



# Karen Human Rights Group

Documenting the voices of villagers in rural Burma

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## Interview

February 1, 2016 / KHRG #16-12-A2-I1

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## Toungoo Interview: Naw A---, November 2015

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*This Interview with Naw A--- describes events occurring in Htantabin Township, Toungoo District, including land confiscation and threats to a villager.*

- *Naw A--- discusses the ongoing consequences of land confiscation which occurred in 2009 by Asia World Company. Kaung Myanmar Aung Company and Shwe Swan In Company are also listed as investing in land and hiring villagers for daily labour in Toungoo District.*
  - *An Asia World Company security guard, Aaung Naing Win, verbally threatened to sue Naw A--- in court if she did not sign a paper to stop her working on her land.*
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## Interview | Naw A---, (Female, 54), B--- 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 15<sup>th</sup> 2015 and is presented below translated exactly as it was received, save for minor edits for clarity and security.<sup>1</sup> This interview was received along with other information from Toungoo District, including four other interviews, 172 photographs and 12 video clips.<sup>2</sup>*

**Ethnicity:** Karen

**Religion:** Christian

**Marital Status:** Married

**Occupation:** Farmer

**Position:** Villager

**Aunt what is your name?**

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<sup>1</sup> 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.

<sup>2</sup> 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.

My name is Naw A---.

**How old are you?**

54 years old.

**What is your ethnicity?**

Karen.

**What about your religion?**

Christian.

**Do you take any [have a position of] responsibility in your village?**

I do not take any [have a position of] responsibility.

**What do you do for a living?**

I am working on a hill farm.

**How many standards are taught in the school [in the village]?**

In C--- [village], three standards<sup>3</sup> were taught in the school. After [C---] village was relocated to B--- [village] the school has been upgraded to eight standards.

**Are there any hospitals here?**

There is no hospital, only a clinic was built here.

**Have any development projects taken place here?**

I have never thought about development projects, therefore I do not know.

**Did you go to vote?**

No I did not. My husband and my children went to vote.

**Did your name appear on the voter list?**

Yes the people told me that my name was on voter list but I did not go to vote.

**Is there any land confiscation happening in your village?**

The companies confiscated land in 2009; they destroyed banana trees and cashew nut trees along with one plot of my farm. In 2013, they gave some compensation [to the owners]. They also said that the land [owners] who do not take compensation are allowed to work on their lands. I told them that the main priority for us is to hold the handle of machetes [to farm]. We were not holding money because we are not educated. *Tha* [researcher], my land is located in the place you came across on your way [here]. We tried to maintain our land, which is located

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<sup>3</sup> A standard refers to a school year in the education system of Burma/Myanmar. The basic education system has a 5-4-2 structure. Primary school runs from Standard 1 to Standard 5, lower secondary school is Standard 6 to Standard 9, and upper secondary school is Standard 10 to Standard 11.

next to the land that I am currently working on. We planted banana trees on our land. When I worked on that land a security guard asked me, “A mo<sup>4</sup> why were you working on the land?”

### **Do you know the security guard’s name?**

Aung Naing Win is the security guard in charge. He told me that those lands have already become company land. I replied to him, “*Even if they are owned by companies, I have not taken any compensation [from companies].*” He again told me, “*Whether you took [compensation] or not, you were not allowed to work on your land. You can grow short term plantations: peanut; corn and paddy, but you were not allowed to plant long term plantations, such as rubber and banana trees*”.

I told him that, however, “A mo [interviewee] will go to plant [long or short term plantations] because I have not accepted the compensation [the company offered]”. We did not pay attention to him and we planted them on the land. They [the company] always order us to meet them so they can sue us. In the first month of 2015, he [Aung Naing Win] told us that, “*It will be the last day for you [interviewee] to meet me. If you do not come as I ordered I will go to take action on you, A mo*”.

I went to meet him and he told me that, “*We can only depend on you [to follow this order] because those lands were owned by companies already. The contract that we signed included the land where the company planned to build an industry, therefore the land that you are working on right now was included on the contract list to build an industry*”. He told me, “*You were strictly prohibited from planting long term plants.*”

I told him that I have not accepted compensation yet, thus, I can go to plant on my land. We planted the banana trees on the land and he again asked me to meet him. When I went to meet him [the second time] he told me that, “*I attempted to tell you many times and prohibited you [from planting long term plantations]. Why did you plant in the period when I prohibited you?*” He told me that, “*I will help you to read out the letter after I [am] done writing it. So [after I read out the letter] please sign your name below on the letter*”. After he told me he started writing the letter.

On the letter he wrote [interviewee reads out the letter]:

To,

D--- [section].

*The hill cultivators [farmers] named Saw E--- and Naw A--- were cultivating the land and planted 350 bananas and 150 drumstick<sup>5</sup> trees. He or she must leave [stop working] on the land when that group or party or company reaches [comes to build their industry] there in sometime or in some years.*

I told him that “*I am so sorry, A mo [interviewee] definitely could not accept to sign this letter.*” He said, “*Why?*” [Naw A--- replied] “*Why? Because I have not received any compensation, so I definitely do not want to sign it.*” He told me that, “*You should go back to think about it carefully, what will happen in the next one or two years. Do you want me to sue you in the court or would you leave your bananas [plantation] instead? A mo, please think about the ways [options] that I made you choose [from].*”

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<sup>4</sup> A mo is a term in Burmese/Myanmar meaning mother, used to express respect when talking to older people. Although it translates as ‘mother’ it does not imply a familial relationship.

<sup>5</sup> The drumstick tree, also called moringa, is a highly nutritional fast growing tree whose leaves are used for soups, and roots are used for medicine in Myanmar.

I went to discuss that with my uncle, Thara F---. I told my uncle that, *"Uncle, I could leave the banana plantation after we finish the harvest [this year] because I still have enough time"*. He [security guard] told me [to decide] in August. When he saw me on the way, he asked me who would go to sign the letter. I told him that no one wants to sign the letter. He said, *"What should we do?"* I told him, *"You do not need to do anything"*. If I finish the harvest, I will leave the banana plantation but I will still not sign the letter. We thought it best to cultivate the rest of the land that we have not yet cultivated, but he [Aung Naing Win] did not allow us to cultivate it to plant more bananas. He told me, *"I stopped you from planting, but you still plant the [long term plantations] and you were the one who exerted yourself to work on the land"*. I told him that, *"Exertion is not something new for the farmers."* [He told me], *"The time when I did not allow you to plant banana trees on the land you still went to plant them, so everything [responsibility] will be on my head"*. I asked, *"Why?"*

He said, *"Because the farmers can work freely [on their own land]. For us [security guards] we have already used [taken] the company's money and we have to do what they [the company] ordered. If they travelled around here and saw bananas trees, they would say to us [security guards], 'You told us [you would do] this and that and we gave you salary, why didn't you prohibit farmers [from planting on the land]? And why didn't you [repeatedly] forbid them until they stopped working [on the land]?' As we [security guards] are company staff there is no freedom for us. A mo, you can work freely as the farmer"*.

We argued with each other and I told him, *"Tha [security guard], it is not the right time to talk about freedom here. Because in the past C--- villagers lived like fish in the river and went around freely but now we have to do what we are told, so there is no more freedom for us"*. He said, *"A mo, you should not talk to me like that"*, and I replied to him, *"A mo [interviewee] also did not want to talk to you like that. You were talking about freedom and I explained to you [and asked] 'what does real freedom mean to you?'"*. We have not met each other again since this time.

**Did he ever come after that [when you talked to him]?**

He has never come since I told him that I will leave the banana plantation [after the harvest].

**Are you still working on your land?**

Yes, we have not finished harvesting. Four owners who own land besides my land also have not taken compensation. For me, I still have 20 acres of land that my parents worked on when I was a child.

**When did he [Aung Naing Win] come?**

He first came when we were cultivating the land in the first month of 2015. Later my younger siblings went to plant banana trees. After five months [May 2015], he came again. Finally, he came again, which was when we argued with each other, in September of 2015.

**Are they [security guards from] Asia World Company?<sup>6</sup>**

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<sup>6</sup> Asia World Company is a Burma/Myanmar company with significant investments in the shipping industry, infrastructure, and plantation agriculture in Myanmar. Asia World Company and its related companies are owned by Myanmar national Stephen Law and were added to the US Sanctions list in July 2016 due to their historic and continued links to the Burma/Myanmar military regime, see ["US extends sanctions, further targets Asia World,"](#) Myanmar Times, May 17<sup>th</sup> 2016. In KHRG's operation area of Toungoo District, Asia World Company 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 Company 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.

Yes they are [from] Asia World Company.

### **So is he in charge of something?**

Yes, he is a security guard. U Wan Maung is in charge of company management but he didn't say anything to us. He [Aung Naing Win] is in charge of stopping villagers from working on their land.

[Villager 2:] We need our land back; if they do not give back our land we do not have any land to earn a living on so we need your [KHRG researcher's] help.

*Tha [researcher]*, I will tell you that there are many problems faced by C--- villagers. We moved [relocated] here in 1997.<sup>7</sup> The village head then told us that we could go back to live in our own village, and we stayed there for 7 years. But later we moved again from our village, in 2006. After we moved from there we had to go back and work [on our land] along with a daily work permit. We went to work and came back on the same day [villagers during this time were prohibited from staying on their farms overnight]. One of the militia groups is based there and they were very bad. If they saw you, they would check whether they knew you or not. If they knew you they would not beat you, but if they did not know you they [would] beat you. They constructed the road and asked villagers to work for them. They were LID [Light Infantry Division]<sup>8</sup> #20. They asked villagers to follow them and work for them. The villagers who came to work for them had to come along with a permission letter. We had to pay 300 kyat [US \$0.21]<sup>9</sup> per letter. If one family came along with five family members they had to make five permission letters. All letters had their own number, like one, two, three and four. Later when we went to work there we also planted peanuts on our land, therefore we had to pay 500 kyat [US \$0.36] per letter [to work for ourselves]. They did not allow us to sleep over night therefore we had to come back the same day.

Later on, the company came to operate in our area and we came to work along with the company. We thought that after the company came here we would be able to cultivate and work freely on our lands and we were so happy. But it did not turn out the way that I expected. After they came here it [the situation] was worse than before. [Many companies came] to operate in our area, including Kaung Myanmar Aung Company<sup>10</sup> and Shwe Swan In Company. Then we had no land [available] for cultivating, so when they were offering daily labour work we had to

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<sup>7</sup> Throughout the civil war between the Burmese military regime and ethnic armed groups many villages in Karen State were forcibly relocated to areas under Burmese military control. For an example from Htantabin Township where this interviewee is based see, "[Patrols, movement restrictions and forced labour restrictions in Toungoo District](#)," September 2009.

<sup>8</sup> Light Infantry Division (LID) of the Tatmadaw is commanded by a brigadier general, each with ten light infantry battalions specially trained in counter-insurgency, jungle warfare, "search and destroy" operations against ethnic insurgents and narcotics-based armies. LIDs are organised under three Tactical Operations Commands, commanded by a colonel, three

<sup>9</sup> All conversion estimates for the kyat in this report are based on the 21st December 2016\_official market rate of 1378 kyat to US \$1.

<sup>10</sup> 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 2<sup>nd</sup>, 2013.

work for them. We cleared the trees on the mountain side [to make a hill farm]. If they needed firewood we collected the firewood to sell to them. At the present time, all the villagers in C---village earn a living as daily labour workers. We also face food problems because almost all of the households have to buy rice every month [as they no longer have the land to grow it on]. Mothers and children have no time to meet with each other and can only meet twice a week, when they [stay home because they] are feeling sick. If we do not have enough rice we borrow from each other [in the village]. We do not use the rice that we receive from charity [by donation], instead we feed chickens and pigs [with it]. But now we cannot feed our livestock.

**Do you have to buy rice every month?**

Yes, because the new paddies that we planted could not produce rice; the rice died immediately. For the good quality rice we have to pay 27,000 kyat [US \$19.58] [per basket<sup>11</sup> of rice]. If we buy the rice which is not so good we have to pay 5000 to 7000 kyat [US \$3.62 to US \$5.08] [per basket of rice]. If we cannot pay the shopkeepers straight away, we have to pay 3000 kyat [US \$2.17] as interest per basket of rice each month. All the villagers are doing their living in this way and we can [only] go through year-by-year with the grace of God.

**In the end, do you want to add anything?**

I want to say that the farmers want to work freely for a living. The rest of the land which has not been confiscated yet, we want to use it to work on, so we need help from the leaders to arrange something for us.

**Thank you.**

Yes, thank you.



The above photos were taken on November 25<sup>th</sup> 2016, in Htantabin Township, Toungoo District. The first photo (on the left) was taken in Htoo Per village. It shows the land that Kaung Myanmar Aung Company and Shwe Swan In Company confiscated from Htoo Per village and the area where they constructed many buildings in the village after villagers had to abandon it. The second photo (on the right) was taken in Auk Ko place. It shows a sign by Kaung Myanmar Aung Company where 100 acres of villagers' land has been confiscated and used for timber plantation. [Photos: KHRG]

<sup>11</sup> A basket is a unit of volume used to measure paddy, milled rice and seeds. One basket is equivalent to 20.9 kg or 46.08 lb of paddy, and 32 kg or 70.4 lb of milled rice. A basket is twice the volume of a big tin.

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

- “Toungoo Interview: Saw A---, December 2015,” (November 2016)
- “Toungoo Interview: Saw A---, October 2016,” (November 2016)
- “Toungoo Interview: Ma A---, April 2016,” (October 2016)
- “Hidden Strengths, Hidden Struggles: Women’s testimonies from southeast Myanmar” (August 2016)
- “Toungoo Situation Update: Thandaunggyi and Htantabin townships, July to September 2015,” (July 2016)



## Taw Oo (Toungoo) District



Karen Human Rights Group (KHRG)