



Karen Human Rights Group

Documenting the voices of villagers in rural Burma

Incident Report

May 6, 2016 / KHRG #15-38-I2

Doooplaya Incident Report: Killing in Kyainseikgyi Township, March 2015

This Incident Report describes the killing of an innocent civilian, Saw Thaw Nyay, by fellow villagers, Saw Hey Thaw and four of his friends, in Kyaw Kay Koh village, Noh Ta Kaw Township, Doooplaya District on March 15th 2015. The murder was committed using an AK-47 rifle obtained by Saw Hey Thaw from an unknown KNU/KNLA-Peace Council soldier. A fortune teller named Thara S--- had instigated the murder by telling a mourning parent, Saw Maung Kya, that his child's death was a result of black magic, rather than the doctors' diagnosis of blood cancer. This statement lead the parent to suspect and accuse his neighbor, Saw Thaw Nyay, of practicing witchcraft with the intent of killing innocent people, and consequentially to ask Saw Hey Thaw to kill Saw Thaw Nyay on his behalf.

Incident Report | Kyainseikgyi Township, Doooplaya District (March 2015)

The following Incident Report was written by a community member in Doooplaya District who has been trained by KHRG to monitor local human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security.¹ This report was received in May 2015 along with other information from Doooplaya District, including one other incident report, seven interviews, three situation updates, 194 photographs and 14 video clips.²

Part 1 – Incident Details

¹ KHRG trains community members in southeast Burma/Myanmar to document individual incidents of abuse 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 incident reports, community members are encouraged to document incidents of abuse that they consider to be important, by verifying information from multiple sources, assessing for potential biases and comparing to local trends.

² 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.

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|---|---|
| Type of Incident | Killing |
| Date of Incident(s) | March 15 th 2015 |
| Incident Location (Village, Township and District) | Kyaw Kay Koh village, Noh Ta Kaw Township, Dooplaya District. |

| Victim Information | |
|--------------------|---------------|
| Name | Saw Thaw Nyay |
| Age | 47 |
| Sex | Male |
| Nationality | Karen |
| Family | Married |
| Occupation | Odd jobs |
| Religion | Buddhist |
| Position | Villager |
| Village | Kyaw Kay Koh |

| Perpetrator Information | | | | |
|-------------------------|----------|-------------|---|------------------|
| Name(s) | Rank | Unit | Base | Commander's Name |
| Saw Hey Thaw | Villager | Not soldier | Born in Kyaw Kay Koh and Married in Plaw Hpa Htaw | Villager |

Part 2 - Information Quality

1. Explain in detail how you collected this information.

On March 15th 2015, around 9:23 ^{PM}, when Saw Thaw Nyay and his youngest son [who is] seven years old were home alone, he [Saw Thaw Nyay] was shot by Saw Hey Thaw using a KNU/KNLA-PC³ AK-47 gun. He was hit in his neck and [the bullet] went out through the other side [of his neck].

2. Explain how the source verified this information.

Village tract leader Saw Bleh Dah gave me the information because the incident happened close to his house. After the occurrence, he called for an investigation, and as he is the village tract leader, the information is true.

³ 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 30th 2010.

Part 3 – Complete Description of the Incident

Describe the Incident(s) in complete detail. For each incident, be sure to include 1) when the incident happened, 2) where it happened, 3) what happened, 4) how it happened, 5) who was involved, and 6) why it happened. Also describe any villager response(s) to the incident, the aftermath and the current living situation of the victims. Please use the space prepared below, and create an attachment if needed.

On March 15th 2015, around 9:23 ^{PM}, a villager named Saw Thaw Nyay, 47 years old, was shot by a gun. There were five people involved in this case, and they are: Saw Hey Thaw, Saw Maung Kya, Saw Aye Phu, Saw Baw K'Shu and Saw Tay Meh. These five people were led by Saw Hey Thaw and planned to assassinate Saw Thaw Nyay as they claimed that he has the ability of practicing witchcraft, being capable of killing someone with the power of black magic. At that time, Saw Hey Thaw was living in Plaw Hpa Htaw village and he asked for a gun from KNU/KNLA-PC Battalion #710 Company #4, led by Company Commander Kyo Kler. As he asked for the gun from an unknown KNU/KNLA-PC soldier, they just gave him the gun without questioning anything, [and without asking] about the purpose for which he wanted [the gun]. After the incident, the village tract leader, village head, and vice village head, and [the person in charge of] security gathered together to investigate the case. After two days [of investigating] they found out the [details of the] problem [murder case], so they immediately submitted it to the superior court [referring to the Dooplaya district KNU court] to take action against the perpetrators. From March 15th to 19th, they [the village tract leaders] set up security for the community [hired guards to protect the community and arrest the perpetrators of the murder] and now Saw Hey Thaw had been arrested and handed over to the police, and four of his friends were [also] arrested. Saw Thaw Nyay, who was killed, was known as a quiet person, clean from unlawful acts and with no criminal record. Among those who [were complicit in] killing Saw Thaw Nyay was Saw Maung Kya, whose child was sick for five to six years and had died in the hospital because of blood cancer, which could no longer be cured. As Saw Maung Kya loved his child very much, he went to a fortune teller called *Thara*⁴ S--- to tell him what had happened to his child and the fortune teller said to [Saw] Maung Kya, "*Your son died by black magic*". At that time, Saw Maung Kya lived close to Saw Thaw Nyay and they were neighbours, so he accused Saw Thaw Nyay of doing it [killing his child with black magic]. For this reason, he asked Saw Hey Thaw to kill Saw Thaw Nyay.

Part 4 - Permission for Using the Details

Did the victim(s) provide permission to use this information? Explain how that permission was provided.

⁴ *Thara* (male) or *theramu* (female) is a Karen term used for any teacher, pastor, or any person to whom one wishes to show respect.

An eyewitness, Saw Bleh Dah, allowed us to use the information, and suggested that leaders [of any kind] be careful [when] handling armed soldiers who are holding guns and [asked] any person who acts as a fortune teller not to decide [or suggest] to hand a gun to someone else [so] easily. Any leader who has authority should be aware of this kind of incident and carefully consider reminding and ensuring every single soldier is careful and does not give or create problems among civilians.

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

- "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)
- "Dooplaya Interview: Daw A---, October 2015," (February 2016)
- "Dooplaya Situation Update: Win Yay Township, March to May 2014," (February 2016)

This map illustrates the administrative structure of Kayah State, Myanmar. Key features include:

- Towns and Townships:** Labeled towns include Kyaukseik Town, Kruhu Town, Waw Raw Town, and others. Townships shown are Kruhu (Kyaukseik), Waw Raw (Win Yaw), and others.
- Geographical Features:** The Andaman Sea is to the west, and the border with Thailand is to the east. The Tanintharyi Region is to the south.
- Legend:**
 - Village (purple dot)
 - Town (black dot with a circle)
 - Road (solid black line)
 - Railway (line with cross-ticks)
 - River (blue line)
 - Karen township (dashed red line)
 - States and Regions (solid red line)
 - International boundary (thick red line)
- Scale:** 0 to 20 km.
- Inset Map:** Shows Myanmar's location in Southeast Asia, with Kayah State highlighted in red.

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