



Karen Human Rights Group

Documenting the voices of villagers in rural Burma

Incident Report

August 10, 2018 / KHRG #18-67-I1

Hpa-an Incident Report: KNU/KNLA Peace Council Officers confiscate land in Nabu Township, March 2018

This Incident Report describes how KNU/KNLA Peace Council officers confiscated land that belonged to local civilians in Nabu Township, Hpa-an District. This is a violation of the Nationwide Ceasefire Agreement (NCA) Code of Conduct which states that the Tatmadaw and Ethnic Armed Organisations should “avoid forcible confiscation and transfer of land from local populations”. The confiscated land was then sold to KNU/KNLA PC officer Saw A Bee.

Incident Report | Nabu Township, Hpa-an District (March 2018)

The following Incident Report was written by a community member in Hpa-an 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

Part 1 – Incident Details

Type of Incident	Land confiscation
Date of Incident(s)	March 2 nd 2018
Incident Location (Village, Township and District)	B--- village, Htoh Kaw Koe village tract, T’Nay Hsah [Nabu] Township, Hpa-an District

Victim Information	
Name	Saw A---
Age	21
Sex	Male
Ethnicity	Karen
Family	Single

¹ KHRG trains community members in southeastern 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.

Occupation	Farmer
Religion	Buddhism
Village	B---

Perpetrator Information				
Name(s)	Rank	Unit	Base	Commander's Name
Saw Pah Yu	Officer	KNU/ KNLA Peace Council Operations (3) ²	Waw Kreh	Operations (3) Commander Bo Kyaw Kyaw
Saw A Bee	Battalion Commander	KNU/KNLA Peace Council Battalion (773) Commander	Waw Kreh	Operations (3) Commander Bo Kyaw Kyaw

Part 2 - Information Quality

1. Explain in detail how you collected this information.

A KHRG researcher received this information from the farmer whose lands were confiscated by the KNU/KNLA Peace Council. In order to acquire more information, the KHRG researcher also met with a local leader and a healthcare worker.

2. Explain how the sources verified this information.

The KHRG researcher interviewed three people about this incident, who corroborated the victim's account. The local leader provided good insight into the situation on the ground.

Part 3 – Complete Description of the Incident

Describe the Incident(s) in complete detail.

On March 2nd 2018, Saw Pah Yu, an officer from the Peace Council Operations (3), confiscated the land of local villagers from Htoh Kaw Koe village tract and Waw Lay village tract.³ Saw Pah Yu said that he confiscated the land for plantation and husbandry activities. So far, the lands have not been used, and are left fallow.

In total, Saw Pah Yu confiscated 150 acres of land. He did not get consent from the local farmers, or provide any information to them about the status of their land. When the affected people found out that their lands had been confiscated, they called upon a

² 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. The KNU/KNLA-PC signed a preliminary ceasefire agreement with the Burma/Myanmar government on February 7th 2012, and the Nationwide Ceasefire Agreement (NCA) on October 15th 2015.

³ Saw Pah Yu also goes by the name of Pu Yae Ko Ko.

village tract administrator and a local monk for help. They asked them to meet Saw Pah Yu to resolve this issue. However, Saw Pah Yu failed to show up to the meeting.

Later, he sold some of the confiscated land to Saw A Bee, the Commander of the KNU/KNLA Peace Council Battalion 773. When the affected villagers asked him to return their lands, Saw A Bee told them: *"I did not get these lands for free. I bought it with money"*. To date, the affected villagers have been unable to reclaim their land. This has impacted their livelihoods.

Part 4 - Permission for Using the Details

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

The family members of the victims gave us permission to use this information for publication.

Further background reading on the situation in Hpa-an District can be found in the following KHRG reports:

- "Hpa-an Incident Report: Villager accused of burning BGF rubber plantation in Paingkyon Township, April 2016," (May 2016)
- "Hpa-an Incident Report: Explicit and violent threats to Myaing Gyi Ngu Town, Hlaingbwe Township, April 2015," (August 2015)
- "Hpa-an Incident Report: Land confiscation in Paingkyon Township, May 2015," (June 2015)
- "Hpa-an Incident Report: Land confiscation in Paingkyon Township, February 2013," (November 2014)
- "Hpa-an Incident Report: Stone mining damages villagers' fields in Paingkyon Township, March 2013," (August 2014)