



Karen Human Rights Group

Documenting the voices of villagers in rural Burma

Interview

June 1, 2017 / KHRG # 15-133-A2-I1

Toungoo Interview: Htantabin Township, November 2015

This Interview with Saw A--- describes events occurring in Htantabin Township, Toungoo District in 2015, including land confiscation, education, village relocation and military activities.

- Saw A--- stated that his village, Hton Bo village, Htantabin Township, Toungoo District was forced to relocate by the Tatmadaw and Shwe Swan In Company. The villagers were then forced to stay in the cemetery of another village, as the Shwe Swan In Company did not provide them with land.
 - Another company, Kaung Myanmar Aung Company later confiscated Hton Bo villagers' lands and grew rubber plantations on the confiscated lands. The company did provide some compensation, but this was minimal and forced upon the villagers.
 - Alongside other villagers, Saw A--- explained that they would demonstrate against the actions of Kaung Myanmar Aung Company. However, in an attempt to limit the agency of the villagers, the company has sued the villagers a number of different times.
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Interview | Saw A---, (male, 46), Hton Bo village, Htantabin Township, Toungoo District (November 2015)

The following Interview was conducted by a community member trained by KHRG to monitor local human rights conditions. It was conducted in Toungoo District on November 22nd 2015 and is presented below translated exactly as it was received, save for minor edits for clarity and security.¹ This interview was received along with other information from Toungoo District, including ten other interviews.²

Ethnicity: Karen

Religion: Christian

Marital Status: Married

Occupation: Hill Farmer

Position: Villager

What is your name?

My name is Saw A---.

¹ KHRG trains community members in southeastern 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 conducting interviews, community members are trained to use loose question guidelines, but also to encourage interviewees to speak freely about recent events, raise issues that they consider to be important and share their opinions or perspectives on abuse and other local dynamics.

² In order to increase the transparency of KHRG methodology and more directly communicate the experiences and perspectives of villagers in southeastern 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.

How old are you?

I am 46 years old.

What is your ethnicity?

I am Karen.

What is your religion?

I am a Christian.

Are you married?

Yes, I am. I have four children.

How old is your eldest child?

My eldest child is 12 years old.

How old is your youngest child?

My youngest child is one year old.

Which village and Township do you live in?

I live in Hton Bo village, Na Ga Mauk village tract, Htantabin Township.

What is your occupation?

I am working on garden land and hill farming.

How many houses are there in your village?

There are [censored] houses in my village.

Do you have a school in your village?

We have a school in Na Ga Mauk village [new village]. We do not have a school anymore in the old village where we lived, because the Tatmadaw moved the village when the Shwe Shan In³ Company entered the village. Then, the Kaung Myanmar Aung Company⁴ arrived in the village. Finally, the land in the village was damaged.⁵

What year did Shwe Swan In Company enter your old village?

Asia World [Shwe Swan In] Company⁶ arrived in the village in 2006 or 2007.

³ KHRG reports have implicated Shwe Shan In in human rights abuses against villagers in Toungoo District, see [“Toungoo Field Report: Slow transitions towards real change, January to December 2015,”](#) KHRF, January 2017 and [“Toungoo Interview: Naw A---,”](#) November 2015,” KHRG, November 2015.

⁴ Kaung Myanmar Aung Company (KMAC) or Kaung Myanmar Aung Group of Companies is a Myanmar-owned business group with investments in teak plantations in Toungoo District, and mining, agriculture, shipping, construction and real estate development within Myanmar. Their chairman is Mr Khin Maung Aye. KMAC have been implicated in land confiscation cases in southeast Myanmar which have included threats to villagers who were customary owners of the lands, see [“Toungoo Situation Update: Thandaunggyi and Htantabin townships, November 2014 to February 2015,”](#) July 2015. Affected villagers held protests against the company in 2015 and early 2016 in order to demand the return of their lands, see [“Toungoo Situation Update: Thandaunggyi and Htantabin townships, November 2015 to January 2016,”](#) July 2016. For information on a similar case with KMAC in Pyin Oo Lwin Township, Mandalay Division, see [“Presidential adviser sues 13 farmers for trespassing,”](#) Myanmar Times, September 2nd, 2013.

⁵ To see other examples of how Kaung Myanmar Aung Company has used confiscated land, please see [Toungoo Interview: Naw A---, November 2015](#) (KHRG, February 2017) and [Toungoo Situation Update: Thandaunggyi Township, November 2015 to February 2016,](#) (KHRG, November 2016).

⁶ Asia World is a Burma/Myanmar company with significant investments in the shipping industry, infrastructure, and plantations in Myanmar. Asia World and its additional companies owned by Myanmar national Stephen Law were added to the US Sanctions list in July 2016 due to their historic and continued links to the Burma/Myanmar

Which company arrived in the village in 2006? Shwe Swan In or Asia World?

Shwe Swan In is Asia World. Asia World is Shwe Swan In. They are the same company but different names.

When they [Shwe Swan In Company] came to the village, did you have a school in your village at that time?

Yes, we had a school.

Why did it happen like this [school relocation]? Can you tell me about it in detail?

At first the Shwe Swan In Company made a partnership with the Tatmadaw, because the Tatmadaw had the power at that time. That's why the villagers were removed from the village. They [villagers] were stuck [they did not have a choice] so they had to move to Na Ga Muak village or Kauk Ko Htoo village. Finally, no one remained in the village, so the school was also destroyed. Now they [Shwe Swan In Company] are constructing their buildings in the area of the school.

They destroyed the village. Is that right?

Yes, they destroyed the village. However, we planned to come back and live in the village. When we tried to come back, the Kaung Myanmar Aung Company had arrived in the village. Then, the land was damaged. They confiscated the garden land.

After your village was destroyed, where did you move to?

Some people moved to stay in their relative's houses in other villages, such as Na Ga Mauk village and Kauk Ko Htoo village. Some people moved to stay on new lands or gardens. This is how we moved.

How did you know that the company [Shwe Swan In] would come to the village?

At first, before Shwe Swan In Company arrived at the village, they sent the Electric Power Corporation to the village in 2003. This group monitored the situation of the village, such as land and water. Afterwards, the Shwe Swan In Company came to the village. I did not know what kind of strategy they used [to confiscate the land]. Then the Tatmadaw demanded the villagers to relocate. In the past that was their [Tatmadaw] time and no dog dared to bark [villagers lived in fear]. If the villagers came back to their village from the outside [relocated village] they had to bring a ticket [permission letter] and show the Tatmadaw. They had different kinds of permission letters, such as a one day permission letter and a one week permission letter. Even if a villager wanted to bring rice to support their livelihood, they were just able to bring one week's worth of rice rations. Things happened like this.

Which battalion of the Tatmadaw entered the village?

They are always changing. They rotate every six months. Infantry Battalion⁷ #73, Battalion #26, Battalion #53, Battalion #35 from Tharyarwaddy [Bago Division] and Light Infantry Battalion⁸ #20.

military regime, see [“US extends sanctions, further targets Asia World.”](#) Myanmar Times, May 17th 2016. In KHRG's operation area of Toungoo District, Asia World constructed a hydroelectric dam resulting in damage to villagers' land and the relocation of villagers, see [“Toungoo Interview: Saw H---, April 2011,”](#) KHRG, September 2012. Additionally, in Mergui-Tavoy District, Asia World confiscated villagers' land for plantations, see [“Mergui-Tavoy Situation Update: Ler Muh Lah and Ta Naw Tree Townships, January to June 2015,”](#) KHRG, October 2015.

⁷ An Infantry Battalion (Tatmadaw) comprises 500 soldiers. However, most Infantry Battalions in the Tatmadaw are under-strength with less than 200 soldiers. They are primarily used for garrison duty but are sometimes used in offensive operations.

⁸ A Tatmadaw Light Infantry Battalion (LIB) comprises 500 soldiers. However, most Light Infantry Battalions in the Tatmadaw are under-strength with less than 200 soldiers. LIBs are primarily used for offensive operations, but they are sometimes used for garrison duties.

Are they [battalions] all on the frontline?

Yes.

Do you know the name of the battalion leaders?

We do not know the name of the battalion leaders, we only know the battalion. In the past, how to say, it was difficult to communicate with them [Tatmadaw]. It was also hard for us even if we wanted to meet up with them. If something was wrong with us all they would do was beat and hit us.

After your village was destroyed, did they give you any resettlement land?

Shwe Swan In said they would give 100 acres of land for our resettlement, but they have not given it yet. In Na Ga Mauk village they built the church and they contributed towards the electricity needs of the villagers, but they did not give them land. They just sold one plot of land for between 200,000 kyats [US \$ 145.22]⁹ and 500,000 kyats [US \$ 363.06] [current price], but the villagers could not afford it. How could the villagers survive without land? So the villagers just went back to stay in their farms or gardens. Some people just decided to stay in the village although the company entered their lands. They [Shwe Swan In Company] cut off the electricity in the houses that people did not stay in. They said they would give the land to the villagers in Na Ga Mauk village, but in reality they did not give any land. Now the villagers have to live in the cemetery area of Na Ga Mauk village. The villagers in Hton Bo village are dead people [they feel like they have no hope]. The company makes the villagers stay in the dead people area [cemetery]. How can the villagers feel happy about it?

You mean they [Shwe Swan In Company] promised that they would give the land to the villagers, but in fact they did not carry out their words. Is it right?

Yes. Even the school is very near to the cemetery.

Did the company move the school near to the cemetery, or did the [Na Ga Mauk] villagers discuss with each other and plan to move it near the cemetery?

No, as a village, the villagers in Na Ga Mauk village did not agree with it because they did not want anyone to stay in their lands for free. The company forced Hton Bo villagers to stay in the cemetery area. That's why they had to stay there, despite their wishes. Also, they [villagers] did not have any firewood for cooking, so they went back to stay in their lands again. Some people just stayed in Hton Bo village, in spite of the forced relocation [by the company], because they were stubborn. So the company asked them to pay money [as a bribe]. Some people can stay if they pay. People who could not pay just went to stay in old Hton Bo village.

Do you still have old Hton Bo village?

Old Hton Bo village is the place where we rebuild our houses because our home village [Hton Bo] was destroyed. Look at our houses now; they are just built with bamboo. We could not build them with wood because we have to watch how the company acts, whether they will oppress us [destroyed villagers' houses], and also we could not afford to build it with hard wood.

Did the company give you compensation when they confiscated your lands?

As I told you before, at first they tried to threaten us. The compensation looks like, for example, if somebody rapes your daughter, and then says he will marry her. It is like he must marry her even though you do not want to lose your daughter.¹⁰ Now the issue is like that. If they [Kaung Myanmar Aung Company] give 50,000 kyats [US \$ 36.31] to each villager as compensation, we have to take it even though we are not satisfied with it. It is not that we want to take their compensation, but it is because we are afraid of them. They used police officers and soldiers to

⁹ All conversion estimates for the kyat in this report are based on the 19th May 2017 official market rate of 1,377 kyat to US \$1.

¹⁰ Although a problematic comparison, here the villager is voicing his perspective on the compensation issue.

threaten the villagers into taking their money. It is not because we were afraid to lose our lands, but it was because we were afraid of them. Where can we buy new land with only 50,000 kyats [US \$ 36.31]? We were afraid of their dictatorship [Kaung Myanmar Aung] so we took their money. In fact, we just want our lands back.

How much compensation did they [Kaung Myanmar Aung Company] give to the villagers for one acre of land?

At that time, they gave 50,000 kyats [US \$ 36.31] for one acre of land. Then they forced the villagers to take it. The villagers would lose their lands whether they took the money or not. They had to take the compensation, although they did not want to, because they were afraid.¹¹ What they were afraid of was the dictatorship [of Kaung Myanmar Aung Company]. In fact, they want their lands back. They did not want to sell their lands. How do I say? Look at my parents-in-law. They were determined to stay in the village, although they have been forced to move, but they did not take the compensation that the company offered because they had grown a lot of teak trees. The company did not negotiate with them about the compensation. Also, the company did not make them satisfied. Now there are many teak trees that have been left.

So based on what you have mentioned above, the villagers did not want to take their compensation. Is that right?

Yes, the company intimidated the villagers to take the compensation with their power.

Villager #2: My father has not taken their money until now.

Even though they [villagers] did not take the compensation, the company [Kaung Myanmar Aung] continued to expand their plantation. Is that right?

Yes, they expanded their plantation on the villagers' land whether the villagers agreed to it or not.

So they [Kaung Myanmar Aung Company] came to give the compensation to the villagers after they implemented their projects [plantation]?

Yes.

Which company came to give the compensation to the villagers?

A chairperson of Co-operative Bank LTD,¹² U Khin Maung Aye and his group [employees] from the Kaung Myanmar Aung Company destroyed the village, and afterwards they gave compensation to the villagers. The villagers had to take the compensation despite their wishes. Local villagers from Hton Bo village, Na Ga Mauk village, Yay Owe Sin village and Kyat Kyauk village, did not want to take their compensation, but they took it because they were afraid of the company. The company forced the villagers [who did not take the compensation] to leave the village. If the villagers did not leave the village, the company called the police or village administrator for help, in order to teach the villagers a lesson. They pressurised and threatened the villagers to leave in different ways. Some people took the compensation because they were afraid of the company. Some people were stubborn and did not leave. The company forced them to leave their homes, but they moved to another place in the village. It happened like this for some people. Recently, many villagers have been sued for trespassing on the land.

Villager #2: For example, a father and son have to build their hut every year. If the company forces them to leave their place, they move to another place. These are their lands but they do not have the right to stay. If the [Kaung Myanmar Aung] company comes to their place they move to another place again. They move from place to place if the company arrives. So how

¹¹ The interviewee demonstrates that this development project was carried out without free, prior and informed consent. For more information on the problems of land confiscation and consent, please see “[“With only our voices, what can we do?”: Land confiscation and local response in southeast Myanmar](#),” KHRG, June 2015.

¹² U Khin Maung Aye is the chairman of both Kaung Myanmar Aung Company and the Co-Operative Bank LTD.

can they make money [business]? How can they build their house with wood? They can only build their house with bamboo.

Villager #3: You will know it [the living situation] if you go there.

Villager #4: Because the company drives the villagers out if they do not take the compensation. They [Kaung Myanmar Aung Company] only have the right to do their projects in a limited area here. Now they know that they could grow teak, so they want to expand their plantation. So they try to make the villagers move out of their lands. How can I say? They want to have the entire plantation in the village.

So you mean the company wants to have the opportunity to expand their plantation, beyond what the government has given them?

Yes. That is right. The government gave them permission to make a plantation. The permission number is OSS #1. There are 2,400 acres of empty land that they could have used for the plantation, but we did not have any empty land in our area because these lands belonged to the peasants. The peasants had farms or gardens on these lands. However, the company abused the right [the government gave them] to make the plantation. They were given the permission to make a plantation of 2,400 acres, but perhaps they made a plantation of 4,000 acres. The peasants did not want all of their lands to be destroyed. When the company arrived in 2013 they destroyed the lands that the villagers possessed, which was mostly in Hton Bo Village. Now they have sued the villagers three times.

Villager #2: These lands were ours in the past, before the British people went back to their country. We, the Karen, helped the British people to fight the Japanese coloniser. So the Karen people were asked what they wanted. The British would give whatever we, the Karen, wanted. We are Karen. We like to work on farms. As you know, in the past, most of the Karen people on the mountain used these lands for hill plantations, to support their livelihoods. There is a traditional belief that short-term plantations cause the paddy to grow badly, and more recently more wild grass has been appearing around the paddy.

Villager #3: How to say, they now have to farm from place to place. If they can do farming in a place, they do. If they can do gardening in a place, they do. If they can produce seasonal fruits, they do. To grow seasonal fruits on the farm we have to use fertiliser, but the local residents cannot afford to use fertiliser. So they have to change the place where they do their plantation every three years or every four years. Some people make short term plantations but some people make long term plantations. Even one person could do three different kinds of plantations. That is how they are making their farms or plantations.

Did the company help you to build the school after they confiscated the land?

Don't talk about the school. They [Kaung Myanmar Aung Company] did not even build a water pot for the villagers.

They confiscated your lands and you lost your lands, but did you get any benefit from them?

No, we did not get any advantage, we only got disadvantage. We just had a problem with our families' livelihoods. If possible, they want to put us in jail.

Villager #2: Now they sue us.

How many times did Kaung Myanmar Aung Company sue the villagers?

They sued the villagers so many times. As for me, they have sued me three times. On one occasion they sued some of the girls. The company sued five villagers at a time, then six villagers on another occasion and then also another 12 villagers. Once, they only sued one villager. It is only me who has been sued three times.

I did not understand clearly how the company sued you. Let me ask you. Why did the company sue the villagers separately?

Yes. They sued different villagers separately. Sometimes five people. Sometimes six people. Now they sue 12 people.

When they sued you, you responded that you wanted to get back your land. Did you remain in your homes when you responded?

Yes. We responded that we wanted to get back our ancestral lands, but they forced us to leave our homes. When we did not leave, they called the Na Ga Mauk village tract administrator to make us leave, but we did not leave. Then they called the police for help. We have not left yet. So now they are trying to sue us like this.

When they [Kaung Myanmar Aung Company] sued the villagers separately, did they want to threaten the villagers, or did they want to make people afraid so they [villagers] would not do it [remain in their lands] again?

Sometimes they threatened people. Sometimes they pressured people. They thought that if they sued these people, then other people would not dare to do anything. It is like they can do whatever they want to do. They can destroy whatever they want to. Now they sue the people who are clever. If they can control those people, they think they can do anything to other people. It is like the villagers are just water in their hands.

Villager #2: Some of the rubber plantations were burned, so they [Kaung Myanmar Aung Company] called the police and the police came to take a picture, and then they went back. There was no answer for that. They [Kaung Myanmar Aung Company] burned [the villager's plantations] and then they called the police, but nothing happened.

Villager #3: Regarding these kinds of cases, nobody solves our problems. For example, if our garden or farms are destroyed we inform the police to try and find out who did it, but the police do not help us. When we inform the [Kaung Myanmar Aung Company] company about that, they just inform the police again. They said that the villagers did not have a chance to report it to the police.

I want to ask a question. When you reported it [land issue] to the police, did you pay any money to the police?

How can we afford to pay money to the [Myanmar] police? Here we have to struggle with our livelihoods. We just report it to the police in person, but the police do not come and solve our problems.

You told me before that you reported it to the police in person, so did you write a letter to the police when you reported it?

We reported it to the police both in person and by letter.

Did they take any legal action for what you reported?

No, they did not. They did not do anything for the peasants.

What about the company? What did the police do for them?

I do not know exactly. The [Kaung Myanmar Aung Company] company pays money to the police for their help. They wanted us to sign an agreement letter but we did not want to sign it. So they called the police and immediately the police arrived and arrested the peasants.

I do not understand clearly. Let me ask you a question. The police asked you to sign the agreement letter. So did you have to sign it at the police station or at your home?

We have to sign it at the police station. They sent a letter informing us to go to the police station.

What would happen if you had not gone to the police station?

If so, they would have come to us. Then they would have taken a picture of us and recorded the information about us. They then would have arrested us. The peasants were afraid of them so they went to sign the agreement letter.

What kind of agreement letter was that?

The agreement letter says that the villagers cannot go and stay within their lands. They [Kaung Myanmar Aung Company] got permission for the plantation. If the villagers stay on their lands it becomes a problem for them. So they set that rule, and they arrest the villagers to make them sign the agreement letter and not stay on their lands.¹³

Did they [police officers] report this agreement letter to their leaders?

We do not know whether they [police officers] reported it to their leaders or not, but we have to go to the police station so many times, back and forth. Sometimes we were sued and we had to go to the court at the Township level. Sometimes the Township administrator called us to come and meet him. Nobody helped us. We just confront the difficulties on our own.

Did you have to pay money when you signed the agreement letter?

No, we did not need to pay. We just signed.

Did you pay money to the police to help you, so you would be able to stay on your lands and in your village?

We did not pay like that. We also do not have a plan to pay like that. We could not pay them even if we had the money. If they try to arrest us here we move to stay over there. If they go to arrest us over there we move to another place, because we have very wide lands where we can move from place to place. For example, only one villager owns one hundred acres of land. This is how we move if the police come to arrest us. Some people lost all of their lands. As for me, some of my family lost some plots of land. We do not know when we will lose all of our land.

I was a bit confused. Let me ask you. Now, they cannot confiscate all of your lands so you can move from place to place, but if they could confiscate all of your lands one day, what would you do?

If they could confiscate all of our lands, we would not have any more land to live on, but we try to report this case to the relevant people who have the authority to let us stay on our lands. We are also still trying to find people who are able to solve our problems. We are still asking people who want to help us to get back our lands.

I do not understand clearly. I want to ask one more question. How many times did you report it to the relevant responsible people, in order to get back your lands?

I have reported it to the relevant [Myanmar] government department seven times, so that they might solve our problems, take an action and give us the rights to get back our lands, but they have not done anything for us. Besides, we were sued when we tried to get back our lands. I have reported it to them [the Burma/Myanmar government], in order to hold a demonstration for the first time, but they said it is time for an election and they did not give us the rights to hold a demonstration. After the 2015 election, I, again, reported it to police station #2 for a second time on November 18th 2015, in order to get the rights to hold a demonstration, and we planned to hold a demonstration on December 3rd 2015. The police officer in charge of police station #2¹⁴

¹³ According to other sources the police charged seven farmers under Section 26 and 27 of the Vacant, Fallow and Virgin Lands Management Law. Please see, "[Taungoo farmers deny rumours of negotiations for seized land](#)," Eleven Myanmar, July 2015 and "[Toungoo Situation Update: Thandaunggyi Township, November 2015 to February 2016](#)," KHRG, November 2016.

¹⁴ In another KHRG interview, a villager from Toungoo District, detailed how he was sued by the Chief of Police, Aye Zaw from No. 2 Police Station, because he had organised a protest against land confiscation by Kaung Myanmar Aung Company. Please see, "[Toungoo Interview: Saw A---](#)," January 2016, February 2017.

told me *"However, bring back your report letter, I promise that you can demonstrate on December 3rd 2015 for sure. So you have to report it again on November 27th 2015. If you could negotiate with Khin Maung Aye, from Kaung Myanmar Aung Company, between November 18th 2015 and November 27th 2015, then you will not need to hold a demonstration"*. Today is November 22nd 2015 and we have an appointment to meet the Kaung Myanmar Aung Company owner, Khin Maung Aye, at 12 pm today, but we have not gathered our people who want to be involved and help us. That is why I told the police officer who is in charge of police station #2 that we would not go to meet with Khin Maung Aye, because we were not ready yet. Then, he [police officer] told me on the phone *"So ask me whatever you want to know if you go to report it on November 27th 2015, but I will make sure that you can hold a demonstration on December 3rd 2015"*. The police just promised me it verbally.

So did you get any legal letter from the police that you can hold a demonstration on December 3rd 2015?

They did not give us any legal letter, but they verbally promised us that we can hold a demonstration on December 3rd 2015, but I am going to report it to them on November 27th 2015. They just promised verbally, but they did not give us any legal permission letter for holding a demonstration. I do not know what they will tell me if I go to report it to them on November 27th 2015.

Who gave you permission to hold a demonstration?

The police officer in charge of police station #2 has allowed us to hold a demonstration, but he promised it to us verbally. Yet, he said if we could negotiate with Khin Maung Aye we would not need to hold a demonstration.

What is the name of the police officer in charge of police station #2?

I do not know it but I have his phone number.

It is not clear for me. Let me ask you. When you had an appointment with Khin Maung Aye, did you get an appointment letter, like an invitation letter?

No, the police did not give us that. The police told us verbally that we had to go to meet with Khin Maung Aye. Khin Maung Aye, himself, did not directly tell us anything.

So Khin Maung Aye did not say that he would like to meet you. Is that right?

Yes, he did not say anything. The police just called me on the phone and told me to meet with him.

Let me ask you. Regarding the land issue, I think there is a Land Management Department in the government, which you could negotiate with to solve the land issue. Is that right?

Yes, maybe.

Is there an organisation for solving the land issue? Did they call you to involve you?

No, they did not call us.

Did they call you to go to the police station?

Yes, I have been called to go to police station many times. The Land Records Department also called me to meet with them. They asked me *"Do you work on your lands properly? If so, I will go and check your lands"*. But they never do anything [solve the problem] for us. The Toungoo Township General Administrator called me to meet with him too. We went to meet him but nothing changed. We could only express what we suffered. No problem was solved.

I did not understand one thing. Let me ask you. The police have a responsibility to solve the case [problem]. Is that right? How can I say? Does Khin Maung Aye or the Land

Records Department have a duty to solve the problem regarding the land issue? Or do the police have to solve it?

I do not know about that. I have no idea what they have the responsibility for. If I go to the general administration office, the police officer knows it. If I go to the police station, people from Land Records Department know it. They all know each other and they all know about this land issue.

Who is Khin Maung Aye?

Some people said he is the adviser of the President, Then Sein, but we do not know exactly. Some people said he is the face of Toungoo town because he is rich. He owns the hotel near to KanDawGyi Lake [in Yangon].

I want to know something. If you are going to demonstrate against the company on December 3rd 2015, how many people in Toungoo Town will be there?

I guess about 200 people will go to demonstrate, but some people will not able to go there because of different reasons, such as family issues. However, there are a lot of peasants who suffered from land confiscation in the four villages [who will attend].

I want to know more. What is the best way, or solution, that you have, in order to be able to get back your lands?

How do we say? We are trying to look for people who want to help us, and land organisations that are able to help us. We can say that we have found them. He [one helper] is U C---, from a social group. However, he was also sued.

Where does he come from?

His address is in Yangon. You can find it in the letter that you took and it includes his phone number. He was also sued for helping us. We also reported the case [land conflict] to all relevant responsible people from the KNU, in order to get help from them.

If you are not successful this time, what about next time?

We have plans to demonstrate against the company. We will ask for our lands until we get them back. We will fight for our lands until we die because our families are going to die of hunger if we do not have these lands, so we must get our lands back.

Have you heard about *Lal Tha Mar Tun Tone Taik Pwe* [an activity where farmers fence in their lands]?

We have heard about it.

So how does it relate to you?

I do not know if it is from our organisation or outside [organisation]. We did it outside too but we do not remember the incident date. We need to look at it in our books.

When did you do that [activity where farmers fence in their lands]?

We did it on July 9th.

Where did you do that?

We started to do that in Hton Bo village.

How many people were there?

More than 200 people [peasants]

What is *Lal Tha Mar Tun Tone Taik Pwe*? Did you demonstrate against the company?

It means we tried to get back our lands. It is when we made a fence around our lands.

When you made a fence, did anyone give you trouble?

Yes. The police came and they took us to the police station. Then, they asked us to sign an agreement letter not do it again. It [agreement letter] continues until now.

Who is in charge of the police station near Hton Bo village?

He is Ye Ko Ko.

How did they [the police] pressure you?

They pressured us not to do this again. Then they asked us to sign an agreement letter.

What kind of agreement letter is that?

I do not know exactly about it because I did not read the information in the agreement letter. It is similar to a section of an Act [of government], such as section #26, #27 and #28. We could not make a fence on our land. It is as if they came to threaten us, stating that we could be arrested and that we may have to go to jail. Then, they asked questions like who led it and who was involved. Those kinds of things [the agreement letter] are like that.

Who was asking those things?

The police.

Did they [the police] do something else to you after they asked you to sign the agreement letter?

After they asked us to sign the agreement letter, we had to sign another agreement letter. For me, I had to sign twice. Then, we took those agreement letters and we reported it to the court. On October 14th 2015 we had to go to the court for an appointment.

So you did *Lal Tha Mar Tun Tone Taik Pwe* on July 9th, and after a few days you were sued. Is that right?

Yes.

Who was the complainant in the court?

U Thoung Kyout was the complainant and he reported the case to the court. He is the general manager of Kaung Myanmar Aung Company, owned by U Khin Maung Aye. Then, he [U Thoung Kyout] tried to sue the villagers.

You move from place to place because of land confiscation, so did anyone become unemployed?

Some villagers became jobless. Some villagers still work on the farms that they saved because the company could not confiscate all of their lands.

Villager #1: Finally, how to say, they even lost their buffalo house and their cow house.

Villager #2: If their lands were destroyed, they lost not only their buffalo house and cow house but also their homes. If the villagers go to stay on their confiscated lands, the company always tries to sue them and make them go to the police station.

Even the animal houses were destroyed?

Yes. They set up many sign posts. It says *"Buffalo and cattle cannot pass the grassland [grazing ground]. Do not fish and hunt animals. Do not burn anything here"*. The other sign post says *"Do not trespass on the land and do not live in the houses, if you live and trespass you will be arrested because of the existing law"*.

Did women also face these problems?

Yes. They also suffered.

As you mentioned above, was that Daw¹⁵ H--- who suffered like that?

Yes, it was Daw H---.

Was she also sued?

Yes, in Hton Bo village. Actually, she was not sued. U I---'s wife. Who is that? Tell me her name. I do not know. The time the company sued five villagers all together for the first time.¹⁶

Villager #2: J---, K--- and L---. Yes. Three of them are women.

Only three women?

No, four women. In Hton Bo village five people were sued for the first time. Four of them were women and one man. Now many people are sued for the second time. There are 12 people, including myself and my son.

Ok thank you for telling me about it. So you can ask me whatever you want to ask. Maybe I did not ask you things that you want to share. Now you can ask me.

Yes, we have. Before British people went back to their country, they shared the different lands out amongst the villagers in Hton Bo village.

Villager #2: We kept our lands and we cleared the bushes in that land for three years, because we wanted to use that land for our agriculture, but the company came and they confiscated our lands.

Villager #3: Actually, we have a temporary hill plantation. In our area we have farms, gardens and hill farms. In some areas we raise seasonable fruits.

Villager #4: That is why we did not make a rubber plantation until now, as we have continued the British style of farming.

Villager #5: There are many betel trees and different kinds of trees in these lands. We do not have empty lands. Everywhere we have permanent gardens and seasonable fruits.

Villager #6: Some villagers have land titles. Some people work on the land that they inherited from their grandparents.

OK thank you so much for sharing. Can I share this information with my organisation, KHRG?

Yes, we permit you to use it.

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

- "Toungoo Situation Update: Thandaunggyi Township, June to August 2016," (March 2017)
- "Toungoo Interview: Saw A---, January 2016," (February 2017)
- "Toungoo Interview: Naw A---, November 2015," (February 2017)
- "Toungoo Field Report, January 2015 to December 2015: Slow transitions towards real change," (January 2017)
- "Toungoo Interview: Saw A---, December 2015," (November 2016)

¹⁵ Daw is a Burmese female honorific title used before a person's name.

¹⁶ At this point of the answer the interviewee appears to be attempting to remember who exactly was sued by talking to himself.

Taw Oo (Toungoo) District



Karen Human Rights Group (KHRG)