretary
Shwegyin Karen Baptist Association

Shwegyin Karen Baptist Association Land Management Headquarter Committee:

| No. | Name | Position | Signature |
|-----|--------------------------|--------------------------|-----------|
| 1. | Rev. Doctor Wah Wah Din | Chairperson ³ | Sd. |
| 2. | Rev. Doctor Htee Poh Nee | Vice-Chairperson | Sd. |
| 3. | Naw Ta Bee Thar | Secretary | Sd. |
| 4. | Naw Ju Ju | Vice-Secretary | Sd. |
| 5. | Saw Way Lay Paw | Advisor | Sd. |
| 6. | Sayar Nel Tar Lin | Advisor | N/A |
| 7. | Pastor Aye Sa Yar | Advisor | Sd. |
| 8. | Sayar Aye Kai | Member | Sd. |
| 9. | Naw Lah May | Member | Sd. |

³ Rev. Doctor Wah Wah Din is both general secretary of the Shwegyin Karen Baptist Association and chairperson of the Association's Land Management Committee.

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| 10. | Men Thein Win | Member | Sd. |
| 11. | Saw Baw Hel Mu | Member | Sd. |
| 12. | Saw Eh Nee Hseh | Member | Sd. |
| 13. | Saw Sai Mon | Member | N/A |
| 14. | Rev. Keh Blut Mu | Member | Sd. |
| 15. | Sayar Saw Hu Hseh | Member | Sd. |

Copy

- Infantry Battalion [IB] #60 Operations Commander, Than Bo military base
- Staff Officer, [Burma/Myanmar government] Township Land Records Department, Kyaukkyi Town
- Staff Officer, [Burma/Myanmar government] Township Municipal Association, Kyaukkyi Town
- Township Leader, KNU, Kyaukkyi Township
- Officer in charge, KNU Liaison office, Kyaukkyi Town
- Administrator, [Burma/Myanmar government] General Administration Department, Kyaukkyi Township
- Office copy



These photos were taken by a KHRG Community Member on November 10th 2015, in Myit Ta section, Kyaukkyi Town, Kyaukkyi Township, Nyaunglebin District. The first three photos show the construction of a Burma/Myanmar government Cooperative Department building within the Shwegyin Karen Baptist Association church compound. Construction began on November 5th 2015. The construction is being led by

Burma/Myanmar government Kyaukkyi Township administrator U Tin Myo, and the company carrying out construction of the building is the Myit Zi Ma Thit Sa Company. The leaders of Shwegyin Karen Baptist Association have written complaint letters and opposed the construction of the Cooperative Department building on the church land, but the Burma/Myanmar government officials did not respond to their concerns and the construction has continued. The last photo shows a public football ground that was established by the Burma/Myanmar government Kyaukkyi Township administrator, for which they also confiscated Shwegyin Karen Baptist Association church land. [Photos: KHRG]

The complaint letter above concerns the Burma/Myanmar government's construction of buildings on the church compound in Kyaukkyi Township, Nyaunglebin District. The Shwegyin Karen Baptist Association also submitted a complaint letter to KHRG stating:

"Regarding our church compound issue, we have been sending complaints to the relevant government departments and they only responded back to us after we sent the third complaint letter to Naypyidaw. Then they [Burma/Myanmar government officials in Naypyidaw] directed the Kyaukkyi Township government officials in charge to meet with us and find out more information relating to our land. After that, they [Kyaukkyi Township government officials] called a meeting with some members of the church committee and they were asking questions and taking notes. They said they need to report back to the [Burma/Myanmar] government immediately and they asked us to wait for a response. They [Kyaukkyi Township government officials] met with and questioned us in January 2015, and they submitted it [the meeting report] within the month. While we were waiting [for a response], we saw they started construction of the buildings.⁴ Because of this, we went and tried to meet with the township general administrator, but he avoided us and didn't meet with us. His junior staff told us that they had sent it [the meeting report] already, but no answer had come back to them yet.

For this reason, we have to strive to keep the land that we have left. They also said that our map [of the church compound] is not legal and we do not have a land grant [title]. In the Kyaukkyi area, because the Burma/Myanmar government marked the area as a black area,⁵ people do not have land grants. But for them, when they enter the area they prepare all the necessary land grants for themselves.

Regarding this land issue, we sent copies [of the letter] to parties and organisations that we believe can take action and solve our problem, such as the USDP [Union Solidarity and Development Party], the NLD [National League for Democracy], the KPP [Karen People's Party], the KNU [Karen National Union] and district and township officials many times, but we have not seen that any action has been taken. Now [as Christians] we pray, and we now know of the KHRG organisation, which we never heard of before, and which might be an opportunity and the arrangement [of God] for us. We fully believe that

⁴ According to the member of the Shwegyin Karen Baptist Association who spoke with a KHRG Community Member, the construction began on November 5th 2015 and is being led by Burma/Myanmar government Kyaukkyi Township administrator U Tin Myo. The company carrying out the construction is the Myit Zi Ma Thit Sa Company.

⁵ 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 Forced 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.

even though it is a small organisation, their voice and action might speak louder and better than other organisations that we think highly of.

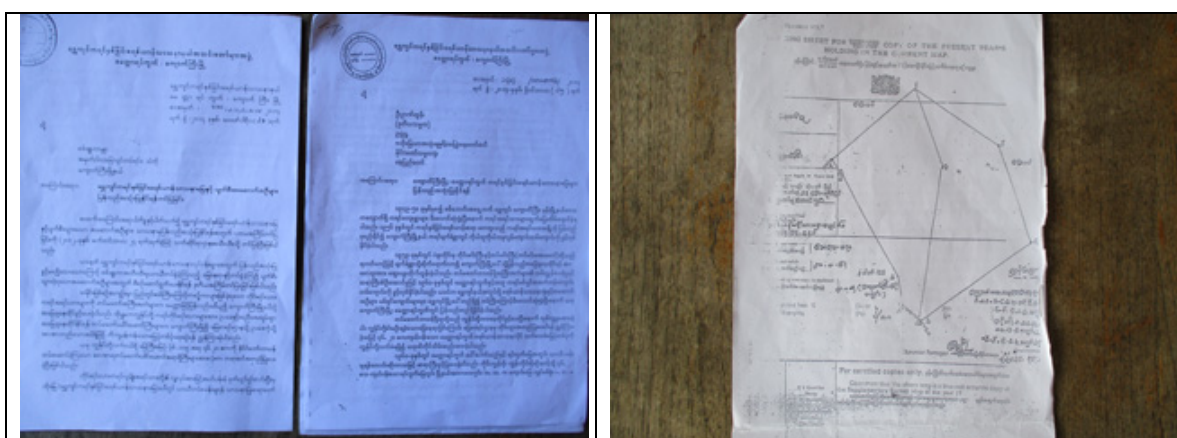
Currently, we are writing complaint letters and at the same time we have started clearing the area of the compound that is left. On this land was once a [Burma/Myanmar government] army base, so we worry that unexploded ammunitions and landmines might have been left. We have to try and help each other with what we can do.”



These photos were taken by a KHRG Community Member on November 12th 2015, in Myit Ta section, Kyaukkyi Town, Kyaukkyi Township, Nyaunglebin District. The photos show the villagers from Myit Ta section and Shwegyin Karen Baptist Association members cleaning the church compound lands that are left, following the Burma/Myanmar government’s confiscation. [Photos: KHRG]

Following the removal of the army base, the Shwegyin Karen Baptist Association have sent multiple letters requesting the church land be officially re-measured and recorded according to its original dimensions, in an attempt to prevent the land from being confiscated. In a letter that was submitted to Naypyidaw in 2012, the Shwegyin Karen Baptist Association made four requests to the Burma/Myanmar government to consider for them, including:

1. Rearrange the measure [officially re-measure and record] the Karen people's Christian missionary land in Myit Ta section, as it was before [to its original measurements].
2. Clear all of the undetonated explosive devices from the area of the temporary army base that was granted temporary use of the land in the past.



These photos were taken by a KHRG Community Member on November 12th 2015, in Myit Ta section, Kyaukkyi Town, Kyaukkyi Township, Nyaunglebin District. The first photo shows two letters that were sent by the Shwegyin Karen Baptist Association requesting the church land be re-measured and recorded according to its original dimensions, following the removal of the temporary military base from the

compound. One letter was sent to the Infantry Battalion (IB) #60 operations commander in Than Bo base on February 21st 2014, and the other one was sent to U Nyan Tun, vice president of Myanmar and chairman of the [Burma/Myanmar government] Central Land Use Management Committee on November 25th 2014. The subject of both letters states, *"To be able to re-use the Shwegyin Karen Baptist Association Church Land."* The second photo shows a copy of Land Record #105, detailing the measurements of the church compound land belonging to the Shwegyin Karen Baptist Association. The Land Record was issued to the Shwegyin Karen Baptist Association by the Burma/Myanmar government in 1962, and copies were included in the letters sent to the IB #60 operations commander and U Nyan Tun as evidence of the Shwegyin Karen Baptist Association's ownership of the land. [Photos: KHRG]

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

- "Nyaunglebin Situation Update: Shwegyin Township, October 2014 to January 2015," (September 2015)
- *'With only our voices, what can we do?': Land confiscation and local response in southeast Myanmar*, (July 2015)
- "On-going militarisation of southeastern Burma/Myanmar, since the January 2012 ceasefire agreement between the Karen National Union (KNU) and the Burma/Myanmar government," (February 2015)
- "Nyaunglebin situation update: Shwegyin Township, March to June 2014," (January 2015)
- "Nyaunglebin Situation Update: Kyaukkyi Township, July 2014," (October 2014)

Kler Lwee Htoo (Nyaunglebin) District



Karen Human Rights Group (KHRG)