

Losing Ground: Land conflicts and collective action in eastern Myanmar

Appendix 1: Raw Data Testimony (January 2011 to November 2012)

This appendix includes the full text of the 99 pieces of field documentation that raise concerns related to natural resource extraction or development projects in eastern Myanmar, including eight hydropower dam, five infrastructure development, four logging, eight mining and ten plantation agriculture projects. These documents were received by KHRG between January 2011 and November 2012 but cover a range of development projects occurring from 1999 onwards. The increase in concerns related to these projects being raised is demonstrated in the detail provided in Section VI: Projects under observation, which shows that incoming business, particularly by private companies, surpassed numbers in the previous years, corresponding to new opportunities presented by the November 2010 general election and Myanmar government-KNU ceasefire. Of the 99 documents that raised issues related to natural resource extraction and development projects, 60 raised incidents occurring after November 2010 and 34 raised incidents occurring since January 2012. KHRG staff coded these documents for categories determined relevant by KHRG staff based on the issues that were raised most often by villagers, including four Trends of abuse in project implementation: Lack of consultation; Land confiscation; Disputed or lack of compensation; and Development-induced displacement and resettlement, as well as four Collective action strategies, including: Reporting to authorities; Organizing a committee or protest; Negotiation; and Non-compliance, and six Consequences on communities, including: Impacts on livelihoods; Environmental impacts; Physical security threats; Forced labour and exploitative demands; Denial of access to humanitarian goods and services; and Migration. These projects are summarized in Section VI: Projects under observation and, when possible, the projects listed below are displayed on Figures 1 and 2 in the report.

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A. Hydropower dam construction

A NyahHpyah Dam

Source document/ANyahHpayhDam/2012/1

Project name:	A Nyah Hpyah dam
Type of project:	Dam construction
Karen District:	Tenasserim (Mergui-Tavoy)
Government Region:	Tanintharyi
Actors:	Degon Company
Company/Investors:	Domestic
Government/Military:	Local police provide security
Trends:	Lack of consultation; Disputed or lack of compensation; Land confiscation
Consequences:	Forced labour and exploitative demands; Environmental impacts; Impacts on livelihoods; Physical security threats
Collective action:	Organizing a committee or protest; Complaint to authorities
KHRG Log #:	12-79-T3-I1
Publishing info:	"Mergui-Tavoy Interview: Saw H---, June 2012," KHRG, March 2013 (First Publication)

Testimony:

This report contains the full transcript of an interview submitted to KHRG during June 2012 which was conducted in Tavoy Township, Mergui-Tavoy District by a community member trained by KHRG to monitor human rights conditions. Saw H---, who is a 23 year-old D--- villager describes how in 2011 the Degon company, which lead by Director U Kun Nyon, came to construct adam in the A' Nyah Hpyah area without consulting the villagers. Saw H---'s lime plantation was damaged by the project, and he raised concerns regarding the amount of damage that will affect villagers if the dam is successfully constructed, including loss of land and shelters, environmental damage and access to education. He and his community are already experiencing financial hardship related to the damage and the company has not provided any compensation.

Interview | Saw H---, (male, 23), D--- village, Tavoy Township, Mergui-Tavoy District (June 2012)

The following interview was conducted by a community member in Mergui-Tavoy District, and is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Mergui-Tavoy District, including eight other interviews, and 424 photographs.

Ethnicity: Karen

Religion: Christian

Marital Status: Married

Occupation: Farmer

How many members are there in your family?

I have two members in my family.

Do you eat enough [food] when struggling day-by-day each year?

We can manage day-by-day, but if this dam is built and if our things [lands] are flooded, we have to worry for our lives day-by-day; we would have to deal with worse than now.

Can you please tell us who came to build this dam?

The ones in charge who came to build this dam are U Maw Sein and U Khun Sin. When they came to do this [dam], it damaged our village [D---] and all civilians' shelters.

When did they start [building the dam]?

They started it on November 28th 2011. While they started doing [building], they invited the village head, Saw W--- and Saw L---, and rich people finally came to celebrate the opening ceremony here.

How did they build this dam?

They came to build this dam for their business and their benefit. For our ethnic people, if the dam is built, our land will sink and we will have nothing left. Our village will be damaged and we will spread out to other villages, then we won't have shelter. If the dam is successfully [constructed] we would be in trouble worse than now, in our current shelter.

Why do you think they did [built the dam]?

The reason why they did it, is because they only think for their own benefit. They don't think for the villagers. They only know that "*I'm fine if I have [what I want]*".

We would like to know who the victims are, because of the dam?

The victims are Da---, Sa---, Ba---, Ya--- and Ti--- [villages]. These villages would have to manage all together, and poor people in the area have to manage as well.

What resulting problems do you think will happen?

The resulting problems that would happen are this dam case; I think this could be a serious case.

What problems do you think you would have to deal if the dam is completed?

If this dam is constructed, we would have to deal with poverty. We are fine with our properties that we [now] have, to support our children and grandchildren withtheir education, economic and social [needs]. But if the dam is constructed, the education, social and economic [situation] for our grandchildren in the next generation would be damaged and, moreover, all of the environment would be damaged.

Have your lands been damaged because of this dam?

Our lands are really damaged because of this dam. Our things were damaged a lot. Currently, it [the construction] damaged us, but later it [the damage] would include all [villagers' land]. If the dam is successfully completed, it [people's land] would include all, moreover, we [villagers] all would get in trouble.

We would like to know, whose land in this village [D---] are near the dam construction?

Currently, they came to do [build the dam] on our land. They constructed and finally built it.

How many acres of your land were damaged and what types of plants had you planted?

There are three acres of my land that wasdamaged, and I planted over 1,000 rubber plants, and I planted 326 lime trees that I could have been eaten soon. The rubber plants are four years old and we can tap it in the next three or four years.

Regarding the damage to your plants, what did the company tell you, or has the company ever discussed it with you?

The company never discussed [the damage] with me. They did not come to discuss or build a relationship with the villagers, to understand each other. They do it on their own.

What thing do you hope will happen in the future for your life, your village and your villagers?

In the future, if the dam is completed, we would get troubles and will become worse than now. What I want is, if this dam is not built, we can send our children and grandchildren to the school and education would improve; the social [situation] would improve. Regarding the economy, the vehicle communication between our village and Tavoy Town, we can go to Tavoy [Town] now and come back now [travel quickly], and everything is fine. But if this dam were completed, we would really be in trouble.

We would like to know, how do you want to live in the future?

In the future, if we do not have our things anymore, the future is our second step. Our priority is if our things disappear, we would have to build our life again.

How do you think you will live, and where will you live in the future if you do not have your land or your properties because the dam flooded [them]?

In the future, if we do not have property, and if they do not arrange shelter for us, we would be in trouble. Currently, we do not know where we will live; they have not arranged shelter for us yet. They have not told us where we have to live or where our shelter is. To continue our lives in the future, currently, we always have to stay worried, 24 hours.

We would like to know more about how the company cooperates with the Burma government?

We do not know how the company cooperates with the Burma government, but when they [company] came to work, they have their secret. The secret means they would give one coin to the Myitta [Town]. They already thoughtout what and how to handle the village. In 24 hours [all the time], they think of the way to depress the villagers. We villagers are not considered; moreover, the education level in our village is low.

The company, which is located there, who takes security for them?

The police took security for them. The police strictly guard [the area where the dam is built]. When they started the work, the police fully guard for them. They [police] guard even night and day; they guard 24 hours.

Can you please tell us what the company name is?

The company name is the Degon Company.

And who is in charge?

The [people] in charge are Director U Kun Yon and U Maw Sein. U Maw Sein is an active person and he has to be active in the work system, and their junior is Ain Kun. If they need anything or machines, their junior has to get it for them; it is their [junior's] role.

Do you have something that you want to tell us exactly, which we have not asked you about yet?

In our village [D---], we want education. The education level should be higher and we have to improve [in knowledge] more than now. The education is low in our village. We want the education to improve. In the future, we have to send our children and grandchildren in the next generation until they become educated people. It is better if we are educated. Now, when we talk about education, we have to buy it with money. We can attend school if we have money and we can't attend school without money. This is the lack of an education.

We would like to know more about how the company constructed the dam.

Regarding the company that came to build the dam, they already started it. They will do it successfully with their dedication.

Do the local people in the area agree with the company in constructing the dam?

The villagers strongly do not agree. We wholly do not need this dam because if they come to do [build it], we would lose our things [lands]. We would not have shelter to live and we would get in trouble. We wholly do not need it [dam].

Source document/ANyahHpyahDam/2012/2

Project name:	A Nyah Hpyah dam
Type of project:	Dam construction
Karen District:	Tenasserim (Mergui-Tavoy)
Government Region:	Tanintharyi
Actors:	Unspecified
Company/Investors:	
Government/Military:	
Trends:	Lack of consultation; Disputed or lack of compensation; Land confiscation;
Consequences:	Environmental impacts; Impacts on livelihoods
Collective action:	Reporting to authorities; Organizing a committee or protest
KHRG Log #:	12-79-S1
Publishing info:	"Mergui-Tavoy Situation Update: Ler Doh Soh Township, June 2012," KHRG, March 2013 (First Publication)
Testimony:	<p><i>This report includes a field update submitted to KHRG in June 2012 by a community member describing events occurring in Mergui-Tavoy between 2011 and 2012, specifically the development project and land confiscation. It discusses the villagers' concerns regarding the Myanmar Pongpipat Company (MPC), which uses mining chemicals that have caused damage to many villagers' land, as</i></p>

well as the local water source that villagers use for cooking and drinking. Another company arrived in the area to build a hydroelectric dam, without consulting the community, and damaged five villagers' land. The Italian-Thai Development Company (ITD) built a highway to connect the Dawei Deep Sea Port and Thailand. The highway crosses many villages in K'Moh Thway village tract and has damaged many villagers' agriculture land along the route. The ITD did not compensate the villagers for damage to their land, so the local communities formed committees and approached the company to negotiate compensation for the damage, using a list of property description and acreage that was damaged to support an estimate of the damage cost.

Situation Update | Ler Doh Soh Township, Mergui-Tavoy District (July 2012)

The following field report was written by a community member in Mergui-Tavoy District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Mergui-Tavoy District, including three interviews and 424 photographs.

This is the Mergui-Tavoy District field report between 2011 and 2012. This field report contains issues about development projects and land confiscation in K'Moh Thway [K'Maw Thwe] village tract, Ler Doh Soh [Myitta] Township, Tanintharyi Region. There are many companies that enter the rural area where the Karen native ethnic people living from a long time and destroyed many villagers' livelihood. The companies, both domestic and foreign came to mine metal and confiscated a lot of the villagers' land that the villagers used to do agriculture and plantations for their livelihood. Furthermore, the companies built up the dam for the hydroelectric power, which damages many villagers' lands. Some of them give compensation to the villagers, but some do not give compensation.

The hydroelectric power dam in A'Nya Pya area

Related to the hydroelectric power dam, The company came to build adam in the area but they [the company] did not discuss with the local people so it has already damaged five lands which are owned by the villagers that are from five villages, which are A' Nya Pya, Htee Ler Klay, Hsee Hklaw, Nyaw Hklaw and U Yin Kyi in A'Nya Pya area. The village leaders and villagers have already preserved the law and they already reported to the Burma Union leaders [but they do not receive any response].

The villages agreed that, "*We, the local people here, we decided ourselves strongly that we do not leave our places. Even dead or alive we will live in our places eternally because we could say that this dam means destruction, eternal loss for us.*" This is the statement of the villagers.

Myanmar Pongpipat Company (MPC), Mining Metal (Chemical)

Place	Hkay Ta Ser Poo (Hin Da Mine), D'Weh [Tavoy] Township, Tanintharyi District which is 34 miles from eastern Tavoy Town.
Chemical Type	Mining chemicals (<i>hke tha tu twin</i>)
Company name	Currently, done by Thai company which name is Myanmar Pongpipat Company
Get permission	Got permission from the Burmese government in 1999 and started doing [mining] in the year of 1999, and will finish in 2012.

The most damage [from the MPC] committed is villagers do not get the fresh water anymore. The water becomes polluted since mining chemical process is started. For cleaning chemicals and testing chemical, they also use liquid acid so that creates worry and dangers for the health.

There are two rivers which flow down [the mountain] and they are Hkay Ta Kloh (Hin Da Stream) and Hkay Too Kloh (Hin Du Stream). Because people dig chemicals [on mountain], then soil and sands are thrown down to the stream, so we do not see this big mountain anymore. The river became big field (*ta lin pyin*). In the past, this river was under the vehicle road more than ten feet, but now it is more than five feet higher than the vehicle road, so in the rainy season the water flows to the vehicle road; moreover, the stones, sands and mud flow to the villagers' agricultures places so some agriculture places are damaged. Because the company obstructed the river to use the water for the work, peoples' agriculture was flooded. People do agriculture and gardens in most places in the area.

Villagers' concerns

[T villager] Naw K---, 38 years old, live in T--- village, Kyauk Me Taw village tract, Myit Ta Sub Township, Mergui-Tavoy District, Tanintharyi Region raised that because the Myanmar Pongpipat company (MPC) obstructed the water to mine metal in the agriculture land which own by her father, U D, the water came up more and more, and the plants were destroyed. She mentioned that, related to this damage, if [I] look to the damage [to her land] in 2004, [MPC] paid 500,000 [kyat] (US \$583.43) for the damage of the plantations. However, because the water comes up more and more, it again damaged 200 Cashew plants, big areca palm and small areca palm over 10,000 [kyat] (US \$11.67), lime trees, mango trees, coconut trees and papaya trees.

Because Hkay Ta Ser Poo (Hin Da Mine) uses the river in Hkay Ta river, Da village, Lower Hin Da village, Yin Pu Wa village, Hin Da Pyin village and Seik Ku village met with the people in charge of the company by themselves, and told them that because these cases happen, they do not have income to spend for the family. *"We do not have money to send our children to school so our children could not study anymore. It causes a big problem to eat day by day."* The company owner replied that, *"If it causes problem for you then, come to work to us and the payment for one day [will be] 3,000 kyat (US \$350.06) in Burmese currency and we could calculate how much will cost in Thai currency. If you do [come work], only then, can you get [salary] for one person."* The land owner told that, *"In the past, I work only one [day] and I eat it with my family; moreover, I could give study [school] fee for my children. I didn't have to worry like now. Now, I have to worry. I am not able to send my children to school anymore."* The land owner's name is Saw H---. Even though he reported to the company owner, they [company] did not arrange or consider [compensation] for the damage for him. With hope, he went to ask advice to the village head. The village head helped him and wrote a letter and reported to the Burmese military government two times, but he did not receive any answer. This company's work will end in 2012.

Damager [perpetrator]	MPC, Myanmar Pongpipet Company
Places	Hin Da Tha Tu Twin, Myit Ta Township separate, Tavoy Township, Tanintharyi Division
Damage started	2009 to 2012
Victims	<ol style="list-style-type: none"> 1. Saw H--- and his family of 7 people (all are 8 people) 2. Naw M--- and her family of 3 people (all are 4 people) 3. Saw K--- and his family

Amount of the damage	1. 6 acres of land, 2,000 total plants (betelnut plants) 2. 3 acres of land, 1,000 total plants (betelnut plants) 3. 6 acres of land, 600 betelnut plants; 3 acres of farm, 500 cashew plants
Place damage	Kin Pun Cho section, B'Wa Pin Chaw Pya, Kyauk Me Taw group, Myit Ta sub-Twonship, Tavoy Township, Tanintharyi Division

The average [yield] that this company got in a year is 500 tons. In their work, they use the big machines such as bulldozers, dump trucks, excavators and gasoline tank trucks. They used these big machines on the road where the civilians travel, so the road has been damaged a lot. Even though there is damage, the company does not repair anything. There is no forest [anymore] because there were a lot of the trees that were used in a year for the buildings and for the work [mine]. The streams used to dry in February, March or April, but in this year [2012] the streams started drying in October and November.

Now, in Tavoy Township, the companies come to mine metal and iron ore in many places, so wherever we went, we saw that the streams were not fresh anymore. The companies use the water, and they do not have discipline in working so the villagers complained because there are always polluted water in many places. The companies which come to work in Tavoy Township are Chinese and Thai. The metal mines are in places such as Hin Da, B'Wa Pin, Wa Kon, Thin Kan Ton, P'Kan Yi, Ha Myin Kyi, Myin Kan Ti, K'Lo Ta, Ya M'Zu and Taw Pi La are in Tavoy Township. They [company] have planned to increase work areas in the coming years.

Villagers Strategies, (Village and Public Sustainable Development Committee)

In K'Moh Thway [K'Maw Thwe] area, Ler Doh Soh [Myitta] Township, Mergui-Tavoy District, the villagers established a committee called Village and Public Basic Stability and Development Committee to solve the land confiscations and development project that occur from the companies [activities] for the villagers. This committee was founded on November 30th 2011, in 11 villages, and there is one committee in each village. This committee was started by 11 people. On May 2nd 2011, one more village, which is Myitta (Way Ta Eh), entered the committee, so altogether there are 12 villages, including 25 committee members. This committee introduced themselves to Myitta Township coordinator, Myitta Township police coordinator, Tanintharyi Division ethnic coordinator, District leader and Ler Doh Soh Township leader, Ler Doh Soh Township secretary, the person in charge of K'Moh Thway area, the Mergui/Tavoy District leader and also the District's secretaries. The committee met with the villages monthly, since May 2011, and were fully welcomed. The committee had seen the villages in the committee [areas] face a problem. Other villagers also relied on the committee and discussed [problems] with the committee. Other organisations also join the committee when the committee has meetings.

The committee process

The committee holds monthly meetings in every committee members' village. In the meeting, they discuss village strategies: how to protect against damage from the development projects and land confiscation, participation and human rights. The purpose of the Village and Public Basic Stability and Development Committee is to stand [on their own] and struggle to preserve the villages' heritage opportunities and native peoples' opportunities.

On March 28th 2011, the Village and Public Basic Stability and Development Committee met

with Myitta Township coordinator U Kyaw Shwe and the ITD [Ital-Thai Development] mediator, Mister Aw P'Yi Baw. They [U Kyaw Swe and Aw P'Yi Baw] asked Ph--- villagers Naw G---, Saw D---, Saw L---, Saw Y--- and Naw H---, whose lands were damaged when the vehicle road was repaired, to meet with them and to sign a list of plantations that were damaged when people repaired the vehicle road. In the meantime, the committee gathered themselves and called out 40 villagers to meet [them] when people signed their name. Myitta Township coordinator, U Kyaw Shwe, ordered people to sign their name, but the villagers did not want to sign. He said that, "*This damage is not only in Khaw Htee Law [village]. There are also many places that would be damaged.*" And some villagers asked that "*How would you consider the damage for us*" and he said, "*I'm a governor and I guarantee for you. Why do you not sign your name?*" The villagers asked, "*When would we get the compensation money from the damage, and how much?*" And U Kyaw Shwe told them that, "*We have not limited the price yet.*" Then, the villagers asked, "*Would you pay us after the road is successful?*" The committee chairman entered the conversation and said that, "*Mister Aw P'Yi Baw is the representative of ITD Company, U Kyaw Shwe is the representative of Township and District, and the Basic Committee is the representative of the villagers. It seems like they agreed with the committee reporting for the villagers.*"

The Basic Committee signed the complaint letter of crops' price and submitted to each Burmese general governor and the Karen ethnic government, township leader, ITD mediator, police chief and committee members. The ITD representative mister Aw P'Yi Baw asked them to report the list of crops' prices, which have been damaged.

Deep Sea Port Highway

In Tanintharyi Region, the whole path of Deep Sea Port the highway takes from Thailand to Tavoy, crossed the villages in K'Maw Thwe Village tract in Myitta Sub township. That would cross the public's agriculture lands and cause many problems for the public who live in the village and who rely on the crops that are planted in the agriculture land. Therefore, the Village and Public Basic Stability and Development Committee members from K'Maw Thwe signed [a letter] and confirmed the damages.

Reference rates for crops and land compensation

No	Plantations' name	Can eat	Cannot eat
1	areca palm	100,000 kyat (US \$116.68)	50,000 kyat (US \$58.34)
2	Cashew Plant	100,000 kyat (US \$116.68)	50,000 kyat (US \$58.34)
3	Coconut Plant	100,000 kyat (US \$116.68)	50,000 kyat (US \$58.34)
4	Djenkol Plant	50,000 kyat (US \$58.34)	30,000 kyat (US \$35.01)
5	Mango tree	20,000 kyat (US \$23.34)	10,000 kyat (US \$11.67)
6	Srewai Tree	30,000 kyat (US \$35.01)	15,000 kyat (US \$17.50)
7	Durian Plant	150,000 kyat (US \$175.02)	75,000 kyat (US \$87.51)
8	Lemon Tree	30,000 kyat (US \$35.01)	15,000 kyat (US \$17.50)
9	Line Tree	40,000 kyat (US \$46.67)	20,000 kyat (US \$23.34)

10	Pomelo	50,000 kyat (US \$58.34)	25,000 kyat (US \$29.17)
11	Rubber Tree	300,000 kyat (US \$350.06)	100,000 kyat (US \$116.67)
12	Mangosteen	30,000 kyat (US \$35.01)	15,000 kyat (US \$17.50)
13	Marian	50,000 kyat (US \$58.34)	25,000 kyat (US \$29.17)
14	Jack Plant	50,000 kyat (US \$58.34)	25,000 kyat (US \$29.17)
15	Soo p'da Plant	50,000 kyat (US \$58.34)	25,000 kyat (US \$29.17)
16	Guava Tree	20,000 kyat (US \$22.34)	10,000 kyat (US \$11.67)
17	Banana Plant	10,000 kyat (US \$11.67)	-
18	Pineapple Plant	500 kyat (US \$0.58)	-
19	Black Pepper	20,000 kyat (US \$23.34)	-
20	Betel leaf plant	20,000 kyat (US \$23.34)	-
21	Rakam	20,000 kyat (US \$23.34)	-
22	Empty land (one acre)	500,000 kyat (US \$583.43)	-
23	Cardamom Plant (one acre)	1,000,000 kyat (US \$1,166.86)	-

Source document/ANyahHpayhDam/2012/3

Project name:	A Nyah Hpayh dam
Type of project:	Dam construction
Karen District:	Tenasserim (Mergui-Tavoy)
Government Region:	Tanintharyi
Actors:	Unspecified company; KNU; Myanmar government
Company/Investors:	Domestic
Government/Military:	
Trends:	Disputed or lack of compensation
Consequences:	Environmental impacts; Impacts on livelihoods
Collective action:	Reporting to authorities; Negotiation; Organizing a committee or

	protest
KHRG Log #:	12-79-CL7
Publishing info:	"Complaint letter to KNU government about hydroelectric power dam in A'Nya Pya village tract," KHRG, March 2013 (First Publication)

Testimony:

The complaint letter below, signed by six A'Nya Hpyah community members, was written in April 2011 and demonstrates villagers' concerns related to a company that came to build hydroelectric power dam in A'Nya Pya area without consulting with the local people. Villagers described concerns that because of the hydroelectric power dam, in which five of the villagers' land was already destroyed. The letter seeks remedies from the township level KNU office, and indicates that the committee already reported the complaint to the Government.

Complaint Letter | A'Nya Hpyah area, Ler Doh Soh Township, Mergui-Tavoy District (April 2011)

To: Township leader
 Karen National Union
 Ler Doh Soh Township
Date: 8.4.2011
Subject: Defence the hydroelectric power

Related to the issue as above, we, [who are] in A' Nya Pya area from five villages which are A' Nya Hpya, Htee Ler Klay, Hsee Hklaw, Nyaw Hklaw and U Yin Kyi, [report that] when the company came to construct a dam here, they did not discuss [the project] with the local people; moreover, they have already damaged five lands which are owned by the villagers. Therefore, we already preserved by the law and we already reported to the Burma Union leaders.

We, the local people here, strongly decided ourselves that we will not leave our places. Even dead or alive, we will live in our places eternally because we could say that this dam means destruction, eternal loss for us.

Related to this case, as we have the Karen National Union, we want the Karen National Union leaders and committees to help us for protecting this case.

With thankful
 Village and Public Sustainable Development Committee
 A' Nya Pya area

Sd Saw W--- (Village head)	Sd Saw E---	Sd U T---
Sd U N--- (Secretary)	Sd Saw K---	Sd Saw P---

Blaw Hseh Dam

Source document/BlawHsehDam/2011

Project name:	Blaw Hseh dam
Type of project:	Dam construction
Karen District:	Tenasserim (Mergui-Tavoy)
Government Region:	Tanintharyi
Actors:	Yuzana Company and Tatmadaw LIB #561
Company/Investors:	Domestic
Government/Military:	Tatmadaw
Trends:	Lack of consultation; Disputed or lack of compensation; Development-induced displacement and resettlement
Consequences:	Environmental impacts; Impacts on livelihoods
Collective action:	Non-compliance
KHRG Log #:	11-54-T3-I2
Publishing info:	"Mergui-Tavoy Interview: Saw Hs---, May 2011," KHRG, March 2013 (First Publication)

Testimony:

This report contains the full transcript of an interview conducted during May 2011 in Tenasserim Township, Mergui-Tavoy District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Saw Hs---, a 46 year-old village head for M--- village, who described how the Government and the owner of the Yuzana company, named Nga Tay, plan to build a dam in Wa Blaw Cheh area. Saw Hs--- reports that the dam will likely destroy 100 acres of the villagers' land, and that villagers were not consulted prior to the beginning of the project. Saw Hs--- also raised concerns that the villagers will have to move if the dam completed.

Interview | Saw Hs---, (male, 46), village, Tenasserim Township, Mergui-Tavoy District (May 2011)

The following interview was conducted by a community member in Mergui-Tavoy District, and is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Mergui-Tavoy District, including 21 other interviews, one situation update and 363 photographs.

Ethnicity: Karen

Religion: Christian

Marital Status: Married

Position: Village head

When did they plan to construct the dam?

They planned to construct the dam five or six years ago.

Which place did they survey to construct the dam?

They surveyed the Wa Blaw Cheh area.

What did they do when they came to the village?

When they came, they measured the water and the land. They measured how deep the water gets in the rainy season and how *A dawt [shallow]* the water becomes in the dry season.

Who organized the measuring of the land and water?

The Yuzana Company owner, Nga Tay, organized it and I think this was our enemy [the Tatmadaw] plans. The Light Infantry Battalion [LIB] #561 took the security.

Did LIB [Light Infantry Battalion] #561 call the village head for the meeting?

LIB #561 called the meeting in the LIB #561 area, and they mentioned about the plan to build the dam, which they said is how we will get the electricity and good water to use. The village heads did not want to agree because they were afraid, but later they had to agree with them.

How many plantation fields do the villagers have?

The villagers have the plantation fields both above the dam and below the dam. Two thirds of the villagers live below the dam, and if they are going to build the dam, it will cause problems for the villagers because above the dam will flooded and the water below will dry [out].

Do you know how long this project will take?

I'm not sure how long this project will take and I'm also not sure about when they will build it, but I saw they came and measured the land and the water.

Did they come and measure the land during this year?

They came in August 2011.¹

Did the army troops come with them?

Yes, Tatmadaw troops and the company owner came with them.

Did they think the land was good when they examined it?

They took the *haw koh* [soil] to examine it, but we don't know whether they think it is good or not because we didn't get any results from them. They didn't let us know.

Do you know how many companies are included in this dam project?

This must be the Burmese government's plan and the only company that is included is the Yuzana company.

Is Yazana a big company?

Yes, it is a very big company.

How much land you think they will take?

In order to construct the dam, have places for them to stay, and to make the plantation fields, I

¹ Because the interview was conducted in May 2011, it is not possible that the land was measured in August, and thus was measured sometime in 2011 prior to the May 2011 interview.

think they will take around 100 acres of land.

Did they discuss anything with the village head or village elder regarding constructing the dam?

No, they have not discussed anything with the village head and village elder yet.

Do you think the villagers will have to move to another place if they come to construct the dam?

If they come to construct the dam, the villagers will have to move for sure because the lands that are near the dam will be destroyed, so the villagers [would] have to move their place.

Do you think the Burmese government will compensate you with money if you have to move to another place?

Regarding this issue, they didn't compensate us with anything in the past and I think they also won't compensate us for anything in the future.

Do you think the plan that the Burmese government is planning will benefit the villagers in any way?

I don't think we will get any benefit; it only will cause problems for the villagers because we have to move to another place.

Do you know when they would come back?

I think they will come back in early summer.

Do you think they will successfully construct the dam?

I'm not sure about it because they came and examined the land, but we don't know the result. However, for sure they have a plan for construction.

Do the villagers want to protest this project?

Yes, the villagers want to protest this project but they dare not to do it. They just have to agree with it.

Do the villagers know about human rights?

No, they don't know because no one gives them a workshop about it.

The human rights group came and gave the workshop many times right?

Yes, they did.

Do you think the villagers know about human rights then?

Yes, they do know but they dare not to talk about it yet.

Do you have anything else to raise?

I want to say that we don't want the Burmese government to construct the dam in our area and

we don't want to move and become refugees. We need help from others countries regarding this.

Hatgyi Dam

Source document/Hatgyi Dam/2012

Project name:	Hatgyi dam
Type of project:	Dam construction
Karen District:	Hpa-an
Government Region:	Central Kayin
Actors:	China's Sinohydro Corporation; Electricity Generating Authority of Thailand; KNU; Tatmadaw
Company/Investors:	Foreign
Government/Military:	KNU; Tatmadaw; Thailand
Trends:	Disputed or lack of compensation; Development-induced displacement and resettlement
Consequences:	Environmental impacts; Impacts on livelihoods; Migration
Collective action:	
KHRG Log #:	12-41-CD1-PS1
Publishing info:	"Photo Set: Villagers register concerns about proposed Hatgyi Dam," KHRG, June 2012, http://www.khrg.org/khrg2012/khrg12b60.html

Testimony:

This Photo Set includes 28 still photographs selected from images taken in January 2012 by a community member trained by KHRG.² Photos were taken in two villages in the southern area of Bu Tho Township in Papun District, and in three villages in the northern area of Lu Pleh Township in Pa'an District, all of which are located in the Salween river valley near the site where the Hatgyi dam will be constructed. These photographs depict villagers throughout these townships pursuing their livelihoods and children attending school. According to the community member who spoke with villagers in the area and took these photos, as well as local media,³ the villagers will be displaced by flooding near the dam site if construction at Hatgyi goes ahead as planned. This Photo Set also includes evidence of an earlier meeting in Myaing Gyi Ngu regarding intended forced relocation of villages in the proposed Hatgyi dam site prior to flooding. The photos depict a pamphlet on the dam, as well as solar panels, LED lights and batteries that were given to villagers in the areas that will be affected. In order to pre-empt forcible relocation or flooding, some villagers in the area have chosen to close schools in preparation for moving.

Photo Set | Bu Tho and Lu Pleh Townships, Papun and Pa'an Districts (January 2012)

Bu Tho Township, Papun District

²KHRG trains and equips villagers in eastern Burma to take photographs to document individual human rights abuses. KHRG censors all faces of individual villagers who continue to live in eastern Burma and may be endangered by having their photo published. The 29 photos included in this report were received in January 2012 along with other information from Papun District, including 296 other photos, two situation updates and 13 interviews in Papun District.

³According to the Burma Rivers Network, the construction of Hatgyi Dam would cause destruction to the Salween river's ecosystem and flooded many areas including villagers' farmland, necessitating the relocation of dozens of villages and thousands of villagers living downstream of the dam site; see "Environmental groups call on government to stop Salween River dams," Burma Rivers Network, October 2011.



The photos above, taken in January 2012 show, on the left, B'Yah Kyauk village in Htee Th'Daw Hta village tract, Bu Tho Township, Papun District, and, on the right, show a B'Yah Kyauk villager who has to work in many ways for his livelihood, including catching fish in the Salween River, some of which he sells and some he eats with his family. He reported to the community member who took these photos that he sells one viss [1.6 kg./ 3.52 lb] of fish for 3,000 kyat (\$3.52), and said, “*if the dam is really successful, this place will be destroyed and the livelihood [of villagers] in these villages will become completely destroyed.*” [Photos: KHRG]



The photos above, taken in January 2012, show the B'Yah Kyauk school, which is located beside the B'Yah Kyauk village in Htee Th'Daw Hta village tract, Bu Tho Township, Papun District. The photo on left shows the B'Yah Kyauk students studying and the photo on right shows a B'Yah Kyauk school teacher, who is originally from Myaing Gyi Ngu, who cannot teach the Karen language. This school was not supported by any organisation, but only by the villagers who provide teachers' salaries and equipment for the school by themselves. [Photos: KHRG]





The photos above were taken in January 2012 and show the P'Teh Hta villagers' flat field farms in Htee Th'Daw Hta village tract, Bu Tho Township, Papun District. The P'Teh Hta villagers expressed that their village and these farms would be damaged if a large section of the Hatgyi Dam is successfully constructed.
[Photos: KHRG]



The photos above were taken in January 2012 and show the area of the Salween river valley near P'Teh Hta village where government officials from Thailand and Burma reportedly came to mark the land where the dam is to be constructed.⁴ P'Teh Hta villagers explained to the community member who took these photos that their villages would be damaged if the dam is successfully constructed. *[Photos: KHRG]*

Lu Pleh Township, Pa'an District

⁴ While it was not explained when these land-markers were planted, media sources reported that (after being suspended in 2009 due to protests by local residents) the Hatgyi dam project was resumed in 2011 due to pressure from China's Sinohydro Corporation and the Electricity Generating Authority of Thailand, which prompted the Karen National Union (KNU) to allow investors to carry out surveys on the Hatgyi dam in 2011, see "Mega dams holding back tide of goodwill in Myanmar," Bangkok Post, March 25, 2012.



The photos above were taken in January 2012 in Shway Weh village, Lu Pleh Township, Pa'an District, and show one Shway Weh villager beside a flat field farm and another villager preparing a net to go fishing in the near by Salween river. The Shway Weh villagers told the community member who took these photos that Shway Weh village and villagers would have to move if the Hatgyi Dam is built. [Photos: KHRG]



The photos above were taken in January 2012 in Shway Weh village, Lu Pleh Township, Pa'an District, and show the Shway Weh village school. After opening for the school year in approximately June of 2011,⁵ the Shway Weh school remained operational for only one month, before the villagers decided to close the school because of the proposed construction of Hatgyi dam. The students in Shway Weh could not attend school anymore. [Photos: KHRG]



⁵ In Karen areas, as well as throughout Burma, primary and secondary schools open in June of each year.



The photos above were taken in January 2012, by a community member trained by KHRG. The top two photos show the T--- village general location in Lu Pleh Township, Pa'an District. The villagers reported to the community member who took these photos that, this village would be flooded if the Hatgyi dam is built. The bottom left photo shows the T--- village school and the bottom right photo shows one of the school's teachers. There are no students currently attending this school because the school stayed closed this year because of the proposed dam. [Photos: KHRG]



The photos above were taken in January 2012 in T--- village, Pa'an District, and show a male villager who reported that if a large part of the construction of the Hatgyi dam is successful, T--- villagers would have to move. The villager reported to the community member who took these photos that the Tatmadaw arranged a meeting before January 2012 in Myaing Gyi Ngu, Pa'an District, regarding the relocation of villages. During the meeting, the Tatmadaw gave him one solar panel, one solar LED lantern and one battery. He said that the Tatmadaw soldiers gave an LED lantern and a battery to all villagers who came to the meeting. The villager in the photos above explained that, *"This gift does not benefit our villagers, but we accepted it when they gave it to us. The situation will be worse if we have to move our place and leave our village, than if we can live in our own village."* The top two photos show the front and back of a solar panel that was given to the villagers during the Myaing Gyi Ngu meeting. The bottom two photos show different angles of the solar LED lantern light also given to the villagers during the same meeting. [Photos: KHRG]



The photos above, taken in January 2012 by a community member trained by KHRG, show a pamphlet and business card distributed to T--- villagers who attended a meeting before January 2012 in Myaing Gyi Ngu, in Pa'an District, regarding the construction of Hatgyi dam and the relocation of near by villages. The cover of the pamphlet reads, "Hatgyi Electricity Plan: Information we should know." [Photos: KHRG]



The photos above, taken in January 2012 by a community member trained by KHRG, show K'Moo Hpoh village, in Lu Pleh Township, Pa'an District. K'Moo Hpoh villagers told the community member who took these photos: *"If the taw kyah [valley] dam is successful, we could not live in this place anymore; we do not know what to do."* [Photos: KHRG]

Noh Paw Htee Dam

Source document/NohPawHteeDam/2012

Project name:	Noh Paw Htee dam
Type of project:	Dam construction
Karen District:	Papun
Government Region:	North Kayin
Actors:	Border Guard Battalion #1013 Battalion Commander Bo La Kyaing and Major Aung Myo Myint; Tatmadaw LIB #8
Company/Investors:	
Government/Military:	Tatmadaw; Border Guard
Trends:	Lack of consultation; Disputed or lack of compensation; Land confiscation; Development-induced displacement and resettlement
Consequences:	Impacts on livelihoods; Forced labour and exploitative demands; Physical security threats
Collective action:	
KHRG Log #:	12-43-S1
Publishing info:	“Papun Situation Update: Dweh Loh Township, January to March 2012,” KHRG, May 2012, http://www.khrg.org/khrg2012/khrg12b45.html

Testimony:

This report includes a situation update submitted to KHRG in April 2012 by a community member describing events occurring in Papun District, in the period between January and March 2012. It provides information on land confiscation by Border Guard Battalion #1013, which has appropriated villagers' communal grazing land between D--- and M--- villages for the construction of barracks for housing soldiers' families. Related to this project is the planned construction of a dam on the Noh Paw Htee River south of D--- village, which is expected to result in the subsequent flooding of 150 acres of D--- villagers' farmland, valued at US \$91,687. Villagers from K'Ter Tee, Htee Th'Bluh Hta, and Th'Buh Hta village tracts have also reported facing demands for materials used for making thatch shingles, for which villagers receive either minimal or no payment. Updated information concerning other military activity is also provided, specifically on troop augmentation, with LID #22, and IB #8 and #96 reported to have joined Border Guard Battalion #1013 by establishing bases at K'Ter Tee, as well as reports of increased transportation of rations, weapons and troops to camps in the border regions. Details are also provided on new restrictions introduced since the January 2012 ceasefire agreement on the movement of Tatmadaw units; similar restrictions have been documented in Toungoo District in a report published by KHRG in May 2012, “Toungoo Situation Update: Tantabin Township, January to March 2012”. Information is also given on a recent Tatmadaw directive, which stipulates that soldiers and villagers living near to military camps must inform any KNU officials they encounter that they are welcome to meet with Tatmadaw commanders or officers.

Situation Update | Dweh Loh Township, Papun District (January to March 2012)

The following situation update was written by a community member in Papun District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Papun District.

A report on the problems faced by villagers in K'Ter Tee and Htee Th'Bluh Hta village tracts, Dweh Loh Township, Papun District

The people that live in the area [K'Ter Tee and Htee Th'Bluh Hta village tracts] have experienced problems in the period between January 1st and March 6th 2012. These problems are still happening in K'Ter Tee and Htee Th'Bluh Hta village tracts, and they are as follows.

Border Guard Battalion #1013's troops, led by [Battalion Commander] *Bo* [Officer] Lah Kyaing Oo, confiscated the peoples' cattle grazing land in order to build houses for the soldiers' wives to live in. As a result of this human rights abuse happening, forced labour will also occur again as villagers will be forced to construct the barracks for the soldiers' wives. Also, more than 150 acres of Noh Paw Htee villagers' flat field farms will be flooded as a result of the dam that is going to be built on the Noh Paw Htee River by the Border Guard. These are the problems that have been impacting villagers and which they have been grieving over.

The human rights abuses reported have been caused by the DKBA [Democratic Karen Buddhist Army], which has transformed into the Border Guard⁶. They are the soldiers from Thein Sein's government's Border Guard Battalion #1013, led by *Bo La Kyaing Oo*. The reason for causing these [human rights abuses] is because of their objective to build houses for soldiers' wives to live in. The Border Guard does not analyze the weak points and strong points of the job before implementing things; they do not even know how their work has impacted ethnic villagers, thus it keeps on happening.

To give further information on these events, a D--- villager said that the villagers' cattle grazing land lies in the area between the south of D--- village and the north of M--- village. The houses will be built for the Border Guard [soldiers'] wives in the cattle grazing land between these two villages. As a consequence, many villagers have had to send *d'nih* [a kind of leaf used in thatch shingles] and bamboo poles to the Border Guard, either without any payment or for a very low price, even though they did not want to. These villagers were from villages in K'Ter Tee and Htee Th'Bluh Hta village tracts comprising: Noh Paw Htee, Poh Ma Heh, Noh Lah, Htee Hsaw Meh (Burmese name, Zin Zweh), Htee Theh Lay and Htee Law Hsee Hta; and villages in Th'Buh Hta village tract comprising: Hpway Taw Ngoo, K' Pay Kee, Htee Hpaw Doh Kee, Baw Soh Hta, Waw Law The, Thoh Klah, Noh Ghaw and Htee Th'Bluh Hta. [In these villages] villagers cannot avoid working for them.

If barracks are built for the Border Guard soldiers' wives, the ancient cattle grazing land will be destroyed and lost. The land with a spring beside D--- village is where the barracks will be built. This place has water in ponds, so hard soil is needed in the place where the barracks will be built. One dam needs to be constructed on the Noh Paw Htee River in order to change the direction of the water so that it flows down into the Baw Soh River (Burmese name, K'Nyin Doh River). This river is located to the west of D--- village and it flows from north to south, so the Border Guard has planned to construct a small dam to the south of D--- village. This information was provided directly by a D--- villager.

To build the dam, Major Aung Myo Myint has been contracted [by #1013 *Bo La Kyaing Oo*]. He and Border Guard Battalion #1013 Battalion Commander *Bo La Kyaing Oo* held

⁶ While Tatmadaw and DKBA units have for years operated together, this operational hierarchy became formalised with the DKBA's transformation into a 'Border Guard Force' under control of the Tatmadaw and containing a fixed number quota of Tatmadaw officers. This transformation dates to at least May 2009, when commanding officers stated in high-level meeting of DKBA officers that the DKBA would transform itself into a 'Border Guard Force.' Leaked minutes from the May 2009 meeting are retained by KHRG on file.

Ceremonies attended by Tatmadaw commanders officially announced the transformation of large portions of the DKBA into Border Guard Forces in September 2010; see, for example: "Border Guard Forces of South-East Command formed in Paingkyon of Kayin State," *New Light of Myanmar*, August 22nd 2010; and "Border Guard Force formed at Atwinkwinalay region, Myawady Township, Kayin State," *New Light of Myanmar*, August 25th 2010.

negotiations and decided that they will build the dam forcibly. No discussion was held with the villagers, the public. When the dam is built, it will block the water in the Noh Paw Htee River and the water level will rise by nine feet, as reported by D--- villagers. If the water level rises like this, 150 acres of D---- villagers' flat fields will be underwater, and they will be destroyed and lost. If we calculate it, the value of 150 acres of flat fields would be at least 75 million kyat (US \$91,687)⁷.

The place in this report, where the Border Guard are trying to build the dam, is located to the west of Ka Ma Maung and the Papun vehicle road, and four furlongs (0.5 miles / 0.8 km) away to the northwest of M--- [village]. It takes 20 minutes on foot from M---village to that area. Thein Sein's government's LIB [Light Infantry Battalion] #8 troops used to be based in Bilin Town but they have come to K'Ter Tee to join with Border Guard Battalion #1013, led by Battalion Commander Bo La Kyaing Oo. They are active in the area in which the dam will be built. KNLA [Karen National Liberation Army] Battalion #102 troops are sometimes active there. LID [Light Infantry Division] #22, IB [Infantry Battalion] #8, and IB #96 are under the control of the Thein Sein government. They are based in K'Ter Tee camp where they have their headquarters, and they are active from the southwest of Thaw K'Law Kee village to Kyak Thaw Hsay [where Yoh Klah Camp is located] and to the north of M'Taw village, along the right side of the vehicle road. Also, they travel back and forth from the east of Nat village to Hsoo Mweh Hta Camp, which is located on the bank of the Salween River.

In this current ceasefire period, Thein Sein's government troops [Tatmadaw] can only travel 200 yards from the fences around their camps. They are allowed to cut firewood and carry water 200 yards from the vehicle road, and they are allowed to leave their camps and travel back and forth up to 200 yards away from the villages where villagers live. [If they travel] any further away, misunderstandings can arise between the armed groups, and attacks can happen. This information was received from KNLA soldiers who are active on the front line.

Again, a directive was passed to Thein Sein's government's troops at the frontline camps and villagers from nearby villages. If anyone sees any responsible persons from the KNU [Karen National Union], they must let them know that they are welcome to meet and talk with the camp commanders or officers from Thein Sein's government's army camps. The directive announced that the public must cooperate and help to maintain the current ceasefire status so as not to break it again. Every person who lives close to the camps was informed about it as well.

The KNU has also welcomed [the Tatmadaw], but they have sent more weapons, troops and rations, as much as they could, to the border camps. Due to Thein Sein's soldiers' activities, every ethnic armed group is watching what Thein Sein's Tatmadaw does carefully.

We think that it has nothing to do with KHRG members whether or not we obtain peace or maintain a ceasefire. The things related to KHRG members are: how well villagers are, how free they are, and how happy they are, because KHRG members watch the public and help the public. Even if we have peace, we cannot say that there are no human rights abuses during peace time. We will still have one kind of human rights abuse or another after getting true peace. We would like to report that human rights abuses keep on happening, so KHRG members have to continue to stand by the sides of villagers. All KHRG members have the responsibility to use their skills to help with every social problem.

⁷ As of May 23rd 2012, all conversion estimates for the kyat in this report are based on a rate of 818 kyat to US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the kyat, thus replacing the previous fixed rate of 6.5 kyat to US \$1.

Papun Bilin River Dam

Source document/PapunBilinRiverDam/2011

Project name:	Papun Bilin River dam
Type of project:	Dam construction
Karen District:	Papun
Government Region:	North Kayin
Actors:	Unidentified company
Company/Investors:	
Government/Military:	
Trends:	Lack of consultation; Disputed or lack of compensation
Consequences:	Impacts on livelihoods; Physical security threats; Migration
Collective action:	
KHRG Log #:	11-60-A1-I1
Publishing info:	"Papun Interview: Saw Th---, April 2011," KHRG, March 2013 (First Publication)

Testimony:

This report contains the full transcript of an interview conducted during April 2011 in Dwe Lo Township, Papun District, by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Saw Th---, a 26 year-old villager from B--- village, who described abuses that occur in his area, including land confiscation, threats to physical security due to landmines, forced labor, and damage to local agricultural infrastructure caused by heavy trucks. He also described how an unidentified company approached villagers to advise them that a dam is to be constructed between B--- and Wah Mu village, and that it is possible for 37 villages be displaced. The company employees remain close to a Tatmadaw military camp. Saw Th--- also discussed that because of the dam, many plantations were destroyed and the land owners were not compensated, which has caused the villagers to be short on food. Saw Th--- describes how the DKBA planted the landmines in western B---, which restricts the villagers from finding food in those areas, and how the DKBA also damaged a farming tunnel in order to build a road. Saw Th--- also describes how the Tatmadaw forced villagers to porter rations, without any compensation, and instituted a periodic shoot-on-sight practice where villagers cannot safely be outside the village at night. In response to some of these abuses, the villagers attempted to negotiate for compensation and for their tunnel to be repaired, but were denied and were also prevented from repairing the road themselves.

Interview | Saw Th---, (male, 26), B---village, Dwe Lo Township, Papun District (April 2011)

The following interview was conducted by a community member in Papun District, and is presented below translated exactly as it was received, save for minor edits for clarity and security.

Now, we heard that a dam will be built in Bu Loh Kloh [river] which is in B--- [village], so do you know about the project?

About the dam, [where it] will be built is not exactly in the centre of B--- village, but it's going to be built in the lower part of B---, which is in 1st brigade near Mon state. For the KNU map, it belongs to 1st brigade; the project was started in 1st brigade. As far as I know, they said they started building the dam since [19]93 to [19]94, but they still continue it until now.

So, it means that the dam is in 1st brigade?

The river flows in B---, which is in 5th brigade. It continues flowing into Waw Muh village, which is in 1st brigade, so it is also connected to 1st brigade.

It is connected to 1st brigade and 5th brigade?

Yes, it includes 1st brigade and 5th brigade, because it also flows in 5th brigade.

What village tract is B--- village in?

B--- village is in Waw Muh village tract.

How about Township?

Dwe Lo Township.

Do you know who is included in the dam project, like [the] company or others?

The project is related to a company.

Do you know which company?

I can't tell which company's name.

Have they already started the project?

They haven't started the project yet, but they have a plan for the project.

Do they give any hint that makes us say that they will build it?

For building the dam, they haven't sent the materials that will build it. They just tell [us] and warn us.

Did they tell the villagers?

They didn't tell the villagers but some people could guess it; but they [do] really have a plan to build the dam. They can't keep it a secret, and some citizens talk about it, so other people know [about] it.

Did they tell villagers something about the dam?

No, they didn't.

How did the villagers know that the dam would be built?

They heard other people say [something] like, a gold company tells them, so I believe that people who will build the dam must be accompanied because [*unidentified*] company says this.

When the villagers heard that the dam would be built, did they have any plan, like they would move or report it to someone?

About this plan, they don't have chance to report, because they stay close to an SPDC Army camp [Tatmadaw] and can't tell this [information]. Not only our villagers know about the dam but also the township government knows about this [project].

How do the villagers feel about the dam?

For the dam, some villagers only heard about it, but they are afraid already. Some people bought posts to build their houses to live in, but they are waiting to hear the information about the dam and dare not build their house yet. They were worried that if they built their house, it will be useless.

For example, if the villagers think that the dam will give them problems, and if things are going to happen as they think, like they will get trouble and [lose] their land, what do you think should happen to them?

The thing that should happen to them is I think they will stand stable in their place. Because whatever [happens], our heart shouldn't move. In the area, there is not only our village; other villages are also included in the Bu Loh *Kloh* area. They can guess it. Some people, their heart moved but some were not. But for me I want to say that our heart shouldn't move because [of some] company that came and mined gold. Maybe some company tricked us to sell a lot of our land and orchards, so they tell us about the dam to make us afraid. They say that they will build the dam in Bu Loh *Kloh*, and if villagers who have their land close to Bu Loh *Kloh* were afraid, they would sell all of their properties and go to mine gold. They have a plan like this, and now they are mining gold beside the Bu Loh *Kloh*.

If the dam is really built, do you think the villagers who lost their land should get any compensation to help them?

If their lands, houses and their places are really going to be destroyed, I think they should get [help]. If they don't get help, all villagers' life will be destroyed. Nowadays, we can't find places to stay and our food also become less and less. If we look to the past, like last year, Kyit Lay Myeh company came and mined gold and destroyed a lot of peoples' dogfruit orchards. They didn't give anything for this. So the villagers get in trouble, their dogfruit and betel nut orchards, and their farms are all destroyed.

Can the villagers try to protest the dam to not be built?

If the citizens really try, I think they can. If they are in fear, like there are lots of soldiers to confront them, they won't have enough energy to protest them.

Which soldiers?

SPDC soldiers.

Did the company that came and mined gold use soldiers?

In 2009-2010, Kyit Lay Myeh company would come and mine gold in M'Ker La *Kloh*, and they asked permission from the KNU government, but they didn't give [it to] them, so they went back and arranged another way by hiring DKBA [Democratic Karen Buddhist Army] soldiers to come and be their security on the road so that they could come and mine gold.

If the villagers don't allow them to build the dam, do you think they will use soldiers like in the past?

If we look at other dams, we tried to protect [ourselves], but they didn't listen to the villagers' voice; they didn't respect the villagers' voice. I believe that if they really want to build the dam, they will really build it. Even if they can't build the dam, they will send soldiers to come

and be their security.

You said we don't have any hint for the dam, so do they have buildings for workers?

They don't have buildings for workers. In my point of view, to build the building, I think they don't have soldiers to be their security, so it is difficult for them to build it. Another way is if they are really going to build the dam, and even if they don't want to build the buildings for workers, they can.

Which armed group is active in B--- area?

SPDC soldiers and KNU soldiers.

How about the BGF [Border Guard]?

Last year, the BGF stayed here but now they were moved to Paw Baw Ta village. They all moved into 1st brigade.

About the human rights, what are the human rights abuses that the villagers have to face?

About the human rights abuses in our village, sometimes we can't travel at night time. It is our area, but we can't travel because it is under military control. Currently, we also have human [rights] abuses like we have to go to the place that we dare not go. For example, we carry food for the SPDC, and ammunition. Even though we dare not to go, they forced us to go.

What time doesn't the SPDC allow you to travel at night?

They didn't mention the time, but if they saw people in the dark, and if they don't believe them, they shoot without thinking.

Did this always happen?

When the summer comes, I saw and heard [it] many times, because in the summer, villagers are out at night to find frogs and fish. Some people go and find frogs and fish in the river, and if they [Tatmadaw] see them, and if they look a little strange and they don't believe them, they will shoot them.

When was that summer⁸?

In this year, 2011.

When was the month?

In March.

They shot the villagers when they went and found frogs and fish, so did the villagers die?

Yes, the villagers were shot when they went to find frogs and fish, but they didn't kill them;

⁸ Although this interview was conducted in April, the summer for this region refers to the hot season between March and June, before the monsoon rains fall from about June to the end of September.

they just make them be afraid.

Do you have to forcibly carry?

One thing that we have for forced carrying is we have to carry food for the SPDC Army.

Do you always have to go?

We have to go only once a year. They send all their food for one year, so if we have to carry one time, it takes 7 or 8 days.

How many people have to go?

All villagers, because they limited that one house has to carry 4 sacks⁹ of rice. If family can't carry all four sacks of rice at the same time they will have to go continuously and carry it until it's gone.

How many households are there in B--- village?

I can't tell exactly, but it might be over [censored for security] households.

Is it a big village?

Yes, it is a big village.

Do you have any other abuses that the villagers have to face?

We don't have other abuses.

Do you see any changes about the human rights?

About the human rights, it changes. I'm saying this because in the past, especially last year, there were lots of soldiers and it included DKBA and they ordered us to go sentry a lot, and sometimes we had to go 10 times per day. Now, we mostly have to go sentry only two times.

Did the DKBA or the SPDC order it?

The DKBA ordered it. Sometimes, the SPDC soldiers ordered us to carry their injured soldiers.

Do any human rights abuses happen to the villagers that scare them, regarding building the dam?

About this, as I have already told you, they really said that in order to build the dam, 37 villages have to move.

In your opinion, what kind of consequences will the villagers have to face if the dam is really built?

If the dam is really built, there will be hunger and more people will die, because our villagers

⁹ A sack is a unit of volume used to measure paddy, milled rice and seeds. One sack is equivalent to 31.35 kg. or 69.12 lb. of paddy, and 48 kg. or 105.6 lb. of milled rice. A sack is also equivalent to three big tins.

and people in the area can't access health care every time [they need it]. The hospital is not close to us, so we could face starvation and health care problems. They will lose their properties and they will become IDPs [internally displaced persons] and will die.

Where will the 37 villages have to move, if the dam is really built?

They don't have a place to go. If they can go anywhere, they would go, and if they can't go, they won't go. They don't have a certain place to go.

Do you want to report more about human rights abuses?

I also don't know a lot about human rights, so I don't have anything to report.

What are the problems that the villagers have to face in their life and their work?

It relates to human rights because, for us to survive, we have to work. In the work, some people farm hill fields and some people do flat field farming. To do hill field [farming], they are not allowed to go and do hill field [farming] in western B---. They only go and do hill field [farming] in eastern B---, so the place is small for villagers and some get problems for doing hill field [farming].

Why were they not allowed to go and do hill field in western B---?

In western [B---], they are not allowed since the DKBA came and planted landmines in the ground.

Did you know which DKBA group, and their battalion number?

Last year, in 2010, they combined two groups; they were #333 and #999.

Where did they put landmines? Did they put them in villagers' farms?

They didn't put them in villagers' farm but they told us to not go in the western part, so we dare not go. Sometimes, if dogs go and find food, they step on landmines, so our villagers dare not go.

Didn't they tell the villagers where they put the landmines?

They also had difficulty to tell the villagers where they put the landmines, because even their group didn't know. For example, one group came and they put the landmines. If they went back, they didn't take it out and they also didn't tell their new friends who replaced their area. They didn't know all the places and they sometimes stepped on their own landmines.

Do you know the number of the farms where villagers can't work?

In our area, there are a few people who have their own farm and some will go and farm with other people. But they have problems because now our Bu Loh *Kloh* was destroyed, and the farms that were around B---, the tunnel destroyed [them], so our planted paddy becomes less. Our paddy [plants] become fewer, so some people do hill field farming. We can't go to the western [area] so our place is small and increases in population.

Why can't we work on the farms?

Last year, the DKBA came and mined gold. They built a vehicle road to transport food and

oil for the company to use. Their vehicle road crosses beside a tunnel, so the tunnel was destroyed.

How many farms were destroyed?

I can't mention how many farms, but in B--- area, over 20 farms were destroyed.

Didn't they pay anything?

Even though they didn't pay us anything, if they repaired our tunnel for us, we can be satisfied. One time, regarding this, one of our villager went and asked them to repair our tunnel, but the armed group [DKBA] didn't do. So, they [villagers] discussed and suggested to each other that they would repair it by themselves, but they went and asked the armed group. The armed group said if we repaired the tunnel, their road would be destroyed. The armed group didn't allow [the repairs], so for farming, we were waiting for rain. So, when the rain came, we planted the paddy and it's a little late, so we got less grain than previous years.

Now in B---, have the villagers started to face a food shortage?

Yes.

So if the dam is built, will the villagers face more problems?

Yes.

Peh Leh Wah Dam

Source document/PehLeHWahDam/2012

Project name:	Peh Leh Wah dam
Type of project:	Dam construction
Karen District:	Toungoo
Government Region:	Northwest Kayin
Actors:	Myanmar government
Company/Investors:	
Government/Military:	Myanmar government
Trends:	Land Confiscation
Consequences:	Impacts on livelihoods
Collective action:	
KHRG Log #:	12-38-P1
Publishing info:	"Toungoo District Photo Set: February to April 2012," KHRG, March 2013 (First Publication)

Testimony:

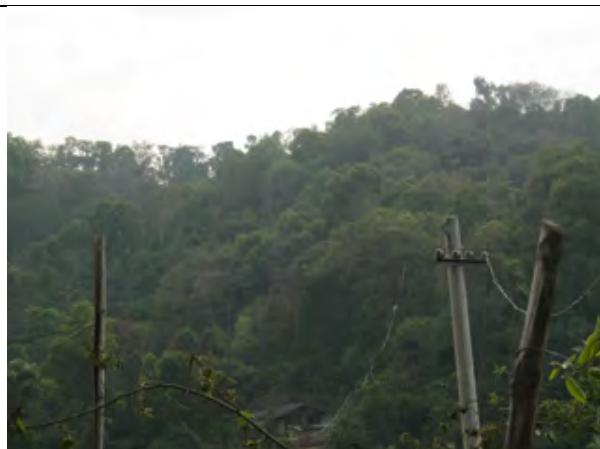
This Photo Set presents 11 still photographs selected from images taken by KHRG field researcher between February and April 2012. Photos were taken in Than Daung Township, Toungoo District. According to the community member who took these photos, there were many acres of land that were confiscated in Than Daung Township. The community member also mentions that access to education is an issue for children, due to the lack of teachers, as well as a proposed dam site that has yet to be started.

Photo Set | Than Daung Township, Toungoo District (February-April 2012)

The following photos were taken by a villager in Toungoo District who has been trained by KHRG to monitor human rights conditions. They are presented below, censored where necessary for security purposes. The 11 photos below were received along with other information from Toungoo District, including 198 other photos and 7 interviews.

This photo taken in February 2012, shows a T--- villager, Saw P---, whose lands in M--- village were confiscated by the Burmese government in 2004, including his father's lands. He is originally from M--- but now he lives in T--- village where he was married. [Photo: KHRG]





These photos, taken in February, 2012 in M--- village, Than Daung Township, Toungoo District. Show villagers' land and plantation fields, which were confiscated in 2004 in order for Light Infantry Battalion [LIB] #603 to build an army camp. The villagers who once occupied the land now face many problems after the land confiscation took place, as Disputed or lack of compensation has been offered to villagers for the stolen land. *[Photos: KHRG]*



These photos, taken in February, 2012 in Than Daung Township, Toungoo District. The photo on the left shows the Peh Leh Wah river where a dam is going to be constructed by the government. The photo on the right shows a road from Hsah Soh Hkoh village to M--- village that was built by villagers in order for them to trade freely with each other. *[Photos: KHRG]*



These photos, taken in February 2012, show two schools in Than Daung Township, Toungoo district. These are designated government schools which although once were funded, and built with iron roofs as permanent structures but have since been neglected of support by the government. According to one villager, despite salaries being paid in order for teachers to come and provide an education to the children, they fail to come and provide the service they are paid for. Due to this neglect children in Than Daung Township are not having access to the right to an education. [Photos: KHRG]



These photos, taken in February 2012 in Than Daung Township, Toungoo district, show children of ages who would normally be engaged in school lessons, passing time as there is no teachers in their village. The schools are recognized as government schools but the government teachers do not come and teach in their village. Therefore, they have to help their parents with the farm work which conflicts with the time they could devote towards education. [Photos: KHRG]

Shwegenyin Dam

Source document/ShwegenyinDam/2012/1

Project name:	Shwegenyin dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Myanmar government
Company/Investors:	
Government/Military:	Myanmar government
Trends:	Disputed or lack of compensation; Land confiscation; Development-induced displacement and resettlement
Consequences:	Environmental impacts
Collective action:	Reporting to authorities; Organizing a committee or protest
KHRG Log #:	12-111-S1
Publishing info:	"Situation Update: Moo, Ler Doh and Hsaw Htee townships, Nyaunglebin District, January to June 2012," KHRG, October 2012, http://www.khrg.org/khrg2012/khrg12b80.html

Testimony:

This report includes a situation update submitted to KHRG in July 2012 by a community member describing events occurring in Nyaunglebin District between January and June 2012. Specifically discussed are Tatmadaw demands, including new gold mining taxes imposed by Light Infantry Battalion #264 and their demands for sentries, and the construction of a bridge inside Na Tha Kway village, which has displaced many villagers without providing compensation. This report also includes information about 400 villagers who gathered together on March 12th to protest the construction of Kyauk N'Ga Dam on the Shwegenyin River in Hsaw Htee and Ler Doh townships; the opening of a Karen Nation Union (KNU) liaison office in Ler Doh town on April 9th, during which over 10,000 villagers awaited government officials; the arrival of representatives from the Norwegian government to the internally displaced persons (IDP) area in Mu Theh; and a visit by a United States Senator on May 29th in Ler Doh town and subsequently in Nay Pyi Daw. The report also describes work and food security problems in Nyaunglebin, where some villagers have migrated to neighbouring Thailand and Malaysia for employment, or to work in Yangon's growing entertainment industry. The community member spoke with villagers in the area who expressed overall satisfaction with the peace and ceasefire process, and they hope that it will continue to be stable.

Situation Update | Moo, Ler Doh and Hsaw Htee Townships, Nyaunglebin District (January to June 2012)

The following situation update was written by a community member in Nyaunglebin District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Nyaunglebin District, including six interviews, one other situation update, 277 photographs and 36 video clips.

Introduction

There are a lot of human rights abuses in our area. Villagers who are in flat areas and mountain areas have to deal with food and work difficulties. On March 12th 2012, the villagers protested the Kyauk N'Ga Dam on the Shwegenyin River, in LehHtaKwee. Rich people bought land from the government and planted rubber plantations, which caused

problems for the resident people.

- LIB (Light Infantry Battalion) #264 demanded money from farmers
- KNU (Karen National Union) opened a liaison office in Ler Doh town
- Norwegian delegate to help IDP (Internally Displaced People) in Kheh Der village tract
- Norway [Deputy Foreign Affairs Minister] came to Ler Doh and met the villagers

Villagers protest the dam

On March 12th 2012, over 400 villagers from A---, M---, H---, T--- and N--- villages gathered together and protested Kyauk N'Ga Dam on the Shwegen River in N--- area, Hsaw Htee Township and Ler Doh Township, Nyaunglebin District. There were three slogans that the villagers called out:

- “No continuation of the dam construction”
- “Compensation for losing lands”
- “Let the water flow naturally”

The villagers made these requests but there was no response from the government until now. They behaved like nothing concerned them.



The above photos were taken on March 12th 2012 near the Shwegen river in the N--- area, Hsaw Htee and Ler Doh Townships, Nyaunglebin District, and shows villagers from A---, M---, N---, T--- and H--- villages gathering on March 12th to protest the planned Kyauk N'Ga Dam in Shwegen River. According to the community member who took these photos, the villagers are confronted with many challenges due to the construction of the Kyauk N'Ga dam; villagers' slogans made three requests from the government (listed above) and prayed for their protests to go on without disturbances. [Photos: KHRG]

New rubber plantations cause problems for local residents

In Ler Doh and Hsaw Htee townships, wealthy people¹⁰ purchased land from the government and planted rubber plantations, but some have not been planted yet, as the KNU protected the land. However, the wealthy people took some land from a forest reserve; some are from places where residents farm hill fields and search for firewood. Some are people's farms, but since the government does not recognize [the land] as farms, they registered them as uncultivated land and sold them to wealthy people.

¹⁰ In this context, “people” includes both individuals as well as corporations who possess the financial backing to undertake the respective project.

One person who bought land is U Nyan Shwe Win. [He bought] 7,000 acres of land between Ler Doh and Leh Weh Hkee (Kyauk Ken Gyi). U Nyan Shwe Win bought another 2,000 acres beside Ler Doh. Major Than Tay bought 3,000 acres between Baw K’Hta and Ler Doh. U Aung Thin Myint bought 3,000 acres in Baw K’Hta area. The Win Company bought 3,000 acres in Baw K’Hta area. U Soe Soe Lwin bought 3,000 acres in Baw K’Hta area. U Htin Kyaw bought 7,000 acres between Shwegen and Baw K’Hta. U Pyit Soe bought 9,000 acres in Doh Hsee Kway Hsa. Daw Yin Mya Soe bought 5,000 acres between Doh Hsee and Shwegen. Moe Aung bought 3,000 acres beside Shwegen. 37,000 acres were bought from the government. There are still many whom I cannot get their names.

Beginning in 2000, the government worked on the Sittaung River Valley project in order to establish rubber, jatropha and agarwood plantations. Of the people who took the land, some have already planted, but some have not started planting yet. This causes problems for the residents, because the government sold the land. Villagers who stay in that area cannot work because those areas have their [new] owner. They mostly go to work in other countries, such as Thailand and Malaysia. Just in this year [2012], 40% of the people went to work in another country¹¹.



The above photos were taken on March 13th 2012 in Baw K’Hta village tract, Hsaw Htee and Ler Doh Township, Nyaunglebin District. It shows rubber plantations in Baw K’Hta village tract that wealthy business people bought from the government and subsequently planted rubber trees. *[Photos: KHRG]*

LIB #264 demands taxes for gold mining

Beginning in 2012, LIB #264, which is based at Baw K’Hta army camp, has demanded money from people who mine gold. Beginning in 2012, they demand 50,000 kyat¹²(US \$57.14) for each gold sluice¹³ every month. There are over 30 gold sluices in Ler Doh Township, Than Kyo Wein area; they are only small gold sluices for providing daily livelihood. The government army [Tatmadaw] LIB #264 demanded [the tax] from people who mine gold and they [villagers] could not pay them, so they [LIB #264 soldiers] went and demanded [payment] at their place [mine]. The LIB #264 demand is just to abuse the villagers. In the past, people who strongly demanded money were the police, but now the government army [Tatmadaw] is worse than the police. Those demands have become ordinary for the villagers.

¹¹This statistic is the community member’s estimation based on personal experiences in the community.

¹²As of August 22, 2012, all conversion estimates for the kyat in this report are based on the official market rate of 875kyat to US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the kyat, thus replacing the previous fixed rate of 6.5 kyat to US \$1.

¹³A sluice is a construction for channeling water to wash and separate gold from silt.

In Kyo Gyi army camp, they [LIB #264] met with village heads and forced villagers to be sentries. If the villagers do not want to be a sentry, each person will have to pay 2,000 kyat (US \$2.29) each day. Two people must be sentries every day. The villagers have to go every day, as now is a busy time of year. Mostly, the villagers hire people, because now is a busy time of year.

KNU opens liaison office in Ler Doh town

Nine people, including a KNU secretary and representatives, came to Ler Doh and opened a KNU liaison office in Ler Doh town on April 9th 2012. The KNU and the government leader, U Aung Min, came and opened a temporary KNU liaison office inside the USDP [Union Solidarity and Development Party] office. The villagers awaited the KNU and the government leaders to come, this time, with willingness and need for real democracy. The villagers waited for the leader's representatives along the way from Na Tha Kway to Ler Doh; there were over ten thousand people. In the past, battles always occurred in the area and the villagers were always depressed. So, the villagers need freedom, and they reported their needs and opinions for the opening of the liaison office to the leaders from both sides, advocating for a real need for democracy. While the villagers waited for the leaders from both sides, they made a sign that said: "*We pray to be liberated from battles in Ler Doh area*". The villagers' sign showed their real need and desire to be liberated from fighting, pressure and conflict. The leaders from both sides will arrange and settle the conflict to create real democracy that will be stable forever.



The above photos were taken on May 9th 2012 in Ler Doh Township, Nyaunglebin District. The left-hand photo shows villagers of different ethnic groups waiting together for KNU leaders and Burma government officials to arrive and celebrate the opening ceremony for the KNU fellowship office at LerDoh. According to the KHRG community member who took these photos, the villagers were demonstrating their need for freedom and peace. [Photos: KHRG]

As soon as the KNU secretary and leaders finished opening the liaison office, they visited villagers in Kaw Hsaw Htee Church. They held a public conference and talked about the KNU and the government process for peace, and explained [the details to] the villagers.



The above photos were taken on May 9th 2012 in Ler Doh Township, and show KNU leaders delivering speeches about the opening of the KNU liaison office, including its' role in monitoring the ceasefire process by fostering greater communication between armed groups and receiving complaints from the local community.¹⁴ [Photos: KHRG]

Norway to help villagers from IDP areas

On April 9th 2012, the Norwegian representative, Mr. Charles Petrie, came to Ler Doh and went to Mu Theh to view the IDP [internally displaced persons] area. After reaching Mu Theh, he met with some of the Burmese leaders and KNU leaders. After they finished the meeting, they went to the IDP areas in Kheh Der village tract, questioned T'Kaw Der villagers and slept at T'Kaw Der village. On April 18th 2012, he went back to Mu Theh village and met with the government army leader and KNU leaders. Mr. Petrie stated that the villagers need real peace and democracy: "*Because of conflicts, the villagers are really in trouble and need support to build their houses [and] work places. So, I will report to Norwegian leaders about the villagers' situation and needs, and I will help the villagers*".

On May 16th 2012, Mr. Petrie and four friends came to Ler Doh and went to IDP areas to see the villagers' situation.



The photo on the left was taken on May 9th 2012 when Mr. Charles Petrie, an agent of the Norwegian government, arrived to provide assistance to IDPs and went to Mu Theh to meet with the KNU leaders and the Burma government leaders. The photo on the right was taken on May 10th 2012, when the

¹⁴To view a video of speeches made by KNU leaders during the opening of the liaison office in Ler Doh, see "KNU Open Liaison Office Ler Doh_09_04_2012-video," Democracy for Burma, April 19th 2012.

representative of the Norwegian government came back from Kheh Der village tract and had a meeting with Burma government officials and KNU leaders to discuss the villagers' situation, things that they have suffered and their future needs; he then announced a decision to help the villagers. [Photos: KHRG]

On May 28th 2012, the Norwegian Deputy Foreign Affairs Minister, the Norwegian Ambassador to Thailand, Cambodia and Burma, and many representatives came to Ler Doh. The government leader General Kin Yin and KNU leader Major Htoo Htoo Lay came and managed the meeting with the IDPs in Kheh Der village tract. Thirty representatives for the villagers came to the meeting in the KNU liaison office in LerDoh. During the visit, Norwegian leaders, the government leaders and the KNU leaders were talking a lot. General Kin Yin gave temporary ID cardsto the 30 representatives of the villagers in IDP Kheh Der village tract. Norwegian deputy foreign affairs minister said, "*I will support the villagers and I have already prepared US \$5,000,000 for the IDPs to rebuild their lives. The Norwegian representative, Mr. Charles Petrie, has taken responsibility for the Norwegian support. CIDKP [Committee of Internally Displaced Karen People] has taken responsibility for working with the villages' Human Rights Committee in the IDP areas.*"



The photo on the left shows the Norwegian State Secretary,Torgeir Larsen (right), the Norwegian Ambassador, Katja Christina Nordgaard (second from the right), Charles Petrie (second from left) and Burma's Ethnicity Minister, for Pago Division, U JuBi SaHla (left) having a meal at the new KNU liaison office in LerDoh. The leaders were there to attend a press conference, shown in the photo on the right, where journalists asked them the questions regarding the country's situation and the status of the IDPs. These photos were taken on May 28th 2012. [Photos: KHRG]

American senator visits Ler Doh

On May 29th 2012, the American Senate Finance Committee [member]¹⁵, US Ambassador¹⁶ and Doctor Samantha came to Ler Doh, Sa Phyu Gone and met with religious leaders,KNU leaders from the 3rd Brigade, and CIDKP leaders. They discussed the peace process and

¹⁵ It is likely that the community member is referring to Susan Collins, a US senator who visited Burma during this period. Senator Collins is not, however, a member of the Senate Finance Committee. See "President U Thein Sein receives US Senator Hon Susan M. Collins and Party," New Light of Myanmar, May 30, 2012; see also "Sen. Susan Collins visits Thailand, Myanmar; to meet with Aung San Suu Kyi," The Bangor Daily News, May 29, 2012.

¹⁶ Although the community member uses the term "ambassador," there technically was no US ambassador appointed at this time. It is likely that the community member meant Foreign Service Officer Michael Thurston, who attended these meetings, but his position at that time was what is called a Chargés d'Affaires, which is an alternative to ambassadors, which nations have used throughout history. See "President U Thein Sein receives US Senator Hon Susan M. Collins and Party," New Light of Myanmar, May 30, 2012. On July 11, 2012, Derek Mitchell became the first US Ambassador to arrive in Burma since September 30, 1990.

IDP villagers. They discussed this for one hour, and two of the American representatives went to Nay Pyi Daw.

The American representatives arrived [in Nay Pyi Daw] and didnot inform the Burmese leaders, so the Burmese leader in Ler Doh and Bago Division said that the arrival of the foreign people was illegal: "*In the future, if the foreign people come, they can travel only until the west [side] of PgehLoh River [Sittaung River], they cannot come to the east of [Sittaung River]*". The Burmese leader defended this [position]. They [the government] said they will build up democracy in Burma, but the foreign leadersdidnot inform them, so it became a complaintfrom the Burmese leaders.

KNU 3rd Brigade holds a publicconference

On May 1st 2012, KNU 3rd Brigade held a public conference related to the KNU and the government meeting on the peace process, such as: the KNU requested 11 points [for peace], but the second time, the KNU requested 13 points and then had ameeting with the government. Theyreceived responses to all of their 13 points. KNU 3rd Brigade met with villagers and explained the peace process and that peace will be stable. Villagers should be involved in the process, with both sides of the government. The KNU, 3rd Brigade,began explaining to the villagers about the peace process from Moo Township, LerDoh Township to HsawHtee Township.

The KNU 3rd Brigade leaders who went to meet the villagers didnot wear soldiers' uniformsand did not bring weapons. They wore Karen traditional shirts and went to one village after another, and a group of villagers travelled with them to one village after another village. There were 15 leaders of the KNU 3rd Brigade who were travelling, and there would be over one hundred people, including villagers, who went with them. The villagers got an opportunity to report and talk about their opinions and ideas in all meetings. In the meeting in Da La Say village tract, ThayPlawTah village, the village head reported that: "*Because of the battles over60 years, the villagersare getting poorer and have become refugees. A lot of people have to go and be slavesinother countries, so we need lastingpeace for our new generation in the future. Currently, there is[only a] ceasefire and our villagers donot feel there is enough peace, so we hope to gain lastingpeace in our country.*"



The photo on the left was taken on May 8th 2012 in the Taw Kyaw Paw area. It shows KNU leaders while they were holding a public conference. The photo on the right was taken on May 9th 2012, and shows the villagers peacefully travelling together with the KNU leaders from one village to another. [Photos: KHRG]

The villagers' work and food problems

Villagers in our area have to deal with food problems. In the mountains, they do hill field [farming] and corn plantations, but insects eat [crops] so they donot get enough food and face food problems. On the plains, they do flat field farming, but because of flooding, their paddy died so they have to deal with food problems. Their paddy died, so then they planted beans, but insects ate the bean and killed them, so it caused extreme problems for them.

For the villagers to farm plantations and plant paddy, the government loaned money, but the villagers' beans and paddy died, so it caused problems for them to pay back the government loan. People who have farms and buffaloes sold their farm animals or property, and then they paid back their government [loan].

The villagers are farmers. Their paddy and beans died and [they] have a lot of debts. They donot have other work to do in the area, and they cannot work so they have to go to work in Rangoon, Thailand and Malaysia. In this year [2012], there might be [as much as] 20% of young people in our area who go to work in other countries.

In our country, there are a lot of civilians becoming unemployed and going to work in other countries, also [others who] cannot go as they donot have travelling costs. Working in Burma, the salary is not much for work, so it is hard to support their family.

Nowadays, in Rangoon, Karen girls and other ethnic girls sell their bodies in many ways to be able to support their families. There are a lot of Karaoke shops in Rangoon and the ethnic girls have to entertain visitors who come, and prostitute their body in many ways. The Karaoke shops are called KTP and a lot of them have opened. The shops are illegal. The shop keepers donot work and arrange secretly with local authorities, such as police and other powerful groups. Most people who go to the shops are police, Burmese leaders, rich people and people who take bribes. It is depressing for our Karen girls and other ethnic girls. In Kyauk Ta Kah Township, Taw Kweh Aye area, the villagers face problems and poverty. They have to sell their body. This happens because the country's politics are not stable and the civilians have to face problems and poverty.

Government builds new bridge on Na ThaKway Sittaung River

The Burmese government built a bridge on the Sittaung River in Na ThaKway area, and there are 11 households in Na ThaKway that had to move. The houses relocated but the government did not give any compensation. The bridge did not replace the old bridge; they build it in the village and it crosses villagers' house gardens. The government did not give any compensation for villagers who had to move or villagers who lost their gardens, so it caused difficulties for the villagers.





The above photos were taken on March 16th 2012 and are of Burma government workers who came and repaired a bridge on the Sittaung River, which is in Na ThaKway village. The workers also extended the bridge, resulting in 11 villagers' houses being relocated and plantation fields destroyed. According to the community member who took these photos, the government did not provide the villagers with compensation for this damage. [Photos: KHRG]

Tatmadaw activities

In our area, the Burmese army does not have any activities; they only walk on vehicle roads and send [supplies to] each other. There are no army activities on the plains or the mountains. They stay in their camps and sometimes send [supplies to] each other. They do not demand any forced labour. If they need something, they do it themselves and do not order the villagers [to do it].

They keep a militia in Na ThaKway, KyaukS'Yee and LerDoh towns. The Government does not provide the militia's salary, so the villagers have to provide [it] every month. The village head collects money from the villagers; the villagers have to pay 1,000 kyat (US \$1.14) per house every month. The villagers want to remove the militia but the Government does not remove [it] for them. They are forced to keep it [militia] until now.

General information

In our area, because the KNU and the Government held peace [talks], the situation for the villagers has become better. The villagers travel to work freely without questions. The sustained ceasefire makes villagers feel the [presence of] peace and are happy to travel to work freely. In the past, there were battles and the villagers could not work freely; they had to [obtain] written work permission. Because of the pressure of battles, the villagers have gotten poorer. Now, the villagers have to rebuild their lives from the beginning.

In the mountains, Norway is supporting pilot projects, so it makes the villagers happy. In our area, the villagers really need support. To rebuild their life, they [villagers] organise a group called a Human Rights Committee, and if support from other countries arrives, and if it is helpful for them, they will accept it. The things that the villagers need most are enough food, security, and to work undisturbed. In our country, villagers need peace and unity, and to continue for the new generation in the future.

Conclusion

The above information is the true thing that has occurred in our area. We write the above information as we see and know.

Source document/ShwegenDam/2011/1

Project name:	Shwegen dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Unspecified
Company/Investors:	
Government/Military:	
Trends:	Lack of consultation; Disputed or lack of compensation; Development-induced displacement and resettlement
Consequences:	Impacts on livelihoods; Migration
Collective action:	
KHRG Log #:	11-85-T1-I2
Publishing info:	"Nyaunglebin Interview: Naw M---, April 2011," KHRG, March 2013 (First Publication)

Testimony:

This report contains the full transcript of an interview conducted during April 2011 in Hsaw Htee Township, Nyaunglebin District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Naw M---, a 40 year-old villager from N--- village, who described the hardships she and her family experienced before arriving in a refugee camp. Specifically, Naw M--- describes how agricultural land in her community was flooded, including her own plantation. The damage affected her ability to generate income, which in turn prevented her from sending her children to school, as the fees are too high. Also discussed is the increase in diseases in her community, following the dam project, and she reported that she fled to the camp in part to access healthcare services.

Interview | Naw M---, (female, 40), N--- village, Hsaw Htee Township, Nyaunglebin District (April 2011)

The following interview was conducted by a community member in Nyaunglebin District, and is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Nyaunglebin District, including one other interview and photographs.

Ethnicity: Karen

Religion: Christian

Marital Status: Married

How many people are in your family?

Four people.

Where was your village in the past?

E--- village.

Was your village flooded?

It was totally flooded. My village was totally flooded.

What was the situation in your village before it was flooded?

The situation became worse.

Before it was flooded, did you stay and work smoothly in your village?

I don't remember that because I left my village when I was a child. I didn't know anything. When I left I was the age of my older child [now].

Could you estimate how many households were in your village?

There might have been ten households.

What were the villagers' occupations there?

They did hill field [farming] and some were farming.

Did you have land or property there?

I had one house and one dog fruit orchard, and they were all flooded, and one betelnut orchard but we couldn't work on it anymore.

How many years ago were they flooded?

We couldn't work there since we left.

How many years ago were your properties flooded? Were they flooded two or three years ago?

Yes, it was.

How many acres? Could you estimate?

No, I couldn't.

What did the villagers do who stayed there?

They did hill field [farming].

Did they get enough food?

In the past, they got enough food.

How many villages were flooded?

It might have been 10 or 20 villages.

Were orchards flooded, like dog fruit or betelnut orchards?

Yes, they were flooded a lot.

How many orchards?

Only betelnut orchards [she has]; there were ten orchards. For dog fruit orchard, other villagers would have [those].

What problems did you face after flooding?

The problem was we couldn't work.

How was the healthcare in your village?

The healthcare was not good.

Did you have a hospital?

We didn't have a hospital.

Now do you have hospital?

Yes, now we have one.

What did you do if you were sick?

If we had a serious illness, we went to the hospital.

Did you get medical support?

Ranger [Free Burma Rangers] supported us.

How about education?

We had teachers who gave lessons.

Did you have school in your village?

We had [a school] until grade five.

How many years ago was the school established?

It was established over ten years ago.

Who gave support to the teachers? Where did you get support from?

Teachers from KED [Karen Education Department] supported us.

Did you have to give the teachers a salary?

No, we didn't give them [a salary].

Did all the children under 18 years old attend the school?

Yes, they all attended the school. They [students] were kept in house because we didn't have nursery.

How many grades?

In [Hsaw Htee] Township, it [school] was until grade four.

If they [students] finished [school] where did they go?

We sent them to [Nyaunglebin] District and after they finished in that district, we sent them to refugee camps.

When was the dam built? Do you know?

I don't know.

Before the dam was built, what were the SPDC's [Tatmadaw] activities?

They always had activities.

Did they burn your village?

Yes, they did. They burned our village and took our paddy.

Where were they [Tatmadaw] located?

Yes, they came.

Where were they located? Was it near your village?

[Villager does not answer the question.]

When did the flooding begin? When did you start to see flooding in your area?

I started to see [flooding] in 2009 and 2010.

Was your farm or orchard flooded?

Yes.

Where did you farm or plant?

We planted in the small places that were left [after the flooding].

Did you get good paddy like before?

The paddy was not good.

Did people get enough to eat?

Some got enough, but some didn't get enough. Mostly, they didn't get enough.

Did you [E--- villagers]get an announcement about the flooding?

No, we didn't.

What did you do when the water started to rise?

We couldn't do anything.

Did you prepare yourselves?

Yes, we prepared.

How did you prepare?

We stored our food.

Did you prepare enough [for your family]?

Yes, [we prepared] enough.

[After] their farms were flooded, could the people who remained [in E--- village] still farm it [their land]?

No, [they] couldn't farm.

What [kind of farming] did they do, mostly?

Mostly, they did hill field [farming].

What did you if you didn't get enough [food]?

If we didn't get enough [food], we had support.

Which organization supported you?

IDP¹⁷ and KORD [Karen Organization for Relief and Development] came and supported us.

Did you know how many acres of the property were flooded?

[Villager does not answer the question.]

Did it flooded a lot?

[Villager does not answer the question.]

What did you do before you came in the refugee camp?

I did hill field [farming].

What problems did you have to face doing hill field when you stayed in the mountains?

We had to face problems, such as not getting enough food. Sometimes, we didn't have an opportunity to do hill field [farming].

Did you have to flee from the SPDC?

¹⁷It is likely the villager is referring to the organization that often works with internally displaced persons in Karen areas, the Committee for Internally Displaced Karen Persons (CIDKP).

Yes, we had to flee. We had to flee so we couldn't do hill field [farming] anymore.

Because the SPDC came, and you had to flee, and the problems caused by the flooding, so what did you decide?

I decided to come and stay here [in the refugee camp].

How do you feel about staying in the camp?

I'm happy to stay.

No problems right?

No.

What will you do in the future if the situation improves?

If the situation improves, we will go back.

What do you want while you are staying in the camp?

We hope our illness will be cured.

And regarding staying?

Yes, to stay comfortable [while living in the camp].

Do you hope for to [resettle] to a third country?

No, I do not.

Even if the situation improves?

If the situation improves, [I] hope to go back to our country.

Do you want to report anything else about the dam, or about your own suffering?

Because the water came up, mosquitoes and other insects bit us and we couldn't suffer it and it caused diseases.

How about other [information you want to report]?

No, nothing special.

Source document/ShwegenDam/2011/2

Project name:	Shwegen dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Tatmadaw LID #77
Company/Investors:	

Government/Military:	Tatmadaw
Trends:	Lack of consultation; Disputed or lack of compensation; Land confiscation; Development-induced displacement and resettlement
Consequences:	Environmental impacts; Impacts on livelihoods; Denial of access to humanitarian goods and services
Collective action:	Reporting to authorities
KHRG Log #:	11-85-T1-I1
Publishing info:	"Nyaunglebin Interview: Saw H---, April 2011," KHRG, March 2013 (First Publication)
Testimony:	
<p><i>This report contains the full transcript of an interview conducted during April 2011, in Hsaw Htee Township, Nyaunglebin District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Saw H---, a 52 year-old villager from N--- village, who described how the construction of a dam in his community has impacted the livelihoods of villagers. Specifically, after the dam was built, water flooded their plantation fields without any advanced warning or notice by the company or the authorities. Saw H--- describes how he and others have had to relocate in order to survive, and that he is afraid of Tatmadaw soldiers in the area and did not report the damage to his land.</i></p>	
<p>Interview Saw H---, (male, 52), N--- village, Hsaw Htee Township, Nyaunglebin District (April 2011)</p>	
<p>The following interview was conducted by a community member in Nyaunglebin District, and is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Nyaunglebin District, including one other interview, and 4 photographs.</p>	
<p>Ethnicity: Karen Religion: Christian Marital Status: Married</p>	
<p>How was your village situation before it was flooded?</p>	
<p>It was flooded and we couldn't do anything.</p>	
<p>What did people do before it was flooded?</p>	
<p>At that time, we could farm and do plantation [work].</p>	
<p>How about your occupation now?</p>	
<p>Now, it is difficult to work because our land became smaller.</p>	
<p>How many households were in your village?</p>	
<p>If we added [them] together, there were 50 households. It was only a few.</p>	
<p>What were the villagers' occupations?</p>	
<p>Mostly, the villagers were planting hill fields. They worked with young land so mostly they didn't get enough food.</p>	

Did you have your own land like a dogfruit orchard or other orchards?

Yes, I did. They were flooded because of the flooding.

How many acres?

I don't know. You had to ask mother [wife]. For me, I don't know because I don't have [didn't own]; they belonged to my parents-in-law.

Did you work smoothly on your dogfruit orchard before it was flooded?

We could sell it [dogfruit] but now it is flooded. Now, it was under the water.

How about healthcare in your village now?

For healthcare, now the dam was built so a lot of insects came and bit us, and diseases also increased.

Did you get medicine?

If people came and distributed it, we would get some. But if they didn't distribute it, we didn't get any.

Which department distributed you the medicine?

It was distributed from Ranger [Free Burma Ranger].

Where did you go if you were sick?

We went to the District clinic.

Did you have a clinic there?

Yes, we had [one] but the medicine was not enough.

For education, did you have a school in your village?

Yes, we had [one].

How many grades?

For the Township [school], it reached until the fourth standard. For the District [school], it was until the seventh standard.

Which organization supported the school?

For the Township [school], the KED [Karen Education Department] supported it.

When did they start to build the dam?

I didn't notice. For the three-year project, they started in 2001 or 2000.

How did the SPDC [Tatmadaw] come and stay during the dam construction?

Starting from the construction of the dam, they took place everywhere; they built their camps everywhere. They had their places everywhere. They would build it [the dam] until it was a success.

Did they relocate the villages?

Yes, they had a plan. They decreased the villagers' land, and they relocated the people because the lands became smaller.

Did you know the number of the SPDC that came here?

Last time they came, it was [Light Infantry] Division #77.

When did the flooding begin?

At the end of 2010.

How many years was the flooding?

The three-year project was nearly finished.

Did they inform the civilians before it was flooded?

No, they didn't inform. They would oppress the civilians, how could they tell?

How many years were your lands flooded?

It was nearly three years.

Did they give the information to the villagers in the area?

No, they didn't. The villagers looked for food and asked them, and they tell the villagers, but the Burmese didn't tell.

How many villages were flooded?

One village, two villages-- only a few villages.

How many dogfruit orchard or other orchards were flooded?

20, or 30, or nearly 100 orchards. All the flat lands were flooded.

How did the villagers do [work]?

They villagers went to mountain and worked like this. They couldn't work as they had lands before. We also stayed there; it was difficult to help.

Did the civilians prepare anything before it was flooded?

The civilians always had to prepare. It was not easy if they didn't prepare.

How did they prepare themselves before it was flooded?

They prepared their food, like rice.

What did the villagers do when their orchards were flooded?

They did hill fields. If they got good paddy, it was good. But if they didn't get good paddy, they lost their money because they had to buy [more] every year.

Did the water flooded the good paddy?

The water flooded everything.

Were your hill fields flooded?

It was flooded; over ten hill fields. There were many of our areas [that flooded].

How long have you been inthe camp?

It was only a month on February 16th [2011].

How many plants did you lose because of the dam--only for your family? How much for money?

It would cost one hundred thousand [kyat] (US \$116.68). Now, one land cost is not cheap. [Our] Betelnut orchard and durian orchard were all flooded.

Did you report this to the Burmese government?

No, we didn't report this to the Burmese Government.

How about to the KNU, did you report?

They took a list [of villager names] one time, but I don't know whether they reported it or not because I didn't notice.

How do you do [work] in the Camp?

I farmhill fields. I do it for only one or two houses.

What problems do you have to face?

Our enemy [Tatmadaw] is near us. If we tell it only took half an hour to our camp. If they want to come, they can come every day; they stay only on the other side of the river.

Do you work freely there? Do they destroy yours?

We work and listen like this. Like our elderly said, "*Eat Banyan fruit and listen to the sound of a bow.*"¹⁸

Why did you decide yourself to come in the camp?

We had difficulty to work in our village so we came here.

Did you have any pressure for doing the decision?

¹⁸ This saying means to remain aware of danger around you, even while you are relaxing.

If the SPDC army has activity, it caused problems for us. Sometimes, when they came, we would stay in the forest. It was also not easy because we didn't have rain coats.

What will you do in the future in here?

I will stay in the camp.

What happened to you when you arrived in the camp?

That's fine. We can stay and are happy to stay.

Do you want to report more about the dam?

We heard only in the wind [rumor], we dare not go there. They will build a new dam, but it's not a problem if the Burmese said, because they are many. If they build a new one, we will not have place to stay so we have to stay on the water.

What river would they build?

They would build it in P'Ta Lo Klo [river]. If they build, they will tell the truth and they will continue [until successful].

What would happen in Hsaw Tee Township villages?

We couldn't swim, and even the moles would float. There would be water around and you could stay in your raft.

Now what do villagers do in that area because of the dam?

It will be very difficult for them. Even we don't have dam we work only enough for us. We have dam now so our lands become smaller and we lost our land.

About the villagers' occupations in the future would they come to the camp; is it possible that the villagers could not stay [in their villages] anymore?

Yes, it would. If they [Tatmadaw] build a new dam they [villagers] will come. But now they don't come yet, they will come later.

How many families come here from Hsaw Tee area, like Tee Ler Klay, Tee K' Ru and Saw Theh Kee village tracts?

Currently, ten families have come.

How about the ones that already stay here?

There were already two families.

Do you want to report anything else?

No, nothing to say.

Source document/ShwegenDam/2011/3

Project name:	Shwegenyin dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Min A Naung Yer Htar Company, among others; Tatmadaw
Company/Investors:	Domestic
Government/Military:	Tatmadaw
Trends:	Lack of consultation; Disputed or lack of compensation; Land confiscation; Development-induced displacement and resettlement
Consequences:	Environmental impacts; Impacts on livelihoods
Collective action:	
KHRG Log #:	11-72-A3-I1
Publishing info:	"Nyaunglebin Interview: Saw T---, May 2011," KHRG, March 2013 (First Publication)
Testimony:	
<p><i>This report contains the full transcript of an interview conducted during 2011 in Shwegenyin Township, Nyaunglebin District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Saw T---, a 43 year-old villager from K--- village, who described abuses committed by Government authorities, the Tatmadaw Light Infantry Battalion #349 and Min A' Naung Yer Htar Company. Specifically, Saw T--- discusses the flooding that occurred from a dam project that destroyed agricultural land, for which disputed compensation was given. Additionally the flooding caused damage to the local water supply, where villagers face polluted water and increased diseases.</i></p>	
<p>Interview Saw T---, (male, 43), K--- village, Shwegenyin Township, Nyaunglebin District (May 2011)</p>	
<p><i>The following interview was conducted by community member in Nyaunglebin District, is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Nyaunglebin District, including three other interviews.</i></p>	
<p>Ethnicity: Karen Marital Status: Married Occupation: Plantation and farming</p>	
<p>How many children do you have?</p>	
<p>I have four children.</p>	
<p>How old is your eldest child?</p>	
<p>17 years old.</p>	
<p>How about the youngest one?</p>	
<p>The youngest is 5 years old.</p>	
<p>What is your occupation?</p>	
<p>I do odd jobs.</p>	

Can you work smoothly?

We can't work smoothly because we have to be careful of the SPDC Army [Tatmadaw] arresting us on the way to make their profit.

What was your occupation before?

We worked on our lemon plantations.

How many acres are do you have?

In Yaung Aung Kaw, I have five acres. I bought a new one in the place where Shan people live; it is seven acres.

Have all your plantations flooded?

Yes, all my plantations were flooded.

Before they were flooded, how much income did you get from your lemon plantation, per year?

How much did I get for my income? I don't remember. But when I had my plantation field, I always got enough food for a year.

How much did you sell for one lemon?

Before the lemon price was very cheap, I sold each lemon for only 10 kyat (US \$0.01). Now they sell very expensively.

How much does one lemon sell for now?

Now they sell three for 400 kyat (US \$0.47), for one lemon [*incomplete answer*].

How long have your plantations been flooded?

It is already about six years.

Why were your plantations flooded?

Because, they constructed the dam.

How long has the dam been constructed?

It was about 10 years.

Do other villagers' plantations flooded?

There were many places: Kyauk Ner Khar, Ta Nay Hta, K'Shaw Wah Kwee, Mae Law Lah, Nya Ma Kwee, Htee Khee Hta, Shwee Mee Hta and Heh Leh. There were many places that flooded after the dam construction.

Did the SPDC Army let you know before they constructed the dam?

No, they didn't let us know. We know only that they would construct the dam, but we didn't

know our plantations would get flooded.

Did they pay you any compensation?

They didn't pay anything.

What is your current work?

We do every kind of job that we can find, and we carry things to earn money. We also go and fish for fish, frogs and hunt birds as our work.

How many households do you have in K--- village?

There are about 40 villagers in K--- village. There are a lot of Burmese people. There are about [censor for security] households if [we] combine with Burmese people. There were some Burmese people who lived among Karen people. .

Now, where did those people [Burmese people] move to live?

These people are living around the Ye Gyi and Mya Noh area. They also have to do daily wages because they don't have any employers.

What problems do the villagers face because of the flooded; problems such as healthcare?

The healthcare is like before.

Do they have problems with diseases?

I don't know about this issue.

Villages needed to be moved, so where did people move to live?

The villagers moved to live in Lah Peh Soh and Kheh Hkoh; They live on land slopes.

How about water flowing now?

Water flows not so well because they blocked the water [for the dam].

How deep is the water level?

It is about 15 cubits deep (270 in / 685.5 cm).

Is the dam giving any benefit to villagers?

No, we don't get any benefit from the dam. They send it [electricity] to China and black people countries [India or Bangladesh].

Do you have good water?

No, the water isn't clean, the water is very smelly.

Right?

Yes, water is smelly due to water is stagnant. The place where I live, the water is better. But the other side, where other people live, it is very dirty water. They sleep there and eat there, so [they are] dirty because the water is stagnant and it does not flow.

How many villages were flooded?

The villages were Kyauk Ner Khar, Ler Hta Kwee, Ta Nay Hpa, Nya Ma Kwee and Shwee Mee Hta.

Do you know any of companies who came and based their company here?

There are many companies, but I know only one of company name called Min A' Naung Yer Htar company.

How is the water in the lower part of the dam?

Water in lower part of dam is better, because K'Deh river flows through that area. But in Shwe Ghay area, all the good water and the dirty water flow to there, and the water isn't good anymore.

Does it cost more money than before when you travel?

Now is better than before, but we have to pay money for the boat which we travel with.

How much do you have to pay for the boat cost?

We had to pay 8,000 kyat (US \$9.33) for one person. But if we have three or four motorcycles to bring with us we have pay about 20,000 kyat (US \$23.34). If you have five or six motorcycles we have to pay one million kyat (US \$1,166.86); it is so expensive to travel by boat

Do they give you enough electricity?

They give us once every two days or two nights.

They don't give electricity all the time?

No, they didn't give us electricity all the time.

What kind of compensation do you want, if they give it to you?

We want to get back our plantation land because if we get money, we will spend it all.

So you mean you want to get your plantation back?

Yes, to get plantation places are good, if we get money, I don't think it will be enough for the price of a new plantation. Because the Government land price is about five million kyat (US \$5,834.31) for 10 acres.

Do you want to do anything else?

I don't have anything to say because nothing can happen I have only to say about our work. *Ta Ler Lay Nay A' K' Sa ba oo weh a' naw k' sa law.* [the cast must encircle by itself]

Do you think is it good for the public if the SPDC army continues ruling thing [the country]?

A big problem will happen.

Do the villages which were destroyed still have a school?

They don't have any school now.

Do the children go to school?

The children who have relatives in the city, they go to school in the city. But if the children don't have any relatives, they have to stay with their parents and work with their parents.

Do you have a highpercentage of children who are not able to attend school?

I'm not sure for this information.

Does the SPDC Army help you with anything, because your places were destroyed?

They help us with nothing.

Do they get enough water for vegetable plantations?

We don't get enough water, we have to find our own way and buy amachine to pump water to our plantation.

Do you have clean water to drink?

No, we don't drink water from the river;we drink only well water

Do you still have to do forced labour?

Now, we don't go among them [Tatmadaw], so we don't have to do it. They don't order us to do it when we base in town. In the past, we have to do it, such as repairing the camp and carrying rations if and when rations come.

Now, don't they order you to do it?

No.

How about people who live near them?

People who live near them still have to do whatever they order them to do.

When they order the public to do things [forced labour], do they give equivalentpayment for them?

No, they don't pay anything, and they didn't provide us food, either. They treated the villagers so badly because their rice, which was sent from government, is smelly and they forcibly exchanged it with villagers'.

Do you know the battalion name?

The battalion is LIB [Light Infantry Brigade] #349.

Do you know the battalion commander's name?

The battalion commander's name is Commander Kyaw Thu.

How long were they based in this place?

They have been basing in this place for three months.

How many military camps do they have?

They have only one camp.

Do they cause any problems to villagers?

They don't abuse the villagers, but when the villagers go and sell things, they disturb them [request taxes].

Do they make demands from the villagers or do they torture villagers if they enter the village?

This doesn't happen this year.

Does the KNLA Army come to your village?

Yes, Karen soldiers [KNLA] come.

Do they abuse villagers?

No, they don't.

Do they demand food forcibly?

No, they don't.

Do they beat villagers?

No, they don't.

Do they order you to do forced labour?

No.

Do they order you to carry things?

No, they don't.

What else would you like to report? Anything else would you like to report?

I have no more things to say.

Source document/ShwemyinDam/2011/4

Project name:	Shwegenyin dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Myanmar government; Tatmadaw
Company/Investors:	
Government/Military:	Myanmar government; Tatmadaw
Trends:	Lack of consultation; Disputed or lack of compensation; Land confiscation; Development-induced displacement and resettlement
Consequences:	Environmental impacts; Impacts on livelihoods; Migration
Collective action:	
KHRG Log #:	11-72-A2-I1
Publishing info:	"Nyaunglebin Interview Transcript: Saw E---, May 2011," KHRG, March 2013 (First Publication)
Testimony:	

This report contains the full transcript of an interview conducted during 2011 in Shwegenyin Township, Nyaunglebin District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Saw E---, a 51 year-old villager from Shwegenyin township, who described abuses committed by government authorities, specifically restrictions on freedom of movement or trade through checkpoints where villagers are required to pay arbitrary taxes, forced labour, forced relocation and attacks on livelihood or food supply. Saw E--- provided a detailed description of the Kyaw Ta Kar dam construction that seven villages and some lemon plantations flooded because the dam construction. Saw E--- also explained how the flooding has increased instances of malaria and diarrhoea in the community, due to poor water quality, and that the decreased waterflow prevents villagers below the dam from pursuing livelihood options. The lack of livelihood has the additional effect of precluding parents from sending their children to school.

Interview | Saw E--- (male, 51), Shwegenyin Township, Nyaunglebin District (May 2011)

The following interview was conducted by community member in Nyaunglebin District, is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Nyaunglebin District, including three other interviews.

Ethnicity: Karen

Religion: Christian

Marital Status: Married

Occupation: Plantation and farmaing

What is your occupation?

I worked in my plantation, but now the plantation flooded because of the dam.

How many acres of plantation did you have before flooding?

I had 20 acres of plantation field.

How many acres of farmland did you have?

I had 10 acres of farmland.

Where is the place located?

It was located in Hsee Nee Htah.

How much daily income did you get?

My family had enough food for each day.

How long has your plantation field been flooded?

It has been about three years already, and we can't work on it anymore.

What is your work currently?

For day by day, we have to work as daily workers, which they call odd jobs.

Did the SPDC Government let the villagers know before they constructed the dam?

No, they didn't let us know anything.

How long ago did they set up the dam?

They set up [the dam] about 10 years ago already.

Have [other] village plantations flooded?

The villages were Kyauk Ner Khar, Nya Ma Kwee, Htee Kee Tah, Htee Mei Tah, Mei Law Lah, K'Hsaw Wah Kwee and Ler Tah Kwee.

What are the villagers' occupations?

Before they worked on their plantation farms, but now their farms are flooded and all of them are working as daily workers now. They find fish for their income, and work day by day as a daily workers. The way they have to struggle for their life is very difficult.

How about before they set up the dam?

We worked in our lemon plantations.

How much can you sell a lemon for?

It isn't good to sell them in the rainy season, but one lemon can be sold for 200 kyat (US \$0.23) in summer.

Did you buy rice to eat?

When we worked in lemon plantations, we bought the rice to eat.

How much for one big tin (16 kg / 35.2 lb)?

One big tin is 8,000 kyat (US \$9.33).

How many villagers had lemon plantations that were flooded?

There are about three to four.

Did SPDC government let you know that they will construct the dam, and did you get any compensation from them because your plantations were flooded from their dam?

They didn't let us know and didn't pay us any money.

How are the villagers living because the dam problem?

The villagers had to find [odd jobs] and work as daily workers. No one has adequate work.

Because the road was destroyed, did the SPDC government prepare any place for villagers?

They didn't prepare anything for us and we have to live wherever we can.

Because the water rose, do you have good water to use?

We have enough water, but the water isn't good.

Because water isn't good, what common diseases do you face?

They are many diseases that are increasing, like malaria and diarrhoea.

Do you have any medicine for diseases?

We didn't get any medicine and we had to pay for medicine on our own.

How about when you get a bad flu?

We have to find a remedy, and have to make the plan for ourselves.

Do you have a clinic in your village?

We don't have a clinic in our village.

Do you still have schools in your village?

We don't have schools anymore, because the village was destroyed and we will have to find a solution; we became internally displaced people.

How about the education for children because villagers are facing problems like this?

Some people want their children to go to school, they then have to find the way to send their children to a city to study.

Do they have children whose parents can't send them to study at school?

They have many children whose parents can't send them to study at school, because parents don't have any money.

What percentage of children don't have the opportunity to go to school?

Half of the number of children, about fifty percent of children who don't have the opportunity to study.

How about situation in the lower part of the dam?

In the lower part of the dam, people can't work properly due to the water from upriver does not flow down well. It is difficult for us to travel by raft and difficult for making a living.

Do people who live in the lower part of the dam have clean water to use?

[They] don't have clean water to use because the water doesn't flow down. We have to dig up sand [in order to get water]. We can't do livelihood properly as before.

Do they still plant vegetables in the lower part?

Yes, they still plant vegetables but the plants aren't good like before. The plants were good when there was enough water for them; because when plants don't get enough water, they become yellow.

What do villagers do when they have no clean water to drink?

We have to dig a well.

Does the Government come and dig the wells for you?

No, they do nothing for villagers. Villagers have to stand on their own two feet.

Were the plantations destroyed in the lower part of the dam?

They destroyed many fields and plantations because they constructed the road.

Did they pay any compensation for the plantations those were destroyed?

No, they didn't compensate for anything.

Do you think the dam benefits villagers?

No, we don't think it benefits villagers; it just benefits the SPDC government.

Do they provide enough electricity?

They provide electricity, but not enough.

What kinds of livelihood do the villagers do in the lower part of dam?

People who have plantations just work on them, but the work don't go well from day today. The problem is, the water doesn't flow down as well as before. Even if we do agriculture, plants don't grow as well as before.

Which battalion are based there, and how many army camps are there?

The SPDC [Tatmadaw] Battalion LIB [Light Infantry Brigade] #149, IB [Infantry Brigade] #57 and LIB #350 are based there.

Which Battalion is based in dam area?

In the dam area, Battalion LIB #149 and IB #57 are based there.

Do they let you travel and do livelihoods freely?

We have to pay money at checkpoints; you can travel if you pay money at the checkpoints. If you don't pay any money, you can't go travel freely.

How much does each of you have to pay at the checkpoint?

Each person has to pay 100 kyat (US \$0.12), but there is not only one checkpoint; there are many-- two or three checkpoints--so we have to pay more money.

How many checkpoints are along the distance between the place where you do livelihood and the place where you live?

They have six checkpoints.

Do you have to pay 100 kyat for each checkpoint?

Yes, we have to pay 100 kyat when we go out to work, and pay one hundred kyat when we come back to home. If we do not pay them, we have to face a problem.

Do they order you to do forced labour?

They sometimes order us.

Do they order people to repair the camps and fences?

Sometimes, they order us to repair the camps and fences, and they sometimes order us to carry rations.

Did they order you to do anything recently?

We had to do things [forced labour] recently.

How many times do they order you to do things per year? Once per month, or how often?

They order us to do things whenever they need it, but we can't tell you how many times we are ordered to do things per month. They order us two or three times per month.

The current government stated that they stop ordering the public to do forced labour¹⁹. If they order the public to do things, they will provide equivalent payment to them?

¹⁹ The community member is referring to the Burmese government pledge to the International Labor Organization (ILO) that it will end forced labor in Burma by 2015. These pledges were embodied in a Memorandums of Understanding between the Government and the ILO, signed on March 16, 2012. See "Review of measures previously adopted by the International Labour Conference to secure compliance by Myanmar with the recommendations of the Commission of Inquiry," International Labor Conference, Provisional Record 2-1,101st Session, Geneva, May–June 2012 (http://www.ilo.org/wcmsp5/groups/public/-ed_norm/-relconf/documents/meetingdocument/wcms_180845.pdf). For more information on the issue of forced labor and Burma's relationship with the ILO, see Civilian and Military order documents: August 2009 to August 2012, KHRG, October 2012.

Maybe, they will pay us. They will find out our faults if they can't order us to do things.

Do they provide any food to eat when you work for them?

They didn't provide us with any food to eat; we have to bring our food ourselves. They just give us boiled water to drink.

As you said, you still have to repair the army camps right?

We still have to repair the camps and fences for them.

Is it ok if people don't go [and do forced labour at army camps]?

You have to give money to them if you don't go. If you don't give money to them, you have to go. If you don't go, they will blame you.

Do they cause any problem to people who don't go and have no money to give them?

Villagers who live in dam area already know that if they live in this area they have to go for forced labour, so they can't say anything, if they can't go they have to pay money; they can't avoid doing forced labour.

Does the [Karen National Liberation Army (KNLA)] come to your working place?

The KNLA sometimes comes to our working place.

Does the KNLA abuse the villagers?

No, they never abuse the villagers.

Does the SPDC army come and abuse villagers?

Yes, they come, but they do not abuse villager; they only ask for porters.

Do you think SPDC Army knows KNLA comes to your village?

No, they don't know, but if they know, they will surely give problems to the villagers. The SPDC army does not know that KNLA comes to our village yet, so there are no problems right now.

What is the difference between the SPDC army and KNLA?

The KNLA is a lot better than the SPDC army, because they are our people and because they do not abuse us. But the SPDC army, how could they be good, because they are our enemies [Tatmadaw]?

Does the KNLA abuse Burmese people?

No, they don't do anything to them. They come to the village only for their political things.

When the KNLA goes to Burmese peoples' villages, do they abuse Burmese villagers?

No, they never abuse them.

How are the villagers' livelihoods different between the time before the dam was constructed and after the dame was constructed?

For life before the dam, we had no problems to do our livelihood because we could properly pass through [travel] day by day. We didn't have to work with difficulty. But now, after the dam was constructed, we are facing a lot of problems about our food, day by day. Before, we had time to take a rest. Now, if you go and work, you will [only] have food to eat.

How difficult is it for you to travel before the dam and after dam?

When there was no dam, we could travel easily, but now we have problems to travel and to make a living.

How much do you have to pay between the place where you live and your work place?

During the period when there was no dam, we just had to spend one or two thousand [kyat] (US\$1.17 or US \$2.33). But now it costs more.

How much is it?

It is about 10,000 kyat or 20,000 kyat (US \$11.67 or US \$23.34), so we also have to work harder than before.

As for the relationship with villagers, what is the different between the SPDC Army and the KNLA?

As for the SPDC soldiers, they use strong words, but we talk to KNLA soldiers if we meet them because they are Karen people, and we can talk to them well.

In your opinion, what will happen to the public if there is no more KNLA?

The Karen people will be in trouble if there is no more KNLA.

Will it be peaceful for the public if the SPDC government continues ruling the country in the future?

I don't think it would be peaceful for the public. The problems will increase more and more.

Do you have anything else that I haven't asked you?

I want to report about that our people fled and have no places to properly do livelihoods, so I hope the problem will be solved soon because we want to have a good life.

Would you like to report anything regarding your future plan?

I have my future plan, but I don't know how to give an explanation due to [the fact that] I need many things.

If people give you compensation, what kind of the compensation will you take for the flat farms and lands those were destroyed?

If people give us the compensation, we want it.

What kind of compensation do you want?

This will be good for my family and other people. If they give money to us or substitute lands. If if they give us money, we can buy new lands then there will be a good advantage.

What else would you like to report?

I have no more things to report.

Source document/Shwegenyin Dam/2011/5

Project name:	Shwegenyin dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Asia World Company amongst others; Myanmar government
Company/Investors:	Domestic
Government/Military:	Myanmar government
Trends:	Lack of consultation; Disputed or lack of compensation; Land confiscation; Development-induced displacement and resettlement
Consequences:	Environmental impacts; Impacts on livelihoods; Physical security threats; Migration
Collective action:	
KHRG Log #:	11-72-A1-I1
Publishing info:	"Nyaunglebin Interview Transcript: Saw B---, March 2011," KHRG, March 2013 (First Publication)

Testimony:

This report contains the full transcript of an interview conducted during March 2011 in Shwegenyin Township, Nyaunglebin District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Saw B---, a 55 year-old villager from D--- village, who described abuses committed by government authorities and Asia World company, including restrictions on freedom of movement or trade through military checkpoints where taxes and demands, forced relocation and attacks on livelihood or food supply. Saw B--- provided a detailed description of the Kyauk N'Ga dam construction and the water that flooded four villages, which caused 150 households to move to an IDP relocation site, and caused schools and monasteries to be destroyed. Also described are the environmental consequences to the river, through stagnation, which has impacted villagers below the dam and changed where they find their drinking water.

Interview | Saw B--- (male, 55), D--- village, Shwegenyin Township, Nyaunglebin District (March 2011)

The following interview was conducted by community member in Nyaunglebin District, is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Nyaunglebin District, including three other interviews.

Ethnicity: Karen

Marital Status: Married

Occupation: Plantation and farming

How many children do you have?

I have three children.

How old is your oldest child and the youngest one?

The oldest one is 21, and the youngest one is 12 years old.

What kind of livelihood do you do?

We just do daily wage work.

Can you work smoothly?

As we are working, we go like this because we live under the control of SPDC government. If we have to pay taxes, we must pay then and we can go and work day today.

What about before, what was your occupation?

Before, I did plantation fields and farmed lemon plantations.

Currently, don't you have any plantation?

It was flooded because of the dam.

How long have your plantations been flooded with water?

[Since] three years ago.

How many acres was your plantation?

It is 10 acres.

How much income did you get per year?

In my plantation, I didn't fully plant lemon trees in the lemon plantation. I just planted some there and some of them here. The total was about 150 lemon plants. We harvested and sold lemons and received 700,000, 800,000 or 900,000 kyat per year (US \$816.80, \$933.49, or \$1,050.18). The price wasn't the same; some years, the price was high and some years, the price was low.

What are the differences between your work before and now?

The current work is worse than before. Before, we were not rich but we could work with pure heart and we liked our work.

Did your neighbours' lands flooded?

Yes, their lands flooded as well.

People whose land flooded, what do they currently do?

Currently, most of them do daily wage work.

Has anybody moved to live in refugee camps?

In the area where I live, nobody moved to live there, but some people's children went to refugee camps, so they go and visit their children sometimes.

Has anybody fled to live outside with their families [in IDP sites]?

No.

Before the SPDC government constructed the dam, did they inform villagers?

They didn't inform us regarding the dam construction. We just knew that they would construct the dam when we saw that they transported materials. We didn't hear anything because they failed to inform us ahead of time.

Did they inform villagers regarding how muchland would be flooded as a consequence of the dam construction?

No, they didn't inform [villagers] about how muchland would be flooded. After they constructed it, they informed us such as how muchlands would be flooded. It was in the period when they nearly finished the dam construction.

Did they give any compensation for the flooded lands?

They didn't give anything. I just heard that they will pay 7 baht per lemon tree.

Do you have any plan to report to the higher [more senior] leaders because your land has flooded?

We don't usually report and we don't understand politics, so we are afraid and we worry.

Can you estimate how muchlands flooded?

I don't know the details of how muchland, because some people just had little land and some had wide land, so I don't know. If we want to know in detail, we have to find out [investigate] again.

Where did they construct the dam?

That place is called Kyauk N'Ga and Karen people call Ler P'Yoh.

Do you know how many villages were destroyed?

Villages weren't completely destroyed. Aung Peh Zaw village and Ler P'Yoh were forced to relocate. As for the East side, Suh Muh Hta village, T'Nay Char and Kyuk N'Ga villages were destroyed as well; Kyauk N'Ga has two parts; one part is Burmese village and the other is Karen village. We can say that they are old villages.

How many people are in those villages, and in how many households?

I cannot estimate. About [censor for security] households were in Aung Peh Zaw village, because some moved to live in towns. They moved to town but come back and sell things for daily wages.

Now what do those villagers do?

Some people do logging, some burn wood to make charcoal and some do daily wage work such as selling bamboo.

Where did Kyauk N'Ga villagers move to live?

Burmese soldiers relocated them near a town, on the East side of it, and that village is called Kan Bay; it is also called Htee Wah Kyaw village.

Their land and properties were destroyed and they [Tatmadaw] ordered them to relocate, so do they support them with anything?

No, they don't support them with anything. They have to find food by themselves and they have to hire themselves out.

Your plantations were flooded three years ago due to the dam construction right?

Yes.

How is the water condition above the dam?

Right now, the water level goes down a little bit, but the water level will rise up in the rainy season.

How about the health condition for the people who live close to the dam?

Their health condition is good because they go to the town to get medicine, then they come back and continue working.

What about water? Is the water still fresh?

No, the water isn't fresh anymore because it is smelly, but they use it.

The water isn't fresh?

This water is strange because it is smelly.

Do people suffer with diseases, such as diarrhoea?

As far as I know, we haven't heard about it too much. Sometime, we just heard that only one person suffered with it.

Do you know company names, those companies that came and constructed the dam?

Many companies came, but I just know the company called Asia World Company. There are many companies but I don't know their names. They [companies] don't take the same responsibility.

Do you think this dam will benefit villagers?

No, there is no benefit for villagers. Before, they said they will give electric power but the current situation isn't different from before because the electric power comes only one day, and it won't come the next day; if today electricity power works, then the next day it doesn't work.

Were there any schools in the villages that were destroyed?

Yes, they had schools and monasteries. Both the monasteries and schools were completely destroyed.

How about Suh Muh Hta village?

There was a school and a monastery in Suh Muh Hta village.

Did the schools encounter with any problem because the villages had to move?

Some school [building] materials could be transported and [villagers] rebuilt them at the roadside, but people had to abandon some of them [schools that could not be dismantled in time]. The entire T'Nay Chah monastery materials were abandoned as well.

How is the condition of education?

As for education, if we look through what they have asked [government] school teachers to teach, school teachers teach, but they have weak points, so children have low qualifications.

What about people who live belowthe dam, how do they do [livelihoods]?

They can stay there but I think this is very difficult for their livelihood because people [who built the dam] had constructed the road across their plantations, then they destroyed a lot of them [plantations] even if water didn't cover them. They can't keep farming them anymore. They needed stones for the dam construction, so [they] transported stones from the river to the dam. The problem is, they cut down plants when they constructed the road.

They had constructed the road though plantations, so did they give any compensation [for damage]?

No, they didn't get anything. The same forpeople's land that flooded, and some people have no idea what to do. Then they sold their land to people who do mine gold.

What about above the dam, did any of them sell their land?

No.

The Burmese government has to give compensation for the land thatweredestroyed.

Yes, they don't follow to do what they have to do.

What happened to the rivers and streams belowthe dam?

People who live belowthe dam just run small shops for selling things, a little bit. Sometime, they let water flew down and people [villagers] couldn't take all of their things, so some of them [property] flow down along with water. People also built abridge in order to travel back and forth on it but it washeddown along with water as well. That's why money that was spent for setting up the bridge became a disadvantage. There will be a problem whenever they let the water flowdown.

Don't they let villagers know before they let water?

No, they don't let people know about it, because it has happened two or three times already.

Below the dam, is the water clean?

Below the dam, the water isn't clean. The water is worse than the water from above. Above the dam, the water isn't good but it is better than the water under the dam, because the water smelled bad to me when I went across it.

Have villagers managed to get clean water to drink?

They dug wells in order to have drinking water, but as for clothes, they wash them in the river. They manage to get drinking water different from [water for washing clothes].

Did villagers do it [dig wells] by themselves?

Yes, they dug wells near the river by themselves. Some people use water from small streams, those that are situated in the forest. If the water dries up during the summer, they dig wells, then they have water to drink. They use that [river] water for the other needs.

It means the SPDC government doesn't come and plan to do anything for villagers' right?

I haven't seen anything such as them comming todo something for villagers. As far as I saw, they did things for their own staff members, but they did nothing for villagers. Villagers have to plan to do things by themselves.

Do you want to report about your land and plantations being destroyed?

As I said before, we want to report it but we daren't report it, and we can't because we don't have any knowledge regarding laws. We haven't reported it due to being afraid of [reporting it].

Your land and plantations were destroyed, so you need them back to be able to do the livelihood. What do you want if you get them back?

If we get them back, we want to keep up working on our old lands and we will be happy to work on them even if we won't be rich.

Currently, do they [government] give you permission to travel freely and to do your livelihood? How are things going?

We can travel easily and freely.

Do they still disturb people?

Not anymore; we can travel well within this one or two-year period.

How different is the condition of doing livelihood and travel before the dam wasconstructed, from after the dam wasconstructed?

The condition of travel is better after the dam wasconstructed.

How about the travel fees?

The travel fees increased. We have to pay motorboat fees and motorbike fees. We also have to spend on paying money at the checkpoints.

If you travel, how much do you have to pay for each checkpoint?

We have to pay 100 kyat (US \$0.12) for each checkpoint. We sometimes have to pay 200 kyat (US \$0.23). You know what the value of Burmese kyat is. There isn't only one checkpoint, there are many checkpoints.

How many checkpoints are between your workplace and the place where you live?

There are seven checkpoints from the town [Shwegen town] to [the villager's workplace].

What checkpoints are they?

The Burmese troops are based at them.

Where are they situated?

They are situated in Kyauk N'Ga and along the car road, which goes through Ka We Chan village.

There are seven checkpoints?

Yes, seven checkpoints.

How much do you have to pay for seven checkpoints?

Each person has to pay 100 kyat for each checkpoint. Sometime, we have to pay 200 kyat or 500 kyat (US \$0.58).

It means the travel fee has increase?

Yes, the travel fee has increased.

How about the past?

In the past, we could travel by motorboat and we just had to pay money for checkpoints. As for motorboats, we just had to pay the cost of the petrol and we had to spend less money because we relied on each other. We didn't travel alone, many people traveled at the same time and each of us shared some money for the cost of petrol together. We mostly travelled on foot because there was no path to travel by motorbikes. We just needed to use our energy [for the travel]. But, it was difficult for us to carry food because we were checked and questioned [by Tatmadaw].

How do people who live under the dam farm their agriculture?

Plants don't grow as well as before. Some of them [plants] fell down and they couldn't harvest them anymore. They also have to do other work such as logging and burning wood to make charcoal. I don't see too much fruit and they can still harvest some of them, but not enough for them to eat.

How about doing the agriculture along the riverbank?

They still can do agriculture along the riverbank but they dare not do it exactly on the riverbank, because if people let the water from the dam flow down, plants will washdown along with it. They just do agriculture in high-level lands. If they see areas with small streams, they will do it [agriculture].

Do they [government] provide water for agriculture?

They don't provide any water for agriculture. People just do agriculture seasonally.

Can people access water from the dam in order to use in agriculture during the summer?

No, they can't access it.

What else would you like to report?

You have asked enough questions from me. We need to ask suggestions from you about how we can plan to do our livelihood in the future, because we can't report this kind of issue.

What else would you like to report about your future hopes?

Is it [the question] just about my personal hopes?

Yes.

My hope is, it is enough for me if I have a land to work on. I don't need any other things. It is enough for me if I can work peacefully. As for our new generations, there will be more developments.

Do you think will it be peaceful for the public if the SPDC government continues ruling [the country] in future?

It is impossible to be peaceful if they continue ruling it like this. It will be possible if the government changes their administrative system. We know what the current government has done in the past: there is no development and the public has become worse and worse.

Have KNLA soldiers arrived in your workplace [in the past]?

They had arrived in our workplace.

How about now? Have they arrived there?

Right now, too much water spread throughout the places and maybe they have arrived, but I don't know whether they have arrived here or not because they haven't arrived in my workplace. For sure, KNLA soldiers have arrived here.

Did KNLA soldiers cause any problems to you when they arrived in the place where you live?

We have no problem with KNLA soldiers and they haven't caused any problems for us. They always let us to exercise our rights. As for the agriculture, we don't have smart brains, but we would like to work simply and peacefully.

How about the SPDC soldiers?

In the past, when SPDC soldiers came to our area, we wanted to claim back our villages. [Villager's meaning is not clear].

How is the situation different between KNLA soldiers and SPDC soldiers?

It was not easy for them to meet each other.

I mean their different relationship with the public?

We think KNLA soldiers have a better relationship with the public, because we can speak out openly when we talk to them; this is a right for us. We don't know what we have to say to Burmese soldiers and we don't even dare say what we want to say. The rights aren't the same.

If SPDC soldiers knew that KNLA soldiers have arrived in the place where you live, would they cause any problems to villagers?

Yes, they did. They cause the problems to people such as they questioned people, they watched you and made you worry. We just had to resolve[the problem] by giving a pig to them.

If KNLA soldiers knew that SPDC soldiers have arrived in your workplace, or the place where your village is, would they cause any problems to villagers?

They didn't cause any problems. They just asked about the total of them [Tatmadaw soldiers] and the date when they came, then we let them know. They didn't cause any other problems.

Anything else would you like to report?

I have no more things to report.

Source document/ShwegenDam/2011/6

Project name:	Shwegen dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Tatmadaw LIB #349 and IB #47
Company/Investors:	
Government/Military:	Tatmadaw
Trends:	
Consequences:	Impacts on livelihoods; Forced labour and exploitative demands; Physical security threats
Collective action:	
KHRG Log #:	11-71-S1
Publishing info:	"Nyaunglebin Situation Update: Hsaw Htee Township, May 2011," KHRG, March 2013 (First Publication)
Testimony:	

This report includes a situation update submitted to KHRG in May 2011 by a community member describing events occurring in Nyaunglebin District. The community member specifically details Tatmadaw troop locations and activities, as well as livelihood challenges that the villagers have to face because of a dam that flooded their agricultural land, as well as details on the checkpoints that the Tatmadaw set up near the dam site, where villagers must pay in order to travel.

Situation Update | Hsaw Htee Township, Nyaunglebin District (May 2011)

The following situation update was written by a community member in Nyaunglebin District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This interview was received along with other information from Nyaunglebin District, including three other interviews.

Area situation

Hsaw Htee Township has been established and divided into three areas, which are [called] 1st, 2nd and 3rd areas. We see that the areas are different. In 1st area, Ler Wah village tract, Lo Kee village tract and Saw Ther Kee village tract, are the areas that are outside the SPDC control, so they always have to be aware and prepare themselves. For Ler Wah village tract, they always have to be aware because the SPDC [Tatmadaw] can easily come and stay near them. Today, they don't have places to plant or farm, because of flooding, so they have to go and plant hill fields near the SPDC; [villagers] have to go by boat. Villagers have difficulties to work for their life [livelihood] because of the dam.

If we look to villagers who are under SPDC control, [they] have to suffer SPDC oppressions. We look and realize that they always have to pay a house bill, electricity bill and travelling cost. Also, they always have to pay each time they go out. So people who are in under [government] control also have difficulties to work for their life [livelihood]. They don't work freely because the SPDC government doesn't give them freedom.

If we look at the 2nd area, Tee Bla village tract and Mae Yae Kee village tract, villagers are mostly outside SPDC control. The SPDC came and set up their camp in their tract, which is Thay Kin Mae Soe [area], Tee Bla village tract and in front of the old Tee Wa Kee village. The SPDC soldiers who set up their camp, are from Light Infantry Battalion [LIB] #350. It is led by Theh Keh, and their Deputy Battalion Commander is Aung Kyaw. In Mae Yae Kee village tract, LIB #350 also has movements.

Because the SPDC came and is active, villagers have travel difficulties and also work difficulties. If we look [to where] the SPDC set up their camp, it is along the villagers' travelling road.

SPDC active area and [where they] set up their camp

[When] we look in Hsaw Htee township, the SPDC [groups that are] active and set up their camps, are LIB #349, #350, #57, #598 and #589.

SPDC soldiers that [are] active between Tee Bla and Mae Yae Kee village tracts, is LIB #350. Their camp is beside the Mae Tae River in Koh Peh and Thay Kin Mae Soe [areas], and their active areas are K'Khah Thin Nyeh, Aw Ta Kwa, M'Yah Ah and Kyew Wa [areas]. The SPDC that set up their camp near Shwemyin, stays in Wa Blaw Law Teh and Ler Kyoh Kho [areas]. LIB #598 and #589 is active in [between] Mo Ta Ma Lo River to the Thaton border.

LIB #349 set up their camp in Kho city and is active around the dam; it is led by Tha Say Aung.

For LIB #57, they stay very close to the gate of the dam and set up their camp around the dam. Their checkpoints are T'Nay Pa, Bo Lo, Wa Koh Law Teh, Pa Kah and along the travelling roads. The soldier group is led by Battalion Commander Pyoh Aung Soe and Deputy Battalion Commander Mya Aung Teh.

We see that the different armed groups, that have been given duties in the area, do their duty as they have been told, so that causes problems for the villagers. The SPDC don't have any changes or switch their places [rotate troops]. We heard that next month, they will change their places.

Source document/Shwepyin Dam/2011/7

Project name:	Shwepyin dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Myanmar government
Company/Investors:	
Government/Military:	Myanmar government
Trends:	Consultation; Disputed or lack of compensation; Development-induced displacement and resettlement
Consequences:	Impacts on livelihoods; Forced labour and exploitative demands
Collective action:	
KHRG Log #:	11-71-A-I2
Publishing info:	"Nyaunglebin Interview Transcript: Maung W---, May 2011," KHRG, March 2013 (First Publication)

Testimony:

This report contains the full transcript of an interview conducted during May 2011 in Hsaw Htee Township, Nyaunglebin District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Maung W---, a villager from M--- village, who described how a flooding caused by a dam in the area caused damage to land, for which the project actors provided disputed compensation. Also described are the checkpoints in the area where villagers are required to pay arbitrary taxes for travel and to transport goods, including medicine.

Interview | Maung W---, M--- village, Hsaw Htee Township, Nyaunglebin District (May 2011)

The following interview was conducted by a community member in Nyaunglebin District, and is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Nyaunglebin District, including two other interviews and one situation update

Where did you live before the dam [Shwepyin dam] was built?

I lived in M--- [village] before the dam was built.

What did you do before the dam was built and the water rose?

I lived in S--- village and ran a small shop.

What do you do now?

Sell goods.

Do you get profit by selling things?

[I get] a little [profit] for each day.

Did the government give notice that water will rise?

No.

Were plantations like for lemons and others [crops] flooded?

Yes.

How many acres?

I can't say that.

So did you sell goods and lemons before water rose?

Yes, I also panned gold.

Don't you pan gold now?

Sometimes I do, but sometimes I don't do.

How many households are there in M--- [village]?

There are hundreds and thousands of households.

How many huts and plantations were flooded?

In M--- [village]?

No, you said the plantations were flooded, right?

One plantation.

Did you live in M--- before the water rose?

Yes, now I am staying in M---.

Did you know that the water would rise?

They did come and inform us, but they didn't tell the exact date when water would rise. They came and took measurements.

So you knew that water would rise?

No, I didn't know. They did come and inform us, but they didn't say the exact date when the

water would rise.

Does the government provide support to villagers after villagers' plantations were flooded?

No, they don't give [anything].

Do they take notes or records?

No.

So, all lemon plantations were flooded?

All were flooded.

Where do they [villagers] live now?

Some people live in M--- [village] and some people live in H--- [village].

What do they do?

They do odd jobs.

How many acres wasthe plantation that you just mentioned; were there three or four [acres]?

Yes.

Did you have time to move when water rise?

No, we moved when water rose, and moved again when water rose.

Don't people go and ask for compensation from thegovernment, for the plantations that were flooded?

You won't get [anything] even if you go and ask.

Can you try it? Maybe you will get it for some reason.

I think we won't get [anything].

What do you do now?

Pan gold and sell things.

Do you have problem with travelling?

No.

Do those checkpoints ask for money?

Yes.

How much do they demand from each checkpoint?

1,000 kyat or 1,500 kyat (US \$1.17 or US \$1.75).

What about if you are with loads?

They demand that amount of money if you are with loads.

Do they question and check people?

No, if you don't give money [they will check].

Do they demand taxes in the city, like electricity and water tax?

Yes.

How much do they demand per month?

It depends on the electricity that you have used [per month], 3,000 kyat to 4,000 kyat (US \$0.35 to US \$0.47). But it is not regular.

Do they release electricity to the city?

No, they don't provide it to the city.

Where do they provide it?

Maybe to China or others [countries].

Does the price of goods go up?

Yes, mostly the price goes up, but to go down is less [often].

Do you get profit when the prices go up?

We still [have enough] left for our stomach [to eat].

Did the government provide help to local people after the water rose?

No.

What about on this side?

Yes, one time.

Does your family live in M---?

Yes, there is no work to do in M---, we just have to come to the jungle and find work. We come to this side, and the other side like P'Yan Lay River. We go to any places that are open [where work is available].

Do you want to say anything?

No, we can't say [anything] to them.

Source document/ShwegenDam/2011/8

Project name:	Shwegen dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Myanmar government
Company/Investors:	
Government/Military:	Myanmar government
Trends:	Lack of consultation; Disputed or lack of compensation
Consequences:	Impacts on livelihoods; Forced labour and exploitative demands
Collective action:	
KHRG Log #:	11-71-A-I1
Publishing info:	"Nyaunglebin Interview: Saw N---, May 2011," KHRG, March 2013 (First Publication)

Testimony:

This report contains the full transcript of an interview conducted during 2011 in Shwegen Township, Nyaunglebin District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Saw N---, a villager from P--- village, who described abuses committed by government authorities, including taxation and demands, repeated or prolonged displacement and attacks on livelihood or food supply. Saw N--- provided a detail description of the Kyauk N'Ga dam construction which caused water to flood 35 acres of lemon plantations owned by his family. His family previously lived in P--- village but he could not keep up living there anymore due to the damage caused by the flooded and his family left his village in order to pursue a livelihood in another area. He reported that he would not report a request for compensation from the authorities because he believed they would punish him for doing so.

Interview | Saw N--- (male), P--- village, Shwegen Township, Nyaunglebin District (May 2011)

The following interview was conducted by community member in Nyaunglebin District, is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Nyaunglebin District, including one other interview and one situation update.

Ethnicity: Karen

Occupation: Plantation

Where is your lemon plantation located?

At there [P--- village].

How many acres was your lemon plantation?

There are about 20 acres.

Did the Burmese government give notice to you before the dam was built and the water rose?

They didn't inform.

What do you do after your plantation was flooded?

I have to do odd jobs.

How much do they pay for a day?

One day is 2,500 or 3,000 kyat (US \$2.91 or US \$3.50).

Before, there were people who lived in P---. Where havethey gone and live now?

They go and stay in the village.

What do they do?

They do odd jobs, because they don't have their lemon plantations anymore.

As you recall, how many lemon plantations werein P--- village?

There were many starting from P' Pay Ta to Kloh Hta. All those plantations were flooded.

You did lemon plantation [work] before the water rose. Are there other things you did like flat field farming?

There were people who farmed before the water rose. Elder people farmed. They farmed and planted lemon [trees].

Did the government provide compensation to you or other landowners after the flooding? Did they collect the lists [of farms and plantations]?

No.

Did they warn you?

No.

Do you think you can prepare something if they gave you notice, like you would sell it?

Yes, we would sell.

Do you remember the date when water rose?

No

How many years has it been since the water rose?

About 10 years.

No, I mean when the dam was built and the water rose.

That one? For that one, it is about three years.

How many acres did your plantation have?

There were 20 acres.

What about your wife's plantation?

About 15 acres.

Are there other properties you lost, or just your plantation?

Just my plantation.

Did you go and ask for compensation from the government?

No.

Have you ever gone and asked, and, do you think you can [ask] them?

They will kick you if you go and ask.

Maybe they will give you [compensation] if you can explain it to them.

No, they won't give [any].

How much money would you get if you sold your plantation?

[The villager didn't answer this question].

Didn't they give you anything?

They gave nothing.

What about the support from Karen National Union?

Recently, they came and gave [support] one time.

Where do you go and live now?

In Shwegen.

What do you do now?

I do odd jobs.

Do you get profit?

A little.

What about other jobs?

There is no other job.

Do you face with any problems when you sell things?

No.

So you can go freely? Don't the SPDC armies [Tatmadaw] disturb you?

No

Do they ask for tax?

Yes, they do.

How much do they ask for?

They ask for 500 kyat (US \$0.58) from each motorbike.

What about loads?

Yes, they ask.

What about boats?

They ask 20,000 kyat (US \$23.34).

Do the Burmese [government] order taxation, like electricity and water tax?

They do ask for electricity and water tax.

How much do they ask per month?

They demand 2,000 kyat per month (US \$2.33).

What about health and education issues? Does the government support them?

No, we have to send our children by our self. We have to pay money [school fees].

Your lemon plantation was flooded. Do you think you can get support for your children education if you go and report it to the government?

They won't give any support; I think they won't give.

Can you send your children to school now?

Maybe.

What about the changing of the [market] prices?

Sometime the price goes up and sometimes the price goes down.

Do you want to say any other thing about your suffering?

There are obstacles. The situation isn't the same as before. Before, it was good.

Source document/ShwegenDam/2011/9

Project name:	Shwegen dam
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Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Tatmadaw
Company/Investors:	
Government/Military:	Tatmadaw
Trends:	Disputed or lack of compensation
Consequences:	Environmental impacts; Impacts on livelihoods; Denial of access to humanitarian goods and services
Collective action:	
KHRG Log #:	11-40-A4
Publishing info:	"Nyaunglebin Interview: Naw M---, February 2011," KHRG, March 2013 (First Publication)
Testimony:	
<p><i>This report contains the full transcript of an interview conducted during February 2011 in Shwegen Township, Nyaunglebin District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Naw M---, a 65 year-old flat field farmer from P--- village, who described abuses that occurred in her community in the past, such as when four or five villagers were killed by the Tatmadaw, forced labour and recruitment, and looting. More recently, Naw M--- describes how the construction of a dam caused flooding which damaged villagers' agricultural land and created challenges for them to earn livelihoods. Specifically, she reports that food shortages occur in her community, which occurs from poor crop quality and lack of water. Naw M--- also reported her concern about the safety of the villagers in the event the dam is breached or otherwise fails.</i></p>	
<p>Interview Naw M---, (female, 65), P--- village, Shwegen Township, Nyaunglebin District (February 2011)</p>	
<p><i>The following interview was conducted by a community member in Nyaunglebin District, and is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Nyaunglebin District, including three other interviews.</i></p>	
<p>Ethnicity: Karen Religion: Christian Marital Status: Married Occupation: Farming a flat field</p>	
<p>How long have you lived in P--- village?</p>	
<p>Since Pya Lay Pya²⁰ time, during that time we fled and all of the villagers were separated. It was long time ago. I think it has been 40 years already. We were in difficult situation at that time.</p>	

²⁰ In Burma, the scorched earth policy of 'pya lay pya', literally 'cut the four cuts', was a counter-insurgency strategy employed by the Tatmadaw as early as the 1950's, and officially adopted in the mid-1960's, aiming to destroy links between insurgents and sources of funding, supplies, intelligence, and recruits from local villages. See Martin Smith. *Burma: Insurgency and the Politics of Ethnicity*, New York: St. Martin's Press, 1999 pp. 258-262. Though official references to the four cuts strategy have ceased, throughout 2011 KHRG continued to document evidence indicating that tactics targeting civilians continue to be systematically employed. See "Tatmadaw attacks destroy civilian property and displace villages in northern Papun District," KHRG, April 2011; "Joint Tatmadaw patrol burns field huts and seed stores, displace six villages in Toungoo District,"

Were you forced to relocate to P--- village or did you move by yourself?

I don't know how to say this. The problem was that I didn't meet with my aunt and uncle whom I lived together with. I was alone and didn't know what to do. I stayed there alone and didn't have any relatives with me. My relatives live in the mountain. I studied there and later I got married. I met with my husband during my studies and my parents-in-law went and made wedding ceremony in Peh Hta village for us. Later, my husband left me and I had to take care of my child who was 6 years old at that time. I had many difficulties. I had to look after my children [without their father]. My sons and daughters all got married now.

What do you mean by your husband left you?

He got a new wife. He left me when my eldest son was 6 years old. At that time, I had three children; one was still drinking breast milk. Later, I also remarried and we got another child; later we divorced again, because he got a new wife. Since then, I stay as a spinster.

So you had to struggle for your family?

Yes, I had to struggle for my life with my very young children. I couldn't send my children to school. My younger daughter is very clever, but I couldn't send her to school.

What did you do for your livelihood?

At that time, my parent in-law still had a little farm. It was during Pya Lay Pya. They rented the land to people, but people couldn't pay us the monthly payment. My parents-in-law left me the materials such as a farm, a cart and cattle. I have to give *pay daw* for 250[baskets of rice]. I have no food to eat; my children were still young at that time.

What do you mean by *pay daw*?

Pay Daw is something where you have to give paddy to the government. They demanded 250 baskets of rice. My farm was 6 Acres large and they demanded 250 baskets of rice; it was a difficult time for me. However, I kept working on my small farm. People called me to go and work at Rangoon [Yangon] and Taw Oo [Toungoo]. I said I won't go and I would stay in P--- village until I die. My husband got married and has 9 children. He was working as a missionary. He is clever. I don't know why it turned out for us to divorce. My daughters and sons grew up and they got married; they have their own family. I have four children, two are girls and two are boys.

What did you do to feed your children?

I had to reap paddy grain for wages, and I had to do it until 9 or 10 pm. After that, I got 5 or 6 baskets of rice. I had to face with a huge difficulty when my children were young. My parents-in-law left a small farm for me and I farmed. Then later, my son grew up and he could farm.

People [Tatmadaw soldiers] arrested my son for portering when he was 17 years old. I followed him and cried when people arrested him. I cried in front of the officer. My son was young and I never asked him to work, but at that time they arrested and asked him to porter. Other people who were not happy with that said that I had a son and my son will definitely

have to go porter. There were some people who think like that. I went and cried in front of the officer. Later people sent a radio message and they sent back my son. My son told me "*Mother, people treat and feed me well there.*" For me I had to worry a lot but my son came back with a smile and I felt happy.

Which group arrested your son to porter?

I think it might have been Light Infantry Division [LID] #57. At that time they had so many activities. They are Burmese army [Tatmadaw].

Did they arrest people for portering?

Yes, they arrested people to go and porter at that time.

Do you still have the farm that your parents-in-law left to you?

Yes. My son went back and did the farming, but my son couldn't pay me the farm fee because they don't really get grain.

Do you still have to pay the tax to the government?

No, we don't need to pay now, but before we had to pay. But one thing is, they [government] loaned us money and we have to repay the loan with interest, monthly. Last year they loaned us 80,000 kyat (US \$93.35), and this year, they increased it to 200,000 kyat (US \$233.37). But farmers wanted more money so that they can work on their livelihood. They gave us 200,000 kyat for 6 acres of land, and now, in total, there are 10 acres because my son bought 4 more acres. They gave us 200,000 kyat for 10 acres land and we have to pay that loan with interest

Who did you have to pay 250 basket of paddy to?

At that time, we were forced to pay. We had to pay to Burmese government.

Are there other armed groups that come to your village?

The armed group that currently is active is Battalion #264. The Karen army [Karen National Liberation Army (KNU)] came in before but now they don't come anymore. Only the Tatmadaw is here. During *Pya Lay Pya* time, they came and slept at our home. We had to cook and find pigs and chickens for them. At that time, the Burmese army came and the Karen National Liberation Union came. Once, the KNLA came at night and ordered us to pay 10,000 kyat (US \$11.67) from each household. We were afraid and we had to find money at night. We gave them money because we wanted peace at that time. They came and demanded 10,000 kyat from each house. And there was another time when we were ordered to carry rice and we had to carry rice for them at Kwee La. People called him Commander Aung San.

Did they arrive at your village?

They did arrive at our village at that time. They came and ordered us to carry their stuff. We had to *Ko Kyeh Pa* [a kind of game that children play] with the whole group as punishment. We did as they asked because we were afraid of them. The problem was they ordered us to carry rice, but some people went to carry and some people hid. The KNLA found people who hid and we all were given, as punishment, to *Koo Kyeh Pa*. The leader of the group is called him commander Aung San or P'Doh Aung San.

Was it after Pya Lay Pya?

Yes, it was after Pya Lay Pya. My son went and carried rice to Kwee La and came back and got sick; he almost died.

Since then, the KNLA didn't come to your village anymore and only the Tatmadaw came?

Yes, after that we didn't see them here anymore. The Tatmadaw was active a lot. My son built a house but he couldn't finish it. The Pyauk Kya²¹ group came to our village.

What do you mean by Pyauk Kya?

I don't know, but they were called Pyauk Kya. A Pyauk Kya group came and stayed in the village for 8 months. My daughter-in-law was running a small shop. "Pyauk Kya" is in Burmese. Later we heard the Pyauk Kya group would be withdrawn, and they disappeared even until now; we are happy about that. They killed Maung Ba Aye. This group killed many people.

Did they kill many people?

Yes, many people.

Did you know the people who they killed?

They killed Maung Ba Aye, a son and a father who were Burmese and Tin Htun. I knew four or five people that they killed.

Why did they kill them?

I don't know. They tried to find the problems and accused those people as having connections with the rebel group [KNLA].

When did that happen?

It was long time ago. I think it has been 7 or 8 years since the Pyauk Kya left, so it might have happened 7 or 8 years ago. They killed people around 7 or 8 years ago. It happened after Pya Lay Pya. The Pyauk Kya came and slept under the houses and the trees at that time.

Were your children already married at that time?

²¹Pyauk Kya ('guerrilla'), is one of the terms used by villagers to refer to the *Sa Thon Lon Dam Byan Pyauk Kya* (Bureau of Special Investigations Guerrilla Retaliation Units) that were first reported to be active in Nyaunglebin District in 1998. KHRG has previously reported that these units operated independently of other regular Tatmadaw battalions deployed to eastern Burma, and were tasked with carrying extrajudicial executions of individuals they suspected of having links with the KNU/KNLA; they were notorious among civilians in northern Karen areas for their brutality. For detailed background on these units, see: "Death Squads and Displacement: Systematic Executions, Village Destruction, and the Flight of Villagers in Nyaunglebin District," KHRG, May 1998.

Some hadgotten married and some hadn't; two got married and two were still single. Pyauk Kya came to the village in 1998-1999.

Currently, do the villagers have any problem with the Tatmadaw?

Sometime, the Burmese army comes and asks for asentry. My son had to find people for them. Sometimes, they came and demanded chicken and food. Yesterday, they demanded 2,500 kyat (US \$2.92) from my son, but my son said that he didn't listen to them and didn't give them money.

Did they come and abuse your son when he didn't listen to them?

They ordered the village eldest go [to their camp] but my son didn't go. He said they are beggars;they just go around begging for food. The Tatmadaw based their camp in Kyoh Kyee;they are battalion #264. They demand food every time when they come.

Is it Light Infantry Battalion [LIB] or Infantry Battalion [IB]?

I don't know but they called them IB [Infantry Battalion] #264. We called them 264.

How often do the villagers have to go for sentry?

Yes, they demand people to go for sentry [duty] when they come. We have to go and besentries. They will come and threaten you if you don't go. They said we have to pay 5,000 kyat (US \$5.83) if we don't go for sentry [duty]. We had to stay and listen to them because they will fine us 5,000 kyat.

What about now? Do you still have to go for sentry [duty]?

We still have to go, but it decreased a lot if we compare it with before. We won't go and stay in the sentry hut if they don't come. We are always preparing and if we know that they are coming, we would go and stay at the sentry hut.

How do you know that they will come?

People run and tell each other one by one and make sure whoever's turn to go and stay in sentry house [goes]. A person on duty has to run quickly to the sentry hut when they come. We contact each other quickly when they come. In our place, there are only Karen peoplewhilethe Burmese people live in another part. Burmese people live atthe entrance of the village.

Which part do they meet first when they enter the village?

They meet the Burmese people first when they enter the village.

Do they cause any trouble to your son when he didn't provide chicken to the soldiers?

They don't give any trouble. But they started recruiting a militia. Both of my sons-in-law were included;both of them are Karen.

Are your sons-in-laws willing to join the militia?

No. they didn't force [anyone] to join but we had to submit peoples' names. They recruit for it

in every area.

Do people have to go and attend the training?

No, they don't need to attend the training.

Is there any problem that you want to address before we move to the dam project?

Before, we saw the Tatmadaw come, but now we don't see them anymore. They came and visited when dam was being built. They came and threatened me. They told my son not to cooperate with the KNLA. They came and stayed at my home, at that time. I was afraid of them a lot. I was worried that they will kill my son. My son served as village head for 6 years. By the blessing of God, nothing has happened to him.

Was it during when they sent their troops to construct the dam?

I'm not sure about that. For us we travel by boat and we saw they built up the dam. We couldn't travel anymore because they blocked the river. They never came to our village after the dam was built.

Why don't they come to your village anymore?

They only come when they heard the news about the KNLA coming.

What are the problems that you have to face because of the dam?

My flat field was flooded. It is the farm that we are working on.

Was it the 10 acres ofland?

No, this one is only 8 acres wide.

Do you mean you own 18 acres large land in total?

No, that one is another one. My son bought 4 acres later, and I also still have my first 6 acres ofland. The land that flooded was the land from my father. We worked on it before but we couldn't do after the incident happened.

Did you still work on it before the dam was built?

People still did before Pya Lay Pya, but people didn't do it after the four cuts because we couldn't do work on it anymore.

Was that the only land that you lost?

Yes.

How far is the land from your home?

Yes, it is very far. We can't use it anymore. We have to walk for one day to arrive there.

Why can't you use it anymore?

The trees and bamboo are growing on it, so we can't use it anymore.

What about the other villagers; did the other villagers also lose any land?

The water doesn't reach to the place where we live. We live below the dam; if the water flows down, we all will die.

Are there any problems that villagers have to face because of the dam?

In our area, it is pretty good. We can stay and work in our area, and we don't need to go to other place to work.

The water was blocked, so do villagers get enough water for their plantations?

One of the villager's lands was flooded, and later he came and bought two new acres of land. He continues doing the plantation and he plants lime on it. Just only people from below the dam can work. People who live above the dam can't work anymore because all of the land was flooded. Now, there is no problem with the land that my son is working on. Now, he is farming his farm, but the problem is there's no food because we don't get much paddy from it.

Why didn't you get paddy?

There was too much rain this year. At first I thought that my son would get 200-300 basket of paddy, but now he only gets 200 basket of paddy. I don't know what to do now, because it rains late this year [mature crop ruined by late rainfall] and we have to wait until the water comes [rainy season starts again].

Where do farmers take water from?

We can't get water from anywhere, and we have to wait until the rain comes. It was very hot in the summer time. Some people don't have machines [water pumps] to do farming and they don't know what to do; the paddy becomes dry.

Don't the farmers take water from the river?

You can take it if you are close to the river, but you can't take it if you are not close to the river. For us, we have to wait until the rain comes; we only get water from the rain.

What about drinking water?

We have drinking water. Some people are making water pumps. My son also wants to make a water pump but he can't. He goes and carries water from the lake. He said the water is not clear.

How far is the dam from your village?

Yes, it is very far. It will take one day to walk; if you go with motorbike, in the morning, you will arrive at the dam at 12:00 pm.

How far is the river from your village?

If we leave from the village at 6:00 am and we will arrive by the river at 9:00 am.

How is the water after the water was blocked?

The water becomes less.

Do you think that can cause problems for the people who live below the dam?

There might be any problem, but the water becomes less.

Does any villager take water from Shwegen River?

Some people take, and some people don't take. Some people [work on] lime plantations and some people farm paddy fields. For us, we only take water from the rain.

Is there any change because of the dam?

This year, we have to pay 15,000 kyat (US \$17.50) for a sack of rice. But in previous years, it was more expensive than this.

Is there anything that you want to tell us?

I just only want to raise an issue that we don't have enough food. We borrowed rice from other people. We planned to find money, so we came and carried things to sell. I'm worried because the four members of our family don't have enough food. We are in trouble because we don't have enough rice. We came here to get a job, but we don't know whether we will get jobs or not.

Do you think you will get support when you report about your problem?

We don't know. If we get [support], we will go back to our village and buy rice. But we can't do anything if we don't get [support].

Source document/Shwegen Dam/2011/10

Project name:	Shwegen dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Unspecified
Company/Investors:	
Government/Military:	
Trends:	Lack of consultation; Disputed or lack of compensation;
Consequences:	Impacts on livelihoods
Collective action:	Reporting to authorities
KHRG Log #:	11-40-A2
Publishing info:	"Nyaunglebin Interview: Saw P---, September 2011," KHRG, March 2013 (First Publication)
Testimony:	
<i>This report contains the full transcript of an interview conducted during September 2011 in Shwegen Township, Nyaunglebin District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Saw P---, a 25 year-old village tract secretary in M--- village, who described abuses such as the fired of the mortars in the same year, 2000, in two different</i>	

villages which are Ler Wah village and Ler Hkwe Hkee village. He also mentioned that while the Tatmadaw fired the Mortar in Ler Wah, one of his little cousin's left leg got injured. Likewise, in 2010, the Tatmadaw burnt every single house in Htee Baw Hta village, which led the villagers to lose their shelters. In addition, Saw P--- also provided the information about the dam, which was the main cause that led the villagers' to lose their land. Because of the water came from the dam, over ten hill fields were flooded and the villagers are facing their livelihood problems. Saw P--- also raises concern over food shortages and health care, such as the insects and mosquitoes increased after the water flooded. In response to these issues, the villagers complained about the flooding and problems to the KNLA, and received some food support afterwards.

Interview | Saw P---, (male, 25), M--- village, Shwegen Township, Nyaunglebin District (September 2011)

The following interview was conducted by a community member in Nyaunglebin District, and is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Nyaunglebin District, including three other interviews.

Ethnicity: Karen

Religion: Buddhist

Occupation: Farming a hill field

What is your name?

My name is Saw P---.

How old are you?

25 years old.

What ethnicity are you?

Karen

What is your religion?

Buddhist

What is your village?

M---.

How long have you been living in your village?

I have been living here since last year.

Last year?

Two years including this year.

Where did you live before?

Before, I lived in Htee Nya Lee Day.

How many households were there in Htee Nya Lee Day?

There were [censor for security] houses.

What kind of jobs did the villagers do in Htee Nya Lee Day?

They did hill field farming.

Did all of them do hill field farming?

Yes, all of them.

How about you?

I also did hill field farming.

Do you also have any other responsibility?

I am a village tractsecretary.

What is your village tract?

My village tract is Ler Wah village tract.

How many villages are in Ler Wah village tract?

There are only five villagers in Ler Wah village tract.

How many households are there in the five different villages?

There are only fifty-six households.

Did the Tatmadawever come to your village before the dam was built?

They did not come to our village but they just came to Ler Wah.

How about the other armed groups?

KNLA [Karen National Liberation Army] soldiers came here.

There are twenty-eight houses in Htee Nya Lee Day. Did the villagers have enough places to do hill field farming?

We didn't have enough places because we had such a high populations in our village. The soil wasn't good, so even if we farm, the paddy isn't that good.

Where did you do hill field farming while you were living there [Htee Nya Lee Day village]?

I did hill field farming in Ler Wah area. We could not do hill field farming anymore because of flooding.

Could you do hill field farming before theflooded?

We could do it before theflooding.

Did the villagers have their own land to do hill field farming or did they have to work on the other people's land, since there were [censor for security] households in your village?

The villagers didn't have their own land.

Did they have land, like gardens?

No.

Did [censor for security] households have uncultivated land to do hill field farming before theflooding?

They had the uncultivated land to do hill field farming.

Did each family have enough food eachyear?

Not enough for eachyear. In some years, we had enough rice, and some years we didn't.

What was the difference between each year?

The fertilizer was not good some years. We did hill field farming but animals, such as mice, ate the rice.

What did the families do if they did not have enough rice for some years?

Our leaders provided support for us.

Which side [Burmese or Karen] of leaders were they?

They were Karen leaders.

Were they the villagers also?

The leaders such as organization leaders from our side.

What do you mean by the leaders from your side? Do you mean the leaders from your township?

Yes. They were the township leaders.

How did they support you?

Previously, they supported withrice for three months. We would get rice for four months if we requested for four months, and for two months if we requested for two months.

Relatingto healthcare, what kind of the health problems did the villagers have?

For healthcare, if we weresick, we requested medicine from the township [clinic]. We would go to the township [clinic] if we wereclose to the township [headquarters]. If we wereclose to the district clinic we would go to the district clinic,

Were there any villagers who cured themselves?

They had no medicine to cure themselves.

Did they have traditional medicine?

Yes, they did, but it was just a few [types].

What did the villagers from your old village do when they had health problems?

They went to the hospital.

What kind of diseases did the villagers have to face the most?

Most of the diseases [the villagers] had were fever, runny noses, and coughing; these are the most common diseases.

Was there any other seriousdiseases that happens?

We had a seriousdisease that happened, such as testicle disease.

Was there also malaria?

Yes, we also had malaria.

Did you have a school in Htee Nya Lee Day village?

Yes, we had a school.

Did the children have a chance to go to it?

Yes, they had a chance to go to school. We just had a primary school.

How many students were there?

I'm not sure about the number of students. I think around thirty or forty students.

How was the school formed?

It was formed by the villagers. Some children were so young that they couldn't go to the school, which was far from the village. So, it's kind of the village tract that formed this school.

Did the school get any support?

We got 3,500 kyat (US \$4.08) per month from KED [Karen Education Department].

For the schoolteacher?

Yes, for the schoolteacher.

How about the stationery?

Yes, we got pens, pencils, and books.

Where did they go after they graduated from primary school?

Some students went to the district school and some went to the township school.

Was there any high school in the township?

The township school is the middle school [fifth to ninth standard].

How about the district?

District school is a high school.

Do you have any other problems that we haven't questioned you about for your old village, Htee Nya Lee Day?

The only problem was the livelihood problems regarding the hill fields.

What kind of problems?

This year we don't have enough food because we farmed hill fields in Ler Wah and water flooded the hill fields. We had to find food by ourselves this year.

Did you farmhill fields in the flat area in Ler Wah?

Yes, in the flat area.

How many villagers' hill fields were flooded by the water?

Over ten hill fields.

Did you know in advance that the water would come?

I did not know that.

Had you heard about the dam?

I sometimes heard people talking about that, but I didn't know whether it's really built or not because I have never been by it. So, I only knew when I saw the water come.

Did it come quickly?

It did not come quickly. It came slowly and slowly overthe whole year.

Did it take one year to flooded the hill field?

It flooded quickly;about a month and half I think.

When did you first see the water come?

In April 2010.

Can you describe to us a little bit about how the water came to your field?

I don't know how to explain.

You first saw the water in April, right? So, when did the water totally flooded your hill field?

My hill field was totally flooded starting in September to October.

Was it during 2010?

Yes.

How many hill fields were completely flooded or lost?

I think around fifteen hill fields.

How about other people? Did they farmhill fields in other areas?

Some of the villagers farmedhill fields in other places, and their fields did not flooded.

Did the water reach Htee Nya Lee Day village?

No, it did not reach [there].

Could you still harvest the paddy in your hill field that was flooded?

I could harvest, but I only got about fifteen big tins.

How about other people? Could they still harvest their rice?

Everyone could still harvest a little amount, but we couldn't harvest anything in the fields that were totally flooded. There were five fields that were totally flooded.

How much rice wouldyou get if the water didnot flooded over your field?

As for my hill field, I wouldget about 180 big tins.

How did you harvest the rice after the water came?

I harvested it by rafting.

What did the villagers do after the water came?

We carried things for other people to sell, for daily wages, and borrowed rice to eat if it was needed.

Did the villagers still stay in the village, since the water didn't reach your village?

Yes, some villagers still live there.

For the villagers who stayed in the village, do they still have their lands or do they have to carry things to sell in order to survive?

Yes, they do like that, and it is the time to start farminghill fields, so they start cutting the new hill fields.

Do you have enough land for all the villagers in the village?

[We] Do not have enough land. Some people cut hill fields in a very deep forest, and some just cut hill fields in the places where rice cannot mature well. You will get only five or six big tins if you grow the rice about one big tin.

Do you think the villagers in your village would be able to survive in the future? What do you think will happen in the future?

I think in 2012, we will have to do other careers, and we'll also need to be as careful as we can regarding our livelihoods. There is no good place where the rice can be grown well. The water flooded the land and just the mountains are left. The area is not wide enough, and [there is] just the deep forest and fewer lands that can be cut as hill fields are left.

The villagers will not have enough rice?

Yes, not enough rice.

Regarding the health care, is there any change before the water came and after the water came?

After the water came, there are many insects such as mosquitoes. Fevers and headaches are also increasing.

How many different kinds of diseases are increasing? Just only fevers and headaches?

Maybe other diseases are also increasing, but I don't know.

The insects increase and the villagers suffer more fevers, after the water came. For treatment, do you still go to district clinic and township clinic as before, or do you do it in any other way?

We do as before. We go to the district clinic if they [villagers] are close to the district clinic, and we go to township clinic if we are close to the township clinic, as before. As for us, we are close to township clinic, so we go to township clinic and we also go to the KNLA clinic, which is Cher Tha clinic.

Cher Tha clinic is a soldiers' clinic?

KNLA clinic.

Is there any change about the education?

The education situation is still the same as before.

Do you think the water will reach to Htee Nya Lee village in 2012?

It will not reach to Htee Nya Lee Day village.

Does it mean that it'll take two or three years to reach?

Even if it is one or two years, it still cannot reach.

After the water came, did the villagers' livelihoods change?

The villagers' livelihoods haven't changed and it is still the same.

How about the price of the foods?

The prices are increasing.

How much different are the prices from before?

It's about 2,000 kyat or 3,000 kyat different (US \$2.33 or US \$3.50).

How much did you have to pay for a viss [1.6 kg/3.52lb] of salt before?

We ordered from other people, and we have to pay 2,000 kyat for per big package of salt.

How many visses are in big package?

There are twenty visses [32 kg/ 70.4lb] in a big package. The same year, the price of the salt increased to 10,000 kyat (US \$11.67), 15,000 kyat (US \$17.50) and 20,000 kyat (US \$23.34) for one big package of salt.

How much did you pay for one big package of salt?

Last year, we paid 10,000 kyat. This year, some people have to pay 10,000 kyat and some have to pay 12,000 kyat (US \$14.00).

What is the difference?

They [traders] have spent more money along the road. When they go and take the salt from the town, sometimes they meet with Tatmadaw and the Tatmadaw taxes them a lot, so the prices increase.

Did the Tatmadaw ask for more tax or less tax after the water came?

I do not know.

Have you ever reported or complained to anybody anything concerning the water flooding the hill fields?

We reported it to the [KNLA] township headquarters.

Did you complain to the Tatmadaw?

No, we didn't.

Why?

We didn't dare to report.

Do people in your village accept meetings with the Tatmadaw?

We do not accept meetings with them.

How did you write the report letter to the KNLA? Did you write the report to request the help?

Yes.

What kind of help?

We just reported that we farmed the hill fields and they were all flooded by the water.

Didn't you say to support with rice for you?

We did not say.

Why did you write and report like that to the KNLA?

They [KNLA] requested us to report anything, so we reported.

Have you gotten any support?

We have gotten it before.

How about in 2010?

They bought the rice for us.

For other countries, the public requests things from the government if something happens to them, if their properties are damaged because of their government. We live in Burma and we have to request the things that were damaged to be returned from Burma government. Why did the villagers not report or request anything from the Burmese government?

They cannot read or write, because we have to write in Burmese. We also don't dare to see them.

Why don't you dare to go?

They will shoot us with guns, if they see us.

Will they really shoot you?

Yes, they will really shoot [us].

Why do they shoot at you?

When they see civilians or KNLA soldiers, they'll shoot everybody.

Has any villager ever been shot before?

In the past, we have been shot; some died and some got injured.

How many people died?

I did not note down how many people.

How many people got injured?

During the year of 1999-2000, they shot at the villagers' houses in Lay Hkwe Hkee. One of my cousins got injured.

Is Lay Hkwe Hkee a village?

Currently, people do not live there anymore. People moved to live in Htee Nya Lee Day village.

Have you ever seen the Tatmadaw when you lived in Htee Nya Lee Day?

Once when we were farming the hill fields, they came. They almost saw us in the village. It was the time [of day] I came back. I saw them first and I ran.

Did the villagers have time to run?

Yes, and they all ran.

Was it when you were about to go to your hill field?

No, when I came back from my hill field.

Was it two or three years ago?

Yes, it was three years ago.

Was that the only time?

In Ler Wah, they also fired guns into the village.

In Ler Wah village?

Yes, in Ler Wah Village. They came to the village and fired on the village.

When was it?

It was in the same year.

Did they shoot at the sky or at villagers?

They shot at the villagers. They really wanted to shoot at the villagers but the villagers ran away, so no one got shot.

Were the KNLA soldiers in the village during that time?

The KNLA soldiers were not there. Just only the villagers were there.

Did they fire with small guns or with mortars?

Yes, they fired [both] small guns and Mortars.

What kind of weapons did the Tatmadaw use?

They used small mortars and grenade launchers.

Did any villager get injured?

No one got injured. They ran, and one villager was bitten by snake because it was evening time.

Since that time, do you not have any problems that caused by the Tatmadaw?

There is nothing like that in our village tract anymore. But sometimes they came to the areas that is close to our village tract. Last time they came to Battalion #9's area, which is really close to our village.

Did the villagers run away?

[We] did not run but we were always preparing.

Did they damage anything in Battalion #9's area?

They burnt the villages.

They burnt villages?

They burnt the whole villages.

How many villages did they burn?

They only burnt down Htee Baw Hta village.

Did they burn down every single house?

Yes, they burnt down every single household.

Was it last year, 2010?

Yes, it was last year, during February 2010.

Because of the experience, would it be possible for you to go to Shwemyin town?

Yes, I can go there.

Do you dare to go inside the town?

I've never been inside the town.

Do you dare to go if you have to go?

I dare not.

In the future, what do you expect to happen regarding the dam?

I want there to be no dam. We will have a wide area to live if there is no dam. Because the water came, we are just left with a very narrow area in the jungle.

When did the water start coming?

I did not notice. We did not know when they started setting up the dam.

What would you like to happen in the future, even if the dam can't be removed and [the situation is] still the same?

We want our leaders have look after us, if the dam cannot be torn down.

What kind of leaders do you want to mean? Karen or Burmese leader?

Karen Leaders.

What do you mean by looking after you?

I mean like to support us with food and health care.

Currently, do they do that?

Yes, they do.

Does it mean that they support you with food, but it is still not enough?

Now, each of the villagers can still work on the hill fields a little bit, so they support us with some food and we find some food by ourselves.

How did the KNU respond to you when you report to them?

They have not said anything yet.

But they gave some support?

Now, they do not give [anything]. They gave us [support] in 2010; they have not given in 2011.

Did they say anything?

They have not said anything yet.

How many kinds of things did they give you?

They gave only rice.

Which month in 2010 did they give you [rice]?

Once in March and another time in September.

What is the name of your cousin who was shot?

N---

How old was she?

She was so small when she got injured; she was twelve years old at that time.

Which part of her body got injured?

Her leg got injured.

Right or left?

Left.

Was it cut off?

Not cut off. Just injured.

Did the injury heal?

Yes.

When was it?

It was in 1999.

Which season was it?

It was in December.

Did you know the battalion number of the Tatmadaw who came and shot [her village]?

I did not know.

In your opinion, does the dam have advantages or disadvantages?

There is no advantage for our villagers. Our properties were damaged.

Source document/ShwegenDam/2011/11

Project name:	Shwegen dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Tatmadaw
Company/Investors:	
Government/Military:	Tatmadaw
Trends:	Disputed or lack of compensation; Development-induced displacement and resettlement
Consequences:	Impacts on livelihoods; Denial of access to humanitarian goods and services
Collective action:	
KHRG Log #:	11-40-A1
Publishing info:	"Nyaunglebin Interview: Saw B---, February 2011," KHRG, March 2013 (first publication)
Testimony:	

This report contains the full transcript of an interview conducted during February 2011 in Shwegen Township, Nyaunglebin District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Saw B---, a 23 year-old man, who discussed Shwegen dam which caused flooding of villages and plantations, which led to resident villagers having to relocate to other different areas after losing their livelihoods. Saw B--- also reported that, even though the Tatmadaw knew about the flooding in advance, they didn't warn the villagers. Saw B--- also provided the information that the villagers were demanded to work for different light infantry battalions, which included fencing the army camp, cutting bamboo poles and payment of taxes on their plantation fields. Saw B--- also detailed how villagers were threatened by the Tatmadaw with more work or to pay money if they don't go for forced labour, and that he was once arrested for failure to go for forced labour comply.

Interview | Saw B---, (male, 23), Shan Gyi section, Shwegen Town, Nyaunglebin District (February 2011)

The following interview was conducted by a community member in Nyaunglebin District, and is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Nyaunglebin District, including three other interviews.

Ethnicity: Shan Karen

Religion: Buddhist

Marital Status: Single

How many households are there in Boloh village?²²

I don't know exactly but I think there are many households. The village is big so, I guess over one hundred households.

What did people in Boloh village do for their livelihood?

Some people just pick up any job that they see when other people pan gold, and some other people cut bamboo and trees.

What did you do in your village before you came here?

I did plantation work. It was a lime plantation.

Was it your own plantation, or the plantation owned by someone else?

It was my own plantation.

How was your livelihood by doing lime plantation work?

Nothing is special for our livelihood. There were so many taxes when we lived there. Transportation was also difficult. We had to hire people [to work on the plantation] so we didn't get too much profit from our plantation. We got just enough food for the family to eat.

How many family members do you have?

I have three family members, my mom, my younger sister and myself; my father died already.

²² Saw B--- lived in Boloh village before his lime plantation was flooded.

Could your family survive with the plantation work that you were doing before the flooding?

Before flooding, our family could survive. But it was hard, and we had to work very hard.

How many lands did you own?

Just only one.

How many acres is that land?

There are about 5 or 6 acres.

How long have you owned that land?

Long time ago, since before our father died. The plantation was planted by my parents. They planted and formed the plantation by themselves.

When was that?

I was not born yet, when my father did this. They did this after they got married.

Could you explain to us step by step, because for foreigners, they have no idea about how difficult it is to set up a plantation?

First, we have to clean up the trees; cut down the trees and bushes. Then we plant the paddy. After that we plant lime and banana trees. We do like this and it will take 7 years. The lime trees grow step by step, and the lime trees provide the limes after seven or eight years. However, the limes don't provide a lot of fruits, which is not more than 50-100 fruits.

Do you mean a lime tree?

Yes, a lime tree can only provide 40, 50 or 100 fruit in the beginning. They don't fruit a lot in the beginning.

What happens to the lime trees after 20 years, are they still good?

The lime trees become old and some die after 20 years. But you have to take care of them when we planted them. You have to reform and mend them. You have to replant another lime tree after the old trees die.

How much money will you get if you sell your plantation?

I don't know and I can't guess how much I'll get for this plantation. But currently, the plantation is worth selling. The current price that some people sell for is 200 or 300 [thousand kyat (US \$233.72 or US \$350.06)].

Was your village in a government controlled area, or who controlled the area?

It was a black area.²³

²³ 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 is transformed

Did the armies [Tatmadaw] ever come?

There was an army camp in the village. We were staying with a document. It was a document for the plantation. We had to sign every month, and pay the tax every month [to the Tatmadaw]. You had to get a paper from the armed group if you wanted to make a plantation. You could do plantation work and also stay [in the plantation].

So you could see the army [Tatmadaw] every day?

We saw the army everyday because the army camp was in the village.

How much did you have to pay for the tax?

For my plantation land, I had to pay two or three thousand kyat (US \$233.37 or US \$350.06). I don't remember because I didn't stay there after water flooded, and it was long time ago. It was 3,000 kyat for a plantation. This was only for one month. We also had to do *Loh Ah Pay*²⁴ from the army like fencing the army camp. They have different kinds of *loh ah* pay. For me, I don't have a father and I am the eldest, so I had to hire people to go on my behalf.

So did you have to go and renew your document once a month?

Yes, we had to go and renew it once a month. We had to go and submit and sign again.

Could you go and do the paper by yourself?

There was a *Lu Gyi* [a person who is in charge] for each plantation field. We gave it to him and he went to do it for us. He went and sent the documents to the army camp.

So you are the *Lu Gyi* for your plantation field?

Yes, I am the biggest one.

How many employees did you have?

I couldn't hire employees. Sometimes, I hired temporary employees when it was the time to pick lime fruit. After picking the fruit, I didn't hire them anymore. I didn't have permanent employees.

How many lime trees were there in your plantation field?

I don't know exactly how many lime trees there were in my plantation, but I think, I had around 100 or 150 lime trees.

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 organizational works are necessary and the government forms pro-government military units for overall national defense. See Maung Aung Myo, Building the Tatmadaw: Myanmar Armed Forces 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.

²⁴ Loh ah pay is a Burmese term now commonly used in reference to forced labour, although traditionally referring to voluntary service for temples or the local community, not military or state projects

For the document, whom did you have to pay the money to?

We also paid that to *Lu Gyi* and he went and sent the money and document for us. He had to go and send it to the army camp.

Do you mean there is a leader of every plantation fields?

Yes, there is a leader of every plantation fields in the village. He collected money and the documents and then he sent it to the camp.

How many days did it take to get your document back?

It took two or three days.

Who was the leader in your area?

His name is Saw T---. He is also a Karen.

Could we talk to the plantation leader? Where is he now?

He is in K'Lay right now. It is a little far from here. We had to go back and call him. After the water flooded, he just picks up any job or work that he sees. He moved to another place. He does hill field farming because there is no job.

Who elected that man to become plantation leader?

No one elected him. The reason was the plantation owners didn't have time to go and submit the documents, and then he was asked to go and submit it. It turned out to be his job. No one appointed him.

Did the plantation owners have to pay him also?

We didn't need to pay him. He just helped us.

What is the document for?

The document is only to work the plantation.

Did you have any document that proves you own the plantation?

No one had that. So, I also don't have one even until now.

So how can you say that you own the plantation land if you don't have any document that proves that you own it?

We have planted the plantation and we also fenced our plantation field, so we can say that it's ours. But there is no official document. We are mountaineers so we don't have that kind of thing.

Is there any other branch of government organization in your village except from the Tatmadaw?

There is none, only the Tatmadaw.

Are there any other arm groups active in your area?

I don't know, I only saw the Tatmadaw. I also have never heard that they passed and crossed through the area.

Did you have any problems with the Tatmadaw who are active in your area before the water came?

If there was anything that they needed to fence in their camp, they would order us to do that for them. If they had anything to do, they would just order us to do it.

What kind of work did you have to do for them? Just fencing?

We had to do many different kinds of work. Sometimes, we had to do *Sa Chaw*.

What does *Sa Chaw* mean?

Sa Chaw means if there is no available boat that is travelling to the place wherethey want to send their letters, we would have to go and send that letter with our own boat.

How often did you have to fence for them?

I think it is once a year.

Was there any other *loh ah pay* except from fencing and *Sa Chaw*?

There were also other *loh ah pay* [jobs],but I forgot and can't remember because I didn't stay there anymore after my plantation was flooded. It was seven or eight years ago.

You plantation was flooded seven or eight years ago?

No, it has been four or five years since my plantation was flooded. Our plantation was flooded in 2008 when the dam was built. They did order *loh ah pay* but I can't remember all.

When wasthe army camp built in your village?

The army came first, and after that the village was reformed. Before, there was no village. Later the village was reformed after the army came. From then, step by step, the village became bigger and bigger. When we first came, there were very few people there. Later, the army came and formed the village and gathered people. It was a long time ago. I think, around 15 or 20 years ago.

Did you live in a different place before you moved to Boloh village?

I have never lived in another village. I only lived in Boloh village. Before the village was formed, we lived in the city. We came and workedthe plantation there. We came in the morning and went back in the evening. Later, we were told that we couldstay in the village so we moved here.

Did you live in the city before?

Yes, I lived in the city. We lived in Shwegen. We had to go to Boloh village in the morning and come back in the evening. We couldn't sleep there at night. We were allowed to sleep

there [only] after the village was formed.

So you came back and stayed in the place where you lived before, after Boloh village was destroyed?

Yes, I came and stayed here again.

How old were you when you moved to Boloh village?

I was around 6 or 7 years old.

When did you first hear that they were going to construct the dam?

I think it was in 2000 when we first heard that the dam was going to be built. It happened after the Sittaung Bridge was built.

What bridge?

Sittaung Bridge. After the bridge was built, we heard that the hydroelectric [dam] was going to be built. We heard the news, but we thought the plantation could not be flooded, so we continued to work our plantation. We couldn't do anything after our plantation was flooded.

Did they come and warn you that your plantation and your village would be flooded?

No, they didn't.

Did you still have to pay the monthly fee to the army even after your plantation was flooded?

We had to pay before the flooding. After the flooding, we never went and worked there again, so we didn't renew the document anymore.

How did you know that the village and plantations would be flooded?

We knew it because the first time when they came they did a test, which was blocking the water. Finally, they did block the water, so the water came up. All mountains were also flooded.

When did they make the test?

They did the test in 2006 or 2007, and they fully blocked it in 2008. The water came up and everything was flooded. In 2006-2007, the water came up and went down, but all the plants were dead. They permanently blocked it in 2008 and everything was flooded.

How long did it take, once they made the test?

It took quite long. They sometimes blocked the water for four or five days, and unblocked it. But in 2008, they blocked it permanently and the water came up and all the plantations were flooded. We could not see anything.

Which month in 2008 did they permanently block it?

I can't remember exactly which month it was, but I'm sure that it was during the rainy season. It was the rainy season and when they blocked the water, the water couldn't flow

anywhere, so it kept rising. There was a small hole that they made for the water to flow. The water could flow, but not too much. So, the water level kept getting higher and higher.

So they blocked it before the rainy season?

Yes,

What did you do when you knew that the water would come up and flooded the plantations?

We still worked the plantations before the flooding. We didn't work our plantation anymore after the flooding. We moved to the city and do hill field farming.

Does it mean that you moved to the city when you knew that your plantation was going to be flooded?

Yes. We moved to the city because we couldn't work the plantation there anymore. We only relied on this plantation. We still worked our plantation when they did testing. But in 2008, they blocked it and the water came up, and we couldn't work our plantation anymore.

Did you build a house beside the plantation?

We couldn't sleep in the plantation at night, so we just built a small tent. We had to go back and slept in the village. We also had another tent in Boloh village. All people had tents in the village. All plantation owners and other workers stayed there together.

Was the Boloh village also flooded?

Yes, Boloh village was flooded. Some villagers moved to stay at the foot of the mountain called Hkula.

What were the houses that flooded made of? Were they made of bamboo or wood?

Bamboo.

Was the whole village flooded?

Yes, the whole village was flooded.

When did the whole village flooded?

The village was flooded in 2008. The water kept coming up and we moved. Later on, the whole village was flooded.

Wasn't there anyone who went and complained to the government, and asked for compensation?

No one.

What about the plantation leader? Did he complain any?

The water flooded and he ran.

Why didn't villagers go and ask for compensation from the government?

Nobody dares to go to the government. All of the villagers are afraid of the government.

Why didn't they dare to go?

Everyone was afraid of the Tatmadaw. If the villagers heard that the Tatmadaw was coming, they ran away. No one went and asked for compensation.

What do you think will happen if you go and ask for compensation?

I don't know what will happen if we go and ask. No one dares to go and complain, and we also didn't know where we have to go and complain because we don't understand anything.

Do you think you should get the compensation for what you have lost because of the flooding?

They should give us compensation because they did the project. Even if they don't give compensation, they should arrange a place for us. But now they neither gave us the compensation nor arranged the place for us. We were all in trouble when our plantations were flooded.

What kind of compensations do you want? For example, money that the land that you have lost was worth or new land?

If possible I would like to get a new land to work on the plantation again. If they give us money, we will use it and the money will gone.

Your parents and you have worked in a lime plantation for many years and then your limes could be sold and you could rely on it. Do you think it is fair for you if they give you new land?

I don't think it is fair for us but we will have to be satisfied with the land that they are going to give us. We can't do anything with our own land because it [lime grove] was drowned already. So, we will have to accept it if they are going to give us, even if it is not fair.

Has anyone come and ask you whether you want compensation for what you have lost or not?

No.

Could you tell us clearly what you have lost because of the flooding, and what do you think it is a fair way to ask for compensation?

I just lost my plantation. I lost my plantation and I couldn't do anything anymore. I want my plantation back. I have no education. I just want to work [my] plantation. I want to make a new plantation.

What are you doing now?

First, I did hill field farming but it didn't turn out very well. So, now I'm doing daily wage work. One day is 2,500kyat (US \$2.92). You will get 25,000 (US \$29.17) when you work for 10 days. Sometimes, when I'm sick, I need to use that money to buy medicine. So, we just get the money and then it's gone again.

Why did the hill field farming not turn out well?

It is because we have very few family members to work on what we need, and moreover the paddy production wasn't very good. My mother is over 50-60, so she is not that healthy and she can't work. Just only me; I had to work. My sister is young. I'm working alone, so it doesn't work really well and now I'm doing daily wage work and I only get 2,500 kyat per day.

Where is your family living now?

My mother and I are living in Shwemyin. My sister doesn't have any job in Shwemyin. She can't work in Shwemyin, so I sent her to La Show to work as a waitress at a restaurant. She won't have a job if she is here.

Where do you and your mother stay now?

We are staying at Shan Gyi section, Shwemyin.

Is that enough to support yourself and your mother with the money that you get from the work that you are doing now?

Just enough. When I can work, I can support [us], but when I get sick, I'll have to borrow money from others. We borrow money from employers, ten or twenty thousand [kyat] (US \$11.67 or US \$23.34) and buy food and pay it back later.

What are the other problems that you have faced after the flooding?

We have livelihood problems. My mother is over 50 and she is not healthy. There is no one who will take care of her except from me. I have to work and at the same time, I also need to take care of my mother. So, we have many livelihood difficulties.

Could you explain us, step by step, about how you got to Shwemyin from Boloh village after the water flooded?

We moved back to Shwemyin by motorboat.

What about other Boloh villagers? Did they all go back to Shwemyin city?

They didn't go. Some of them moved there, but some didn't. Some moved to another place after the village was flooded, while others moved together to the foot of Hku La mountain.

Just only your family went back to Shwemyin?

No, many people went back. Some plantation owners didn't know what to do anymore. They were not experienced to cut bamboo or pan gold. So, they went to other places and farmed hill fields. Some people went back to pan gold.

Where do they go and pan the gold?

Some people went and panned gold at higherland and the land that wasn't flooded.

Was there any organization that came and gave support to the villagers who lost their land?

No.

What kind of support do you need?

We have livelihood problems, so we need those [kinds of] support. There is no support, so we just have to solve our own problems by ourselves. We need food, clothes, social and health—etc. We can still be fine if we still have our plantation. But now we don't have [it], so everything is difficult.

How are health and the plantation related?

It's related, because when we get sick, we can sell the fruit from our plantation and cure the sickness or the disease that we have got with the money from selling fruit. But when the plantation was flooded even if we do daily wage work, the money that we get is not enough for us when we get sick. When you get sick and get the injection, you have to pay 1,000 [to] 1,500 (US \$ 1.67 to US \$1.75). It isn't worth it with the money that we have got. There are many problems.

Where did the army that was based in Boloh village move to?

I don't know where they went and live because I never visited Boloh village again.

Did the army know that there would be flooding?

They knew it.

Did they warn the villagers?

No, they didn't.

Is there anything else that you want to say?

I don't have a special thing to say, but only one thing that it is not going well with what I'm working now. I have to pay the money to the army to fence their camp and I also have to do other *loh ah pay*. So I didn't do hill field farming anymore. Doing hill field farming is also good in one way because you will get your own food that you need, but sometimes you also have to pay monthly payments to the Tatmadaw and also go for *loh ah pay*. I didn't have money when they collected money for *loh ah pay*. If I didn't have money, I would have to give them paddy. It wasn't very good so I stopped it. Since then, I started doing daily wage work. If you do, you get money. You will get 73,000 kyat in a month. But I can't work for the whole month. I just work for 10 or 15 days [in a row] and take a rest.

Do you also have to pay monthly fee to do hill field farming?

Yes, we have to pay 1,000 kyat (US \$1.67) a month, and we also have to go for *loh ah pay*.

What kinds of *loh ah pay*?

Making fences, building the bridge and repairing the road.

What do they build the bridge for?

For their cars, and other people also used it. They collect the tax when motorcycles come in the summer time. They collect money from motorcycles, but the road was repaired by the

village. They didn't do anything for village development projects. For village development project, villagers do it by themselves. Sometimes, we have to go and repair a bridge for them. If we don't finish in one day, we have to take another day. We have to do this once a year. They also demand bamboo poles when they need.

Do they pay money for the bamboo?

No they don't. We have to give them for free.

What about going *loh ah pay*?

They give us nothing, not even rice. We have to go with our own expense. We had to make fences and dig holes for them. We had to do this every year.

Can you go and find frogs or other animals at night, for food?

Yes, people can go around, but not too far. But we have to inform the village head when guests come to our house for a visit.

Any other [things]?

No other [things]. The other work is not going well with me, so I just do daily wage work. You don't need to worry when you do daily wage work. We can get enough food every day. So I don't do hill field farming anymore.

You mean doing daily wage work is better than doing hill field farming?

It doesn't really mean that doing daily wage work is better than hill field farming, but you have [too] much work to do if you do hill field faming, because you sometimes will have to go *loh ah pay* and other [work]. I don't want to do it. I don't need to go [*loh ah pay*] if I do daily wage work. If I work for him [employer], I don't need to go [*loh ah pay*].

How do they demand *loh ah pay* in the village?

They called plantation owners, workers who earn a bare living, people who pan gold and cut bamboo. They don't demand *loh ah pay* from a person who works for other people. If you pan gold and have a hut, you have to go *loh ah pay*. You have to give money if you don't want to go. People can't give money so they have to go.

So you don't need to go *loh ah pay* if you do daily wage?

No, I don't have to go. If I work 10 days, I will get 10 days wages which is 25,000 kyat (US \$29.17). We can buy rice, oil and salt with that money. I go to work again after taking off three or four days.

Do you know the army battalions that you have to go and do *loh ah pay* for?

We had to go and work for many battalions, but the camp wherewe go and work is Chaung Wa army camp. There is an army camp at Chaung Wa. They rotate [troops] every six months. Sometimes, [it is] Light Infantry Battalion [LIB] #350, #589 or#349.

Who asked you to repair the bridge?

The army from Chaung Wa camp.

So any army battalion who comes, demands the villagers to do *loh ah pay*?

Yes, every battalion demands it from the villagers.

Do villagers go automatically when they are ordered to go for *loh ah pay*? Or do they response with anything?

Yes, they go. You have no other choice. If you refuse to go, they threaten you, like they will arrest you and put you in jail or stocks. The villagers are afraid of that, so they go when the army demands.

Have you ever seen any villagers who were threatened, including yourself?

Yes, they will arrest people who don't go *loh ah pay* and can't give money; they will ask them to work. I was threatened one time because I didn't go for *loh ah pay*. Next time, they asked me to work more. I don't remember in which year.

How many days did they ask you to work?

They asked me to work one day but they asked to cut 50 bamboo poles in a day. It is easier to do it with many people.

Source document/Shwegenyin Dam/2011/12

Project name:	Shwegenyin dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Tatmadaw
Company/Investors:	
Government/Military:	Tatmadaw
Trends:	Lack of consultation; Disputed or lack of compensation; Land confiscation
Consequences:	Environmental impacts; Impacts on livelihoods; Physical security threats; Denial of access to humanitarian goods and services
Collective action:	Non-compliance; Reporting to authorities
KHRG Log #:	11-40-A-I3
Publishing info:	"Nyaunglebin Interview: Saw W---, May 2011," KHRG, March 2013 (First Publication)
Testimony:	

This report contains the full transcript of an interview conducted during May 2011 in Shwegenyin Township, Nyaunglebin District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Saw W---, a 40 year-old male hill field farmer from K--- village, who described how villagers were forced to relocate in order for the government to build the Shwegenyin dam. He described how 30 acres of his land and plantation fields were flooded when the river rose because of the dam. Saw W--- also reported that before the project began, the Tatmadaw attacked his village twice and he was shot in the arm on one occasion. He reports that the authorities did not provide information about threat of flooding, and only learned when villagers from other areas notified him, but he was still unaware of the possible extent of the flooding. Saw W--- said that the flooding occurred over several years, but that he was forced to relocate off his plantation land shortly prior to harvest time, and before the flooding reached that land. Saw W--- also raises concerns

regarding food shortage, due to lack of plantation land, and health care issue that are the consequences of the dam. He explained that he believed the government would not listen to any complaints about receiving compensation for his lost land, but that he notified the KNU which provided some support.

Interview | Saw W---, (male, 40), K--- village, Shwemyin Township, Nyaunglebin District (May 2011)

The following interview was conducted by a community member in Nyaunglebin District, and is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Nyaunglebin District, including three other interviews.

Ethnicity: Karen

Religion: Buddhist

Marital Status: Married

Occupation: Farming a hill field

What is your name?

My name is W---.

How old are you?

I'm 40 years old.

Are you married?

Yes, I'm married.

How many children do you have?

I have two children.

What is your ethnicity?

I'm of Karen ethnicity.

What is your religion?

I'm a Buddhist.

What is the name of your village, where you used to live before the water came?

When I was young, I lived in K---.

Did you also stay there before the water came?

Yes, I lived there.

In K--- village?

I didn't really live in the village, and most of the time I lived in the forest.

What township is K--- village in?

It is in Shwemyin township.

What did you do when you lived outside of the village?

I farmedahill field and also did other work as well.

What wasthe other work that you did?

For example, I did farming and I also carried things for other people for daily wages. Sometimes, people hired us to carry things for them and we carried, and after that we got the payment.

Do you have any responsibility in the village or in the village tract?

No, I did have some responsibility in the past, but not now.

In your area, did you have other villagers who came and farmedhill fields close to you?

Yes.

How many households are there in your village?

I don't know exactly how many household are there because we don't live together. People live in many different places in the village and they don't stay together. But as I know, the maximum number of households is [Censored for security] households.

What village tract is K---village in?

K--- village is in Ler Wah village tract.

Which village is K--- closed to?

It is closed to P---, L--- and N---.

Could you tell me about the villagers' livelihood before the water came?

We just farmedhill fields and plantations for our livelihood.

Did you also do land plantation work?

Yes I did.

What kind of plantation work did you do?

Before the water came, I did peanut plantation and lemon plantation work.

Could you survive each year with the work that you were doing?

When I was doing those jobs, I could survive each year. But after the enemy [Tatmadaw] came and pushed us, we had to move and our work wasn't going well anymore.

When was the last time the Tatmadaw came?

I'm not sure about the last time they came because I didn't note it down.

How many years has it been? And how many hill fields did you farm?

I don't know exactly how many fields I farmed because I didn't stay in the same place; I'm always moving around like going to Khaw Kee, Khaw Day and Mae Weh.

How many villages did you move to since you left K--- village?

Since I left K---, as I can recall, I moved to two villages and then I was chosen to work. Since then, I'm always travelling and later my health condition isn't that good, so I quit the work and came back to stay here.

What kind of work did you have to do?

I did the revolution [a KNLA soldier].

So, you were a soldier?

Yes, I was based in Mae Ta Waw, Wah Ka [in Hpa'an District].

How long have you been living here?

I started living here since 10 or 20 years ago.

How old were you when you first joined as a soldier?

I was around 17 or 18 years old.

Did the SPDC harm you when you left the KNLA and came back to stay in the village?

Yes, they came and shot guns once or twice; it hit my arm.

Once or twice?

They came and shot twice.

When was it?

It was long time ago.

How many years ago was it?

It was five or six years ago.

Was it the last time that they came and shot?

The last time they came has been four years already.

How did the Tatmadaw come and attack the villagers? Did they just come and shoot?

They came and shot while we were in the village. There were only five or six households that were close to my house. They came and shot [at] 8 or 9 o'clock in the morning, when

we were about to go to our hill field.

What stageof work was it?

It was during when we were cutting down the trees to farmthe hill field [done in March].

How did they attack? What weapons did they use?

They only used the small guns.

Was there any soldier of Karen National Liberation Army [KNLA] around the village?

There weren't any KNLA soliders around us because they lived very far from us.

Did any villager get injured?

No one got injured.

Could everyone run away?

Yes.

How about the second time? I mean the latest time when they came.

The last time, [when] I got injured, was when my wife just gave birth to my child and I sent the midwife back to her house. When I was on the way home, I met them. They wanted to arrest me but I saw them first, so I was trying to run away and, at that time, they shot at me and I got injured.

Which part of your body got injured?

I got injured in my arm.

Did you know the battalion number of the Tatmadaw that came and shot the gun in your village?

No, I did not know.

When you heard about the dam, did you know that the water wouldcome?

We heard that people wouldcome and construct the dam. Since then, I knew that water wouldcome some day but we don't know how high water wouldcome.

How did you hear about it?

We just heard from our friends who lived in the flat land, [they] told us that the dam wasgoing to be constructed.

Did you do anything when you heard about that? Did you prepare yourself?

We didn't do anything and we also didn't prepare ourselves because we still needed to continue on our work in order to survive.

When did you hear about it?

I heard about it long time ago.

How many years ago?

I think it has been 8 or 9 years since I heard about it.

When did you first start seeing the water?

I started seeing the water in 2009.

What time in 2009 did you start seeing the water?

It was in the rainy season. They didn't block the water when they were still constructing so, in raining season, they tried to block it and the water came very high. It might have been better if they were reconstructing and blocking at the same time.

You said two years ago, right?

Yes, it was about two years ago.

Did you start seeing water this year or last year?

They blocked the water 2 or 3 years ago, but we started seeing the water last year [2009].

Did the water reach your hill field when you saw that it started coming?

When it started coming, it didn't reach to my field, but little by little and day-by-day, it reached my hill field.

What about your land plantation?

My land plantation was completely flooded

What was the time frame between when the water started coming and when it flooded your plantation?

I saw the water a year earlier, and [then] my plantation was flooded.

When did it flooded your plantation?

Yes, it was during the last rainy season.

Have you been seeing water for so long?

Yes, it was last 3 years ago.

How many years have it been that you couldn't work on your plantation?

I couldn't work on it for many years already.

How many times in a year did you pluck the lemons?

After I planted the lemon plantation, it grew and was about to provide fruit. At that time, the

enemy came and forced us to relocate, so we have to move to the forest.

So, when you left your plantation, the water didn't flooded yet?

Yes, it didn't flooded yet.

So, hadn't you collected any of the fruit yet, by the time you left?

No, I hadn't.

How much land did you lose because of the water?

I didn't lose many things; I only lost the plantation land.

You lost your plantation land because of the Tatmadaw right?

Yes, because of the Tatmadaw as well as the water. The water flooded so we could not work on it anymore, and they were all under water.

Does it mean that you couldstill work on your plantation if the water didn't come?

Yes, we couldwork on it but we also needed to prepare to run in case the [security] situation wasn't good.

Have you ever gone back to pick the fruits?

No, I never went back.

How many acres wasyour land?

One wasaround 4 acres and another one wasabout 25 acres. I had two plantations. One wasat this side of the river while the other land wasat the opposite side of the river.

Were both of your lands destroyed?

Yes, both were flooded.

How about your peanut plantation?

My peanut plantation was also flooded.

How many acres wasyour peanut plantation?

My peanut plantation was about one acre.

Before the water came, could you work on your three different plantations, which are four acres, 25 acres and one acre?

Before the water came, I could not work on the peanut plantation anymore but I also planted the dogfruit trees, so I only worked on the dog fruit plantation.

Did you plant dogfruit trees too?

Yes.

Did you plant the dogfruit trees together with the lemon plantation?

No, I didn't plant them together. In the lemon plantation, I only planted lemon trees.

How many acres was your lemon plantation?

I think it was only one acre.

You planted more dogfruit trees right?

Yes.

Could you pick the dogfruit?

Yes.

How many years could you pick the dogfruit?

I could pick [them] for 5 or 6 years.

Was it a long time ago?

Yes, it was a long time ago.

How long ago was it?

It was about 10 years ago.

At first you said you couldn't go back and work anymore because the Tatmadaw came, right?

Sometimes when the Tatmadaw's situation was a little quiet, we could go back and pick [fruit]. We didn't go back and work all the time, and we also had to go back secretly.

Did you go back last year to pick [fruit]?

No, I didn't go back.

What about two years ago?

No, I also didn't go back.

How long have you not gone back there?

I think it has been 10 years that I didn't go back.

So, the water came 10 years ago?

Yes, it was about 10 years ago since people constructed the dam.

Were your plantation lands close to the dam?

No, they weren't very close. They were not by the dam. Even though they were not close to

them, since the Tatmadaw came very often to build the dam, we couldn't stay there anymore.

So, [the reason] you couldn't work on your land wasn't because of the water?

Yes, not because the water.

Was it because of the Tatmadaw?

Yes, because of our enemy [Tatmadaw].

Do you have any plantation land that you couldn't work on anymore because of the water?

Last year or two years ago, I could not work on any plantation. I just only did hill field farming.

What would you like to happen for the loss of your land? What do you want to get in return for the loss of your land?

Even though we want to get back our lands, the water already flooded, so we can't do anything.

Do you want anything to happen? For example, you dare not to go and complain to the government, but if there is someone who dares to go, would you like them to go and complain?

Regarding that, I didn't want to complain anything because the government should have already known what they should do for the civilians and what they shouldn't. They have to think whether it'll affect the villagers' work, livelihoods or not.

According to the current situation, the governments didn't consider for the villagers' livelihood and did what they wanted already. So, do you want to complain anything regarding the lost of your lands?

For me, I don't want to say much because even if we report, they wouldn't listen to us. They don't listen to our voices. So, it's better to stay quiet.

Did you complain to any authority when the water came and flooded your land?

No, I did not write or complain on anything because I think that the government should know what the civilians need, and they should know how the things that they are going to do can impact the villagers.

What about going and requesting compensation for the loss of your land? For example, you lose your plantation lands, so did you go and ask for compensation?

No, I did not go and ask for compensation. Last two years, our leaders saw our situation and they arranged something for us, and later, they came and helped us.

How did they help you?

They distributed some money to us.

Is it Burma government?

No, not Burma government; they are from the KNU side.

Was it in the last one year or two years? Did you also get anything last year?

Yes, I also got [support] last year.

Did they provide some money for you because you lost your plantation lands?

Yes, I think it was because of that. We couldn't work on our plantation anymore, so they provided some money for us.

Was there any change of healthcare because of the water? How different is the health care before and after the water came?

Regarding the health care, if we are sick, we will just go and ask for medicine from the township headquarters clinic. If we are seriously sick, we will just go and ask for medicine from them.

Who are they?

Our district leaders.

On Burmese side?

No, not Burmese side, our Karen district leaders took care of us.

Did they help the villagers when the villagers went?

Yes, they helped and took care of them.

Have the diseases that they [villagers] face changed since the water came?

I don't know what to say for this, but there are many kinds of diseases, so I don't know which one I should address.

Was it before water came? How about after water came?

After water came, there were many different kinds of diseases that the villagers have faced. For example, ankle bones pain, kneecap pain. There are also many different kinds of insects and malarias that we have never known when we were children.

Did the education also change?

For me, I don't have any education.

Is there a school in your village?

We don't have a school in our village.

Which schools do the villagers' children go to?

They send their children to other places that have school like Htee Nya Lee Day village

school, the township school and the district school.

Don't the children who are a little younger go to school?

We don't have the school in our village, so the young children can't go to school because the schools are in other places.

Are there any changes that happened in your family or in the village because of the water?

We have faced the livelihood problems, healthcare problems and we also encountered the problems that are from the Tatmadaw a lot.

Did you also face that before the water came?

Yes, we always face those kinds of diseases.

Did you have enough food before the water come?

Even though we didn't get enough food before the water came, we could still work on our plantation and we also could carry things for other to get more food, so there weren't serious problems. By doing that we got enough food year by year.

Now, can you still carry things for others to get daily wages?

Now some people still carrying things for other but I don't because it is more difficult now. When the water came, it was not easy to travel. For example, we want to visit our siblings who live in the flat area, but we can't go. If we really need to go, we will have to go by boat or ferry. In the past, we travelled secretly on the forest paths, so there wasn't any problem. But now, we have to travel by boat or ferry, so we have to pass the enemy [Tatmadaw] gate and it becomes very difficult.

In the future, do you think you'll be able to find a new land to do plantation farming?

Only the land in the forest are left. If we want to do hill field farming, we want to go very far to do it because there are no closer places to do hill field farming.

Will it be more difficult for you to avoid the Tatmadaw because of the water?

Yes, as long as we have water, it'll still be difficult for us to avoid the Tatmadaw.

Why will be more difficult?

As I told you before, because the water came, we have to travel by boat, so we always have to cross their gate.

Do they easily travel by boat?

Yes, they can travel more easily and they can come whenever they want; even in the nighttime.

Do you have anything else in your mind that you want to say?

Even though we are not happy about this, there is no use of telling [it]. Because we know

that, they are not going to listen to us.

Then, how do you feel about it?

We already knew that if the government was going to build the dam, we would definitely lose our lands. So, we thought we would sell our land to the people who are coming to build the dam with the hope that we would still get half of the compensation. But even though we wanted to sell our land, they didn't want to buy it, so we didn't get anything. They just said that it's their land, so they would do whatever they want.

How much do you think you could get if you really could sell your land, which you left over 10 years ago?

I don't know exactly how much I'd get because it depends on the people who would buy it. They should know how much our land is worth.

Was it before water flooded?

Yes, it was over 10 years ago, before the water flooded it.

You wanted to sell it since 10 years ago, right?

I'm not exactly sure, but I think it was over 10 years ago.

You wanted to sell, but they didn't buy it, right?

Yes, they didn't buy it.

Do you know why they didn't want to buy it?

They said that it's their land so; they would do as they want.

Thank you for sharing your information with us and is there anything that you want to share with us?

No.

Source document/ShwegenDam/2011/13

Project name:	Shwegen dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Tatmadaw IB #57, LIBs #350 and #349
Company/Investors:	
Government/Military:	Tatmadaw
Trends:	Land confiscation
Consequences:	Environmental impacts; Impacts on livelihoods
Collective action:	
KHRG Log #:	11-30-I2

Publishing info:	"Incident Report: Dam problem in Nyaunglebin District," KHRG, March 2013 (First Publication)
Testimony:	

The following incident report was written by a community member who has been trained by KHRG to monitor human rights abuses. The community member who wrote this report described an incident that occurred in 2004, when the government constructed Kyauk N'Ga dam in Hsaw Htee Township, Nyaunglebin District. The dam caused villagers in the areas to deal with problems relating to flooding. Specifically, villagerwork places were flooded and some villages had to relocate to village because of the dam.

Incident report | Shwegen Township, Nyaunglebin District (2004)

The following incident report is presented below translated exactly as originally written, save for minor edits for clarity and security.

Part 1 – Incident(s) detail

Type of Incident	
Date of Incident(s)	2004
Incident Location (Village, Township and District)	W--- village, Hsaw Htee Township, Nyaunglebin District.

Victim's Details							
Name	Age	Sex	Nationality	Family	Occupation	Religion	Village
Naw T---	36	Female	Karen	Married	Lemon plantation farming	Buddhist	P---

Perpetrator Details	
Name	Company/Battalion/Division
SPDC military Government	Infantry Battalion #57, Light Infantry Battalion #350 and #Light Infantry Battalion 349

PART 2 – Incident Details

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 attach if needed.

The SPDC military government constructed a dam [Kyauk N'Ga dam], so there are problems for villagers. Villagers had to face many difficulties, such as flooding and [their] homes are under water, working places are flooded and [some villagers] had to move to another village because of the dam.

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Source document/Shwegen Dam/2011/14

Project name:	Shwegen dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Domestic companies; Tatmadaw
Company/Investors:	Domestic
Government/Military:	Tatmadaw
Trends:	Lack of consultation; Disputed or lack of compensation; Land confiscation; Development-induced displacement and resettlement
Consequences:	Environmental impacts; Impacts on livelihoods
Collective action:	Reporting to authorities
KHRG Log #:	11-29-T1-I2
Publishing info:	"Nyaunglebin Interview: Saw K---, March 2011," KHRG, March 2013 (First Publication)

Testimony:

This report contains the full transcript of an interview conducted during March 2011 in Shwegen Township, Nyaunglebin District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Saw K---, a 52 year-old man from Shwegen township, who described how more than 100 households fled because of flooding caused by the Shwegen dam. Saw K--- also describes forced labour, movement restrictions that impact villager livelihoods, attacks on livelihoods. He reported that villagers were not compensated for the widespread damage to land, nor were they notified in advance of the project that their land could become flooded. He describes how a Japanese company conducted initial tests and rejected the project site as unsuitable for a dam, but that a domestic company later came with 100 to 200 Tatmadaw soldiers and constructed the dam at that site. Moreover, Saw K--- mentioned that the Tatmadaw required villagers to pay 10,000 or 20,000 kyat every month as taxation for working their plantation land. Saw K--- also raised concerns regarding food security, that the cost of medical care is a heavy burden on the community and that provision of education for children is inadequate in his area. He explained that villagers did not complain to the government about their land lost, because they were afraid of what the government would do in response.

Interview | Saw K---, (male, 52), Shwegen Township, Nyaunglebin District (March 2012)

The following interview was conducted by a community member in Nyaunglebin District, and is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Nyaunglebin District, including three other interviews.

Ethnicity: Karen

Religion: Buddhist

Marital Status: Married

Occupation: Farming a hill field

What did you do when you stay in your village?

I did lime plantation farming, but the lime plantation was flooded after the dam was built. We

couldn't work on [plantations] for our livelihood anymore after the flooding. After our plantations were flooded, we started panning gold as daily wage work, so we bought rice to eat with the money that we got daily.

How many households are there in your village?

There are many households, because we live in Shwegenyin city. There are about 100 households.

What was the most common work that villagers did before the dam was built?

Some people did plantation work, panned gold, cut bamboo and some did hill field farming before the flooding. We also panned gold and did plantation work.

Did you own the lime plantation that you were working on, or did you work in someone's plantation?

For the lime plantation, we planted on our own [land]. We founded the land and we planted the plantation. We have been surviving with this plantation for two or three years, and after the dam was built, it was flooded. We couldn't work on it anymore. So we started panning gold until now.

Do only the villagers from your village pan for gold or do the villagers from other villages also pan?

The villagers from other villages also pan for gold, because all of the lands were flooded because of the dam.

Did the government come and build any clinic in your village?

There was no clinic or school in our village.

Did they come and give you training about agriculture?

No, they didn't give any training.

Was there any other armed group that came to your village, except for the Tatmadaw?

There was only the Tatmadaw after we moved to Shwegenyin town, but before we moved, Democratic Karen Buddhist Army [DKBA] soldiers also came and stayed in our village.

Do you remember when it was?

I don't remember.

Did the SPDC army [Tatmadaw] come and interrupt your work?

Yes, they did. They came and asked for land tax. They asked and we had to give it to them. We couldn't refuse their order and we had to pay the tax.

How much did they ask, for the tax?

They asked for 10,000 or 20,000 kyat (US \$11.67 or US \$23.34) per month.

Did they demand the tax by looking at the land acreage or the production of the plantation?

They asked for both.

Did you know that the dam was going to be built?

We didn't know, but some people knew about it.

How did they know?

They knew because the constructors came with cars to the area. They came and dug the lands on the hillside and the lands were destroyed everywhere.

Are there some villagers who knew in advance, that the dam was going to be built?

Yes, some villagers knew this in advance. But I didn't know how they knew it, because I was just a newbie who came here and planted the plantation. I am a new arrival in here and I didn't know anything. They didn't let people know. They came and did [the project] by themselves. People just stayed and watched. Before they completed it, we went up and down [the river] by boat. Later they said you couldn't go down anymore. So we couldn't go down. After that, they built the dam and the land was flooded little by little, until now.

How did people who knew [about the project] prepare themselves?

No one prepared. They stayed until the dam was completely built, just like me.

Did other villagers also know about the dam beforehand?

Other villagers also knew, but they were not sure whether the dam would be successfully built or not. Some people said it was not successful and some people said it would be successful. People just waited and watched the situation. Year by year, the dam became bigger and bigger.

Did the government inform the villagers that they were going to build the dam?

They didn't go around and inform the villagers. They came and did it by themselves. They came and cleaned up the place. We were travelling at that time. We travelled and we could see the dam. We could go to see the dam at that time, but now they don't even allow us to go and look.

Why didn't they inform the villagers?

I also don't know about that.

Did they ask the villagers to go and clean up the land when they came and cleaned up the land?

Yes, they called *Loh ah Pay*. They called, but our village was not included.

Did they pay villagers or just asked villagers to work for free?

I think they paid. They paid day by day.

Did anyone write any letter and report to the government?

No.

Why didn't they do that?

They didn't report anything because they were afraid of them. We were not even allowed to go close to them, so how could we go and report. They would prosecute you if you go and report to them. We dare not to raise this issue even though our lands were totally flooded; we just have to stay quietly.

How did the water come up?

The water came up one cubic [inch] in a day and a night. Water came up every day and never went down.

When did the water come up?

I don't know. Firstly, they tested the dam by blocking the water. After they tested it, they let the water flow again. Later, they blocked the water again; they did it back and forth like this for many times. The last time they blocked the water was last, until now.

What did villagers do when water came up?

The lands were flooded, the villagers had to flee and we couldn't continue our work anymore. There were also some people who fled before the water came.

How long did it take the water to reach your village?

As [soon as] they blocked the water, it started coming up. We couldn't stay there and work on our plantation anymore.

How many lands or properties did you lose because of the dam?

Ten acres of my land was destroyed.

How long did it take you to be able to work on this plantation?

We had worked on it for seven or eight years already, and even then, it still didn't provide any fruit for us to sell yet. When we were about to be able to sell the fruit, the water flooded.

How were the properties that you lost important to you?

It is important. I don't even know how to describe in words how important to us. When we planted the plantation, we meant to live with our family and in order for our generation to be able to continue working on it in the future. You have to find work day by day after your land was flooded. I can't do daily work anymore, since I'm getting older.

Was your house also flooded?

My house was not included. Just plantation land was flooded.

Have you written any letter and asked for help from anyone else?

No, we just worked day by day for our food. We didn't write any letter to the government because we already knew that even if we wrote one, we wouldn't get anything.

Did you ask for compensation?

We didn't dare to ask.

Why did you not ask?

We were afraid of them, so that we did not ask for the compensation.

Why were you afraid of them?

We are just the villagers, and for them, they have guns. So we were afraid. And we are also different in ethnicity. You had to stay quiet when they came and said something to you. You can't oppose them. We are already trembling when we heard about the Tatmadaw.

How much money would it beworth, for the land that you lost?

It costs a lot ofmoney. I don't know exactly how much.

For how much do people buy an acre of land?

It's about 500,000 kyat (US \$583.43) for an acre of land.

Did you work on your plantation by yourself, or hire people to work on it?

I did by myself, together with my family. I couldn't hire people.

What are you currently doing for your livelihood?

I pan gold and also farmahill field. You will get paid daily from panning gold. If we plant one basketof paddyin the hill field, we will get only 10 or 20 baskets of paddy because the fertilizers are not that good.

Where do you go and pan for gold?

We sometimes pan in the small river and sometimes in the bigger river.

Is your livelihood going well by panning gold?

Sometimes it is going well, but sometimes it is not. When we get the payment, we buy 10 bowls of rice and it's gone. Sometimes, we can buy one sack of rice. It is different.

How much do you get for a day?

Sometimes you get nothing for a day, but sometimes you get 4,000 or 5,000 kyat (US \$466.74 or US \$583.43), or 2,000 [to] 3,000 kyat (US \$2.33 to US \$3.50) in a day. We get daily payment and it's gone when we buy fish paste, salt and rice. So, the next day we have to go and work again.

Are other villagers also working like you, or just only you doing this work?

Other villagers are also panning gold like us. All of us are doing the same thing. If they do

not pan gold, they would cut bamboo poles to sell.

How do other villagers make their livelihood?

They are also doing the same thing like us. After the flooding, we started panning for gold, cut bamboo poles, and sometimes we cut grass. People do different kinds of work.

How many villages were flooded?

Tee Muh Hta village was also flooded. There were a hundred households in that village. All villagers fled after flooding. People didn't dare to stay there.

Could the Tee Muh Hta villagers carry [salvage] their property before the flooding?

Yes, they could, so only their houses were flooded.

What did they build their houses with?

They built their house with bamboo.

How do you survive now?

I can't pan gold because I got injured. I got injured by a rock so; I can't work anymore and just stay at home.

Where do you live now?

We live in Shwengyin.

Is there any problem that you are currently facing?

There are many problems that we're facing.

Could you explain to us the situation before and after the dam was built, step by step?

I don't know how to explain it, because it has many steps.

Where are people who come and build the dam from?

Before, they came from Japan. They came and tested the soil first. They tested the soil and they said they can't build the dam. They said the ground is not strong enough to build the dam. Later, there were three companies that came and built the dam. They are doing it until now. They are successful, but we don't know how many years it'll last.

Where are the companies from?

They are from Myanmar.

Did the Tatmadaw come and guard them when they build the dam?

Yes, they did come and guard.

How many soldiers came?

There were around 100 or 200 soldiers. They guarded in many different places.

Did anyone come and give you support?

No, we didn't get anything from the government.

What are the things that you need?

I would be great if we get any support from them. But it depends on them because we dare not ask. But we would be happy if they supported us.

What kinds of support do you need?

We need food. It is good enough if we have food for our daily life.

How many villages did the water flooded out?

Water flooded T'Nay Pah, Htee Hkee hta, May Yaw Hkeh, Meh Law La, Hko loh and Ler Hta Kwee villages. Those places were flooded.

Are there any villager plantations in those areas?

Yes, there were lime plantations. All of the lime plantations, coconut trees and betelnut trees disappeared.

Is there any villager from other village who wrote a complaint letter to the government?

I didn't hear that anyone did. They just moved and found work at other places. No one complained to them [government]. Villagers were afraid and dare not ask. We go around and pan gold. The companies came and bought hundred acres of lands. They would fine us if they see that we are panning gold in their land. So we have to go to other places to pan gold. They block you when they know the place where you are going to pan the gold. So, you also can't pan gold anymore.

Whom did the companies buy the land from?

They bought it from the government, because they said the land belonged to the government.

What are the other jobs that villagers are doing?

They don't do other jobs. Most of them pan gold. The situation is not the same as before. Some people founded lime plantations again, but it is not the same as before. As you know, if you plant a lime tree this year, you'll have to wait seven or eight years [for fruit]. Some people planted banana trees this rainy season and they will get money from selling the fruits next rainy season.

How do you buy medicine in your village, when you have health problems?

If we are sick, we would have to go and buy medicine because we don't get it for free. My wife got sick once, and her sickness was serious. She had to go to the hospital. I can't tell how many kinds of medicine that she had to use. She had to take six bottles of blood from

other people. Until now, I couldn't count how much money we spent for that. You have to buy all the medicine when they called you to the hospital. If they write you a prescription on a piece of paper, you go and take it [to the pharmacy] and 10,000 or 20,000 kyat (US \$23.34) of your money has gone already. Their responsibility is just to do this: they check [you], and if the condition is not good, they write on piece of paper and you have to go again. My wife had to go to hospital for 19 days, and 700,000 kyat (US \$816.80) has gone. All of our money has gone and we had debt up to our neck.

Which hospital did she go to?

I'm not sure about the hospital's name but I'm sure that it was the SPDC government hospital. My wife was about to die if she hadn't go to the hospital. I had some money in my hands. If you don't have money, you will die even, in government hospital. It is the same as when you go and pour your money in water. For them, they just tell you and explain to you and treat you. Don't think that they will buy medicine for you. You have to buy everything.

Did you have any school in your village before?

There was a government school in Kyu Muh Hta. It had until grade 4. There was no Karen [Karen Education Department] school.

Did they come and support the school by delivering books or other school materials to school?

They didn't support with anything and you have to buy everything by yourself. Now, my children are going to school and I have to buy everything for them. They report a lot about what they need to buy for school. We want our children to be educated, so we have to find a way to fulfil their needs even if we have to borrow money from other people.

Are there any children who can't go to school in your village?

Yes, there are some children who can't go to school. Children who can't go to school pan gold, cut grass and do daily wage work because they can't go to school. We also have to borrow money from other people and send our children to school. We are in bad situation now, but it will be better for us if our children have education.

How much do you have to pay for a big tin of rice?

One big tin is 7,000 kyat (US \$8.17). For fish paste, one viss is 2,000 kyat (US \$2.33) and for salt, one viss is 500 kyat (US \$0.58).

Did you know the name of companies that came and built the dam?

I didn't know their company's name.

Did they come with many cars?

Yes, they came with many cars. They dug the mountains and many mountains were toppling down. They exploded it with mines and there were lots of explosions. Many mountains disappeared. They took all rocks and threw them into the river.

Is there any advantage that the villagers got from the dam?

The villagers didn't get anything, but we have to suffer until nowadays. Even if we told them,

they wouldn't listen to us. In the beginning, they asked the villagers to submit the list of the land that the villagers lost and the villagers submitted it. As I told you, 10 acres of my land was flooded and I submitted that I lost 10 acres. Until now, we heard nothing back. Now they don't allow people to go to dam. You have to view it from a distance. They don't allow you to go close.

What is the name of place where they built the dam?

They call it Kyuak N'Ga.

Is there anything else that you want to say?

No.

Source document/Shwegen Dam/2011/15

Project name:	Shwegen dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Myanmar government; Tatmadaw IB #57; LIB #350 and LIB #349
Company/Investors:	
Government/Military:	Tatmadaw
Trends:	Land confiscation
Consequences:	Impacts on livelihoods
Collective action:	
KHRG Log #:	11-29-I2
Publishing info:	"Incident Report: Dam problem in Nyaunglebin District," KHRG, March 2013 (first publication)

Testimony:

The following incident report was written by a community member who has been trained by KHRG to monitor human rights abuses. The community member who wrote this report described an incident that occurred on February 10th 2010, as a result after the Myanmar government built up Kyauk N'Ga dam in Shwegen Township, in 2004. The community member describes that villagers' work place were flooded, therefore villagers have to deal with livelihood problems because of the dam.

Incident report | Shwegen Township, Nyaunglebin District (February 2010)

The following incident report is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Nyaunglebin District, including three other incident reports and four interviews.

Part 1 – Incident(s) detail

Type of Incident	Dam problem
Date of Incident(s)	February 10 th 2010

Incident Location (Village, Township and District)				R--- Village, Hsaw Htee Township, Nyanuglebin District.																																											
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²⁵ In Karen, the Burmese phrases Na Ah Pa (SPDC) and Na Wa Ta (SLORC) are commonly used to refer to the Burmese government or to Burma's state army, the Tatmadaw. Many older Karen villagers who were accustomed to using the phrase Na Wa Ta (SLORC) before 1997 continue to use that phrase, even though the SLORC has not officially existed since 1997. Similarly, despite the official dissolution of the SPDC in March 2011, many Karen villagers continue to use the phrase Na Ah Pa (SPDC) to refer to the Burmese government or to the Tatmadaw; see: "Mission Accomplished as SPDC 'dissolved', "Myanmar Times, April 4-10th 2011. The term Na Ah Pa was used by the villager who wrote this incident report and "SPDC" is therefore retained in the translation of this incident report.

Source document/Shwegen Dam/2011/16

Project name:	Shwegen dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Tatmadaw IB #57; LIB #350 and LIB #349
Company/Investors:	
Government/Military:	Tatmadaw
Trends:	
Consequences:	Impacts on livelihoods; Migration
Collective action:	
KHRG Log #:	11-29-I1
Publishing info:	"Incident Report: The impact of construction of Kyauk N'Ga Dam in Nyaunglebin District," KHRG, March 2013 (First Publication)

Testimony:

The following incident report was written by a community member who has been trained by KHRG to monitor human rights abuses. The community member who wrote this report described an incident that occurred in July 2010, when the military government constructed Kyauk N'Ga dam, villagers in the area had to deal with many problems, such as flooding from the dam site. The report also mentioned one village called Ler Ta Thoo, which was flooded and villagers had to relocate to another village because the whole village flooded.

Incident report | Hsaw Htee Township, Nyaunglebin District (July 2010)

The following incident report is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Nyaunglebin District, including three other incident reports and four interviews.

Part 1 – Incident(s) detail

Type of Incident	Dam Construction
Date of Incident(s)	July 2010
Incident Location (Village, Township and District)	C--- village, Hsaw Htee Township, Nyanuglebin District.

Victim Information								
Name	Age	Sex	Nationality	Family	Occupation	Religion	Member of Organizations	Village
Saw H---	30	male	Karen	Married	Hill field farmer	Christian	villager	C---

Perpetrator Information		
Name(s)	Company/Battalion/Division	Commander's Name

Unknown	Infantry Battalion #57, Light Infantry Battalion #350, Light Infantry Battalion #349	Unknown
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Part 2 - Information Quality

Explain how the source verified information accuracy.

The dam that the SPDC government constructed flooded villager's work places, so it caused a problem for the villagers. They [SPDC] constructed [the dam] in Kyauk N'Ga [area]. Because of the dam problem, villagers will have to deal with problems working for their livelihood.

PART 3 – Incident Details

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 attach if needed.

In 2004, the SPDC military government [Tatmadaw] came and tested land to construct a dam. They finished constructing the dam in July 2010 and water came and flooded villagers' work places, which were farms, lemon plantations and dogfruit plantations. The SPDC military government constructed the dam in Kyauk N'Gar [village], Hsaw Htee Township, Nyaunglebin District. After they constructed the dam, they closed water [gate] so water came, flooded and destroyed villagers' living places, work places and plantations. Villagers had to move to other places and can do only fishing [for their livelihood] because their work places are lost. Currently, they have to deal with living and livelihood problems. The whole thatwhich floodedwas named Ler Ta Thoo and villagers moved to Htee Ler Ghaw Hkee village.

There are many villages that faced problems from the dam. A man called Saw H---, said that water flooded five acres of his dogfruit plantation and five acres of his farm. Now, some villagersfarm hill fields and some fish for their livelihood. The villagers complain about this dam because they have to deal with livelihood problems.

Source document/ShwegenDam/2011/17

Project name:	Shwegen dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Myanmar government; Tatmadaw
Company/Investors:	
Government/Military:	Myanmar government; Tatmadaw
Trends:	Development-induced displacement and resettlement
Consequences:	Impacts on livelihoods
Collective action:	Reporting to authorities
KHRG Log #:	11-28-T2
Publishing info:	"Nyaunglebin Interview: Saw U---, February 2011," KHRG, March

	2013 (First Publication)
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Testimony:

This report contains the full transcript of an interview conducted during February 2011 in Shwepyin Township, Nyaunglebin District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Saw U--, a 73 year-old villager from V-- village, who provided details about the Shwepyin Dam that was built by the government. He reported that the purpose of the dam was to send the electricity to China, instead of benefitting the local community. He reported that villagers face problems because of the dam such as flooding, lost land and livelihood problems. U-- also described his past experience in 1975 to 1980 when he had to flee because of the Tatmadaw's activity and the specific information on the problems that they faced while they were fleeing at that time. U-- explained that the villagers reported the KNU about their difficulties and the KNU is helping them with rice, but that villagers in his area are afraid to report to the government because they worry about being tortured or put into jail if they requested compensation for their lost land. The villagers also rely on the education and healthcare system provided by the KNU.

Interview | Saw U--, (male, 73), V-- village, Shwepyin Township, Nyaunglebin District (February 2011)

The following interview was conducted by a community member in Nyaunglebin District, and is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Nyaunglebin District, including one other interview.

Ethnicity: Karen

Religion: animist

Marital Status: Married

Occupation: hill farming

Position: Village leader

How many children do you have?

I have five children.

How old is the eldest one?

28 years old.

How about the youngest one?

18 years old.

How many households are there in your village?

There are [censor for security] households.

What is their occupation?

All do hill farming.

How many decades has your village been set up?

Since our ancestors' era.

In your village, do you get help from the Burmese military government or from other people?

Help? For the Burmese government side, there is no help. We just always have to flee. For the KNU, they help us with our difficulties. If we have difficulties, they help us.

What do they help you with?

They help us with rice.

How about money?

For money, they don't help. They just help us with rice when we face with a great difficulty. For money, they helped five years ago. They couldn't help us with rice, so we have to buy it ourselves.

In your village, do you have a hospital?

We have no hospital. We just rely on the Operations Command [Tatmadaw].

How many days do you have to go [to get to] the Operation Command?

You have to go for two hours.

Which kind of diseases does your village suffer most?

The disease that we suffer most is, if we look at the mountain area, we have only malaria. Sometimes, we have diarrhea. There are some diseases but when we go to the OperationsCommand, they give us medicine and we feel better.

In your village, do you have a school?

Yes, we have a school.

Up to which standard?

Up to the fourth standard.

Who set up the school?

If we looked back at the situation, the Christian people opened the P--- school.

In your village, because the construction of the SPDC²⁶ government's dam,didit flooded the villagers' properties?

Yes, if we look at the SPDC building the dam, if we look at our properties such as farms and plantations, [they] were flooded. Therefore, if we look at the plantations, all were flooded. If we also look at the farms, all were flooded. We can't even get one grain. If we look at all of these [situations], these are because the SPDC built a dam and we face so many difficulties. This [difficulty] is for food. For the plantation wherewe planted the lemon trees, all are

²⁶ State Peace & Development Council of the military junta ruling Burma at the time, which was officially dissolved March 30, 2011 by Senior General Than Shwe following the election of a quasi-civilian government in Burma in November 2010.

flooded. To sell them and to buy rice, all are flooded; therefore, we can't do anything. For the plantation field that we have planted, if we measured, it will be one acre. We planted jackfruit, lemon and banana trees; all are flooded. Therefore, in order to keep them growing to get money and to buy food, we [cannot and] don't have money anymore. We have many difficulties like that.

When did they start constructing the dam? 2000 and what?

For this one, we civilians did not note it down; it has been three years.

In which year were your farms flooded?

This year.

Which month?

The month in which it started to flood was in July.

What is their goal for constructing the dam?

One of their goals is they will send [electricity] to China. They will do business. Therefore, in order to do business and to send [electricity] to China, they constructed the dam. If we look at the place [construction site], it is in the KNU area. The civilians from the KNU area have to face with difficulties because of their dam. All of these things [difficulties] are for their business, but for us, we have to face with our plantations and farms being flooded. We, the civilians from the mountain area have to face with many difficulties over food.

Has the SPDC military ever come into your village?

In the past, in [19]75, [19]76, [19]77, we always had to flee [because] they came in. We fled in the jungle. Because the KNU protects us, we can survive until today.

How long have you come back and lived in your village?

We have come back and lived in our village for four years.

You came back to live for four years, after you fled?

Yes. For four years, until now. After we fled and came back, [we] lived here.

Does their dam construction abuse the human rights?

For their dam construction, they abuse the rights of the people from mountain area. Therefore, if we look at the abuse, it is a great difficulty for us. We can't do hill farming to plant fruits and seeds anymore. All are flooded. Therefore, we can't work anymore. It is a great difficulty for us and there is no opportunity for us. It just affects our civilians. It just affects our civilians' livelihood because the SPDC does their business of sending [electricity] to China.

Did the civilians hear about whether they were going to build the dam?

They heard, but as we are just civilians, we can't disturb them. We heard that they were going to construct it, but as we are civilians, we dare not to destroy [their plan]. Therefore, we have to suffer until now. If we look at our KNU side, they don't have enough

power. Because they don't have enough power, they can't destroy [the plan]; they considered a lot but they can't.

Who gave you the information that they were going to build the dam?

For the ones who gave the information that they were going to build a dam, it was the civilians from the flat land area. They gave us the information about [the Tatmadaw] were going to build a dam, that they will send electricity to China, and that after they finished constructing the dam, they will set up the electricity dynamo [generator] and they will send [electricity] to China. Now, they have already sent it. The ones who sent [the information] to us were the civilians from the flat land area, and they are not only Karen people, Burmese people are also included. Therefore, if we look at it, not only Karen people sent [this information] to each other, the Burmese people also sent it to us.

In which year did they start to construct the dam?

We didn't note down the year but there have been three years in between then and this year.

When the civilians know that the military government was going to construct the dam, how did they prepare themselves?

What?

When the civilians heard that the military government was going to construct the dam, how did they prepare for their living place?

When the Burmese government built the dam, it was a little bit far from us and the water hadn't reached us yet. However, we prepared and some of us did hill farming above [higher], and some went and did farming in the dam area. If we look back, we just got some food from the mountainside, where the rice is not so good. If we look at the situation, we still survived because our KNU township leaders looked after us and helped us.

How many acres of your farm were flooded?

For the hill farms that were flooded, there might have been three acres.

How about others?

For the plantation, it might have been one acre.

What did you plant?

I planted lemon, banana, jackfruit and lime. We thought that we were going to plant more, but because of the flooding, we can't plant anymore.

Do you also have the plain land, which was flooded?

Yes.

How many acres?

Maybe about two acres. For these places, we aimed that we would widen it and plant more if we made a plantation, but now we can't plant anymore. It became an ocean so that we can't plant anymore.

Were animals lost because of the construction of the dam?

I don't know about the animals. For the animals which people breed, there was no loss. For the [wild] animals, as they can run, we can't say they are lost. If they are lost, it might be because people shot them. In our mountain area, we just have monkeys, pheasants, wild chickens and wild cows, but we can't say that we lost these [animals] because of the flooding.

Is there anything like the villagers' houses were flooded?

There is nothing like the villagers' houses were flooded, because the water can't reach to the place where we live. If the water can reach until our place, the flat land area will all be flooded. The people from the flat land area have to look up at the dam. Some of the people move to the flatland area. For the mountain area, as we are living on the mountain, the water can't reach yet.

How long have you worked on the lemon or jackfruit [plantation]?

Over three years--about five years.

Can you demand [compensation] from the military government for the things that you have lost?

Military government?

Yes, did you send a letter or ask for the things that you have lost like your property or your land?

Presently, the Karen military leaders reported [to the government] but we haven't got [a response] yet. We haven't gotten help yet.

How about the other villages? Did they report?

For the other villages, according to the information [I have], only the Hsaw Htee [Shwegen] township reported it. For the Ler Doh township, they don't have property inside the dam area. For the land that has plantations, [not plain land] they are mostly from Hsaw Htee Township.

So, most of the places which flooded are in Hsaw Htee township?

Yes, from Hsaw Htee township.

In Hsaw Htee township, how many villages were being flooded?

In Hsaw Htee township, I don't know how many villages were being flooded. The land from Kyauk N'Ga were also flooded, but the owners live in the flatland area. For us, who live this side, we don't know [the situation in] the southern part [of the township]. The people from the other side of the Hsaw Htee township, they should also report and it will be perfect. For us, we only know about the Ler Wah village tract.

Don't all of the [places] propose [compensation]?

For this side, all of us proposed. For the village tract from the other side, we don't know. If

they proposed, you will know.

Did you propose to the SPDC side? The SPDC military government came and constructed the dam and the lands were lost. Do the villagers report the prices of the land?

We can't. Never. If we reported, we are not sure whether we will die or go to jail. They don't understand these [compensation] things and they never accept it. Therefore, we civilians only reported to the KNU government. We dare not report to the SPDC government. Why we do not dare to report, is because they confiscated all of the land. They took the land and they cut down and destroyed the people's properties [plantations]. People dare not say [anything]. Therefore, the people who live in the SPDC controlled area come and report to this side [KNU]. If we look at the help, the KNU side helps us, until the flat land area, with money. Burmese civilians, not the SPDC, also help us.

You said that, you live on the hill.

Yes.

How far is the hill from the dam?

If we go from our village to the dam, it takes half and hour.

Does the water rise up starting in July?

Yes, in July.

When the water rises up, little by a little, how did the villagers think and how did they feel?

When they started construction and when the water started to rise, little by a little, the civilians worked on the hill farms. However, we thought that it wouldnot reach us. Our leaders also didn't think that it [our area] wouldbe flooded. One day, when it was raining, all of our farms were flooded. At that time, we knew that the water reach us. At first, even our leaders, the district leader, didn't think that it wouldbe floodedtohere.

After it was flooded, how did the villagers carry on with their livelihood?

At first, when we did hill farming, the water hadn't reached our place yet and we still had our plants. We couldearn a living during one year. Starting from last year until this year, all of our farms were flooded, and also the plantations were flooded all during this year's rainy season. Now, everything is flooded. When we have to do hill farming, we do it on the hill. The rice is not good anymore. One basket of rice grain seeds can only produce 5 or 6 baskets of rice. We just have to work on that. We don't have any good place to do farming. All were flooded.

Now, all of the villagers do hill farming?

Yes, we do hill farming.

Is there anybody who does the other jobs?

No. Only do hill farming. All of the farms and rice were flooded.The place where it providesgood fruiting, is in a flat field farm, so we can't work on them anymore. We just have

to do farming on the mountain. It is not enough to eat. The civilians have to try their best for their livelihood. If we look at the mother organization, the KNU, also finds ways to help the civilians. We only know that. If we look at the KNU, they don't want their children to starve, so that they are also trying [to help] in different ways. We just know like that. For us, we are also enthusiastic.

Because the SPDC constructed the dam, the civilians have to face difficulties. How about their children's education?

For their children to be educated, they tried and sent their children to the KNU government schools. For some [children], their parents are not rich so that the KNU government looks after them with food. We are not asleep [are aware]. It is fine that we are not educated. For our children, we have to send them to school. The leaders understand us and we build relationship with them, and we send them to school.

How many standards does the school have?

The school from the district has until the tenth standard.

How about in your school?

Only until the fourth standard.

How many teachers are there?

In reality, there are three female teachers. In this village tract, because the villages are very far from each other, they kept two teachers in L--- village because there are more children there.

L--- village?

It is also in Leh Wah village tract. For the other one, because there are few children, we kept her in V--- village.

In V---, there is only one teacher?

Only one.

Up to fourth standard?

Yes, fourth standard.

Do the teachers get salary?

Yes, they receive. For this one [salary], the mission takes responsibility.

Can the students study peacefully?

During this year, they can attend school peacefully.

Do they also learn Karen language?

Yes. The first one [subject] is Karen language, the second one is Burmese and the third one is English.

If they passed the fourth standard, where will they go?

If they passed, we have to send them to the township school. After they passed the township school, I don't know where [they continue].

How much does a student have to pay for school fee to enroll at a school?

To enroll the children at a school, we pay 150 [kyat](US \$0.18) as school fee, and a big tin of rice.

150 is in Burmese currency?

Burmese currency. It is the fee of enrolment.

Have they received any other support, such as pens?

If we look to the support, such as pens, it depends on the schoolteachers' arrangement. They reported it [stationary] to township and district headquarters. District headquarter officers arrange for books.

Some parents could not send their children to school, so what did they do?

If we look at the previous time, even we couldn't send [them], we just sent them to school as much as we could, year after year. We tried hard. The school fee is only 150 kyat and only a big tin of rice. We cooperated together and it continued year after year.

How much is one big tin of rice in your village?

Currently, one big tin of rice is 10,000 kyat (US \$11.67).

What kind of rice?

Rice from the hill--many kinds of rice--every kind of rice is 10,000 kyat.

How about meat? How much for one viss?

One viss of pork is 4,000 kyat (US \$4.67) and chicken is 5,000 (US \$5.83) for one viss. Nobody sells fish or frogs.

Where did you go and buy the food, when you lived in your village?

If we look at the past, we went and bought food in M---. This year, starting from when the Brigade Commander opened the gold mine and the forest [logging], people from flat area avoided the SPDC army when they travel. They are also working in a difficult situation. They bring fried snacks [to sell]. We go and buy things in M---.

How many hours do you have to go?

I have told you, one hour and thirty minutes. They [people from flat area] came by engine boat. People from the mountain area who have money, they sit in M---, at the base of Lay Baw Koh, and they sell things there. The people from flat area who have motorboats bring dry food such as [Nya Hka], and many things. They did it in secret ways, and send them to us. People here take it and sell it again as the next step.

In the past did the SPDC soldiers reach your village?

The SPDC soldiers arrived very often in 1975, 1976, 1977, 1978 and until 1980. None of the people in the mountainous area totally accepted meeting with them. We ran. If they saw the children, they shot and killed them. They shot and killed, if they saw old people. They also burnt down the villages. They shot, killed and ate all chickens and pigs. Therefore, we did not dare to meet with them. We also did not want to meet with them.

Did you remember the number of the military?

It was only the #57 and #60. It was their army.

Where is their [base] area?

Shwemyincontrolled [area]. That side was Moo's controlled area and Ler Doh's controlled area. We mostly experienced those people. We did not dare to meet with them. We just ran.

You said that IB [InfantryBattalion] #57?

They were IB #57 and IB #60.

Did you know their officer's name?

I could not recognize [it]. Whenever they came, we ran. We had experiences with those two SPDC groups. We experienced with them since 1975, 1976, 1977, 1978, 1979 and until 1980. LID [Light Infantry Division] #77 came in 1980.

To where did the villagers run?

I could not name the places' names. We ran into the forest, among the mountains, rivers and in the valley. We can't say the place name.

What did you do for food while living in the jungle?

When we ran in the forest, we had to carry our rice and we sometimes had to eat porridge and *Takapaw*[Karen curry which is a kind of rice porridge]. We went back to our village and ate the food that we kept in the rice store when they [Tatmadaw soldiers] went back. We requested the KNU soldiers to go with us; we treated them like that.

Was anybody sick while you were fleeing?

Yes, they were.

How were they cured?

We cured them with traditional medicine. We did not dare go to district clinic because there were many landmines. We cured them like that. We ate like that. We escaped again and again.

Burmese soldiers came in 1975 and 1976. How many years did you go back and live in your village?

We lived in the forest. We did not live in the village. At that time, we lived with one or two

families as a group. We did not dare live in the village. We came back and lived in our village only four years ago.

Now, do the SPDC soldiers come here?

They haven't been in the mountain area for about five or six years. Only spies came and they [KNU soldiers] could arrest them. The spies came and observed but they [KNU] could arrest them. During these five years, they haven't been to mountain area. But even though they do not arrive here, they arrived in battalion #9, the Kheh Der area. They arrived last year. They destroyed battalion #9 headquarters.

Did the villagers accept meeting with them?

They did not accept to meet them. Nobody from the mountain area totally dared to meet with them. You would lie down if you met with them. They shoot as soon as they see you. They shoot all children and old people. How could [villagers] dare to meet with them?

Who gave the villagers information when the Burmese soldiers came?

We got it from Operations Command. They are in the middle, and they let us know, so we [could] avoid [them]. Now, they have machines [walky-talky]. The villagers also have machines and that's why we can get the message very quickly. We evaded [them] ourselves like that.

How did the villagers prepare their food when the military came?

We prepared for three months when our leader let us know. We hid the food in the forest, in hiding huts. We ran when they arrived. We ran and carried food with us that we kept in the forest. We came back if it was easy to take our food. If it was not easy, we ate *takapaw* or porridge when our rice was nearly running out. We had done like that.

How long did the military take [to leave] for one time, when they arrived?

They sometimes stayed two or three weeks. Sometimes, they did not take much time. They withdrew if they were fought against, very hard. If not, they stayed for two or three weeks.

Now, I would like to ask you the last question. Do you want to say anything else regarding the military government that built the dam and [caused] the villagers to have to face difficulties?

If we look, we have the problems because the military government builds the dam. Therefore, we need to request many things. Therefore, we just look to our leaders, who control the civilians, and our leaders' plans. If we look in detail, our leaders cannot easily help us as we report. They will check and consider the situation. They will suggest and explain for us to understand, and we have to follow. Based on your interview, to overcome next year, all of our lands were flooded this year, but maybe our leaders have some plans for us, but we do not know. In your interview, we reported that, first of all, our lands were lost and flooded. Secondly, we have no more rice to eat for the next year. We have no money to even buy salt. We need money to buy salt. These are the final things that I want to say.

Thank you.

Project name:	Shwegenyin dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Myanmar government; Tatmadaw
Company/Investors:	
Government/Military:	Myanmar government; Tatmadaw
Trends:	Lack of consultation; Disputed or lack of compensation; Development-induced displacement and resettlement
Consequences:	Environmental impacts; Impacts on livelihoods; Forced labour and exploitative demands; Migration; Denial of access to humanitarian goods and services
Collective action:	Non-compliance
KHRG Log #:	11-28-T1
Publishing info:	"Nyaunglebin Interview: D---, February 2011," KHRG, March 2013 (First Publication)

Testimony:

This report contains the full transcript of an interview conducted during February 2010 in Shwegenyin Township, Nyaunglebin District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Saw D---, a 58 year-old man from Shwegenyin township, who described the flooding in Shwegenyin township that was caused by the government's construction of the Shwegenyin dam which began in 2000. He also discusses abuses that caused by the dam, such as ongoing forced labour and food demands from the Tatmadaw, even after the dam destroyed villagers' land and created severe livelihood hardships. He also discusses the environmental impacts that the dam has had on the area. Saw D--- explains that education and healthcare situation of their village is inadequate. In response to these challenges, Saw D--- describes the alternative livelihood options that many villagers pursue..

Interview | D---, (male, 58), Shwegenyin Town, Shwegenyin Township, Nyaunglebin District (February 2011)

The following interview was conducted by a community member in Nyaunglebin District, and is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Nyaunglebin District, including one other interview.

Ethnicity: Karen

Occupation: Lemon plantation

Marital Status: Married

What is your livelihood?

I currently have no job. My children do daily wage work, day by day.

What did you do before?

Before, I farmed a lemon plantation.

Are you married?

I don't have a lemon plantation.

How many children have you got?

Three children.

How old is the oldest one?

The oldest one got married already and has two children.

How old is he?

26.

How old is the youngest one?

20 years old.

When did the SPDC start building the Dam?

In 2000.

How about the date?

I do not know.

Where did they build the dam?

Kyauk N'Ga.

Did it harm any villages?

It harmed the land. We could not do anything.

Could you request the cost of the land that you have lost?

No.

How many acres of land did you lose?

About three or four acres of the land where I grew sour plant [lemon] plantation, we can earn money. Only lemons, without plains land or dogfruit land.

How many of the plains land did you lose?

About ten or twenty acres.

What did you do for livelihood after you lost your land?

I could not do anything. As I said, we just do daily wage work. I cannot work but my children do.

Where does the military government, which constructs the dam, base?

In Kyauk N'Ga.

How many households are in your village?

The whole town? Two hundred or three hundred households, in the Karen section.

When was the Shwegen town set up?

I do not know. A very long time ago.

What are the livelihoods of the other people from Shwegen town?

Some people have lemon plantations and some people have rubber plantations. Some do commercial logging.

Did they [SPDC] help the villages with the school requirements or with the medicine, as they build the dam?

They did not help with anything. They just came and constructed and when it [land] was destroyed, they did not look after anything. You have to earn your living. They asked us [for labor] and asked [food] from you.

Which village did you live in before living in Shwegen town?

U---.

Why did you go to live in Shwegen?

The government came and destroyed our village. They ordered us to leave. We were not happy to leave.

What did the government do?

They came and ordered the villagers to leave. What did they do to their enemy? They just ordered us to go to town.

How many villages did they order to leave?

I do not know how many villages. Many villages.

Which of your rights did they harm by building the dam?

They harmed the rights of our lives, destroyed our lands. We could not do any careers, and we faced many problems.

How about others?

Only these. They destroyed our lands. We could not do any careers. They just ordered to do things and order things from us when they wanted something. They do not look after us.

Did they villagers know beforehand that they would build the dam?

They did not know.

Did any other villages know?

They didn't. People knew by the time they built it. They didn't tell [anyone] until they came and built it.

What did the villagers do when they did not have time to prepare, when the SPDC came and built the dam?

They did not have time to prepare. They built the dam, step by step and it took many years. It was flooded just two years ago. The water did not flood during the summer. We could work our lemon plantation in the summer. Three years ago, it completely flooded the land. We have to travel by car. In the past, we travelled on foot and we had to go very far.

They built the dam in 2000?

Yes. Started from 2000 and now it is past 2010.

As for your understanding, what is their objective?

Their objective? They built the dam to take the electricity and send it to other places. Now the electric power is not so good and the light is dim. They said, "*If they do this [dam], the electric power will increase*". Even though they get the electric power, they will not share electricity. They will first send it to their leaders. They will use it for themselves. If they have spare electric power, they will share it with other towns. We heard that they will send it to China. I have no idea whether it is right or wrong.

Did they warn you regarding the building of the dam?

They did not.

Amongst the villagers, did anybody request the cost of their lands from the government?

No one. They just let it be lost. They could not request. They did not dare to request.

Why did they not request?

They dare not to request. Although you request, they will not give you anything. They just ordered us to do [labor]. We lost our land but we ourselves have to find the food.

What did the villagers do after the SPDC built the dam?

The villagers who lived in the forest?

Yes.

Some people had [money], so they bought other land. Most of the people have nothing. As it flooded, some people go up and down along the mountains and in flatland. We just do daily wage work. Some people could buy new lemon plantations and rubber plantations, but most of the people don't have [money].

How do you feel that the SPDC came and built the dam, and as the water reached your village?

[At first] It flooded in the rainy season and the water went back in the summer. So, people

could do [continue their plantation] for one year. The water [level] rose much more the next year. The land appeared again in the summer. They kept building the dam during the summer, therefore the water kept flooding. However, they kept building and it was all flooded. People could not do anything, so some people moved to other forests or to other rivers to farm the hill fields. Some people had money and bought new lands and farmed a new one [farm]. People who did not have money, they hired themselves out to cut trees and bamboo.

Were their valuable things lost?

Just only the land, such as a plantation was lost.

Any chicken or pigs lost?

People did not bread any pigs or chicken. They [SPDC] ordered the chickens and pigs from us if we had any. For cows and oxen, some exchanged it [with money]. Some drove [cattle] to the forest.

What is your religion when you live in Shwemyin?

I'm a Buddhist.

What ethnicity are you?

Karen ethnicity.

What do the villagers do this time after the Burmese government built the dam? Can you explain step by step?

This time, starting from when their lands was flooded, they can't earn a living. [They] only do hill farming. Even though they do it, as they don't have land, they have to go and hire themselves out in other people's farm each day. Some work in flat field farms and some work in hill farms. Cleaning the rubber plantations and cutting bamboo are also our careers.

How many peoples' plantations were lost because of the military government [construction of] the dam?

Not a few. We could not count how many acres, because plants grew up all over the plantation.

How many households lost their plantations?

Many villages. Many people lost a lot of their plantations. There were about ten thousand households. Some people went to live on the mountain, in the flat area and some went to live in town; maybe at least 2,000 and 3,000 households.

Any other problems that they face?

Problems?

Yes. Do you have any problems about careers in the village?

The problem is we cannot do anything, so we have to work in very difficult situation.

As the villagers face difficulties, how about their children who have to go to school, what do they do?

Some people could send their children to school. Some people could not send their children to school, so that they asked their children to quit the school. Some did not send their children to school. We cannot do any careers if the problems increase day by day. We have to eat every day and things are getting more expensive. It is also not easy to work. We have to pay many fees. As for motorbike taxis, they ask around four thousand or five thousand kyat (US \$4.67 or US \$5.83).

Where?

Between Shwegen and a place called H---. We cannot pay the fee for riding if we want to do hill fields [*Saw D---*'s meaning is not clear]. We cannot walk because people go by motorbike. They repaired the road. Before, people travelled on foot. There were the trees along the road. Now, there are no trees. It is getting hotter. We travel by motorbike if we travel. People who live in the town, and who have money, buy motorbikes. For poor people, they will run out of their money if they travel somewhere. If you [poor people] live in the town and you can [must] work around in a close area, and work different jobs for each day. Some people wash cloths for other people. Some fix other people roofs. We work differently. There is no work, so people do different jobs. Food is so expensive, so Karen people just eat fish paste.

How much do you have to pay for one big tin of rice?

For one big tin of rice, it costs 6,000 to 12,000 [kyat] (US \$7.00 to US \$14.00). If it is not good, it cost 6,000; the new rice. It will be expensive in the beginning of the rainy season; it will be 7,000 kyat or more.

How about meat?

5,000 kyat for one viss of chicken (US \$5.83). Pork is also 5,000 kyat. Karen people from mountain, they cannot [afford to] purchase. They just buy vegetables and still, it is very expensive. Not easy to do their careers because their working places were flooded. So, everything is getting expensive. Karen people currently face problems and it is the worst. Just the only thing is that they do not starve. That is all.

Up to how many standards do you have in Shwegen School?

Tenth standard.

How many students are there?

There are about two or three thousand students. A lot of students.

Do they teach Karen language?

Only Burmese and English. It is a Burmese government school.

Do the teachers teach well?

Some of them teach well and some don't. They use salaries from the government, but it is not enough. Some of them teach outside called *tutoring*.

How much do they get per month?

50,000 kyat per month (US \$58.34). It is for the low standards. I have no idea about high standards.

Did you get any support from the Burmese government or from other outside ethnic groups when you lived in Shwemyin?

The Burmese government totally does not support anything. A Karen organization has supported us.

How much?

We got over 30,000 kyat (US \$35.01) for each.

What kind of support do the other civilians need more of?

We have not got any other things.

What kind of support do they want more of?

They do not get any other support. The government will ask taxes from us if they need something. They can ask in different ways.

Do the villagers need any other support?

As for the other support, we will not get even if we request.

What do you need?

The place to start doing a lemon plantation is what we need. We can breathe if we get two or three acres of land. We cannot buy a new plantation to grow lemons. Now, the land is flooded and plantations are so expensive, no one can buy. Now, Shwe Set [a gold machine] is coming. They drive it and it destroyed the land.

How much do villagers earn per day when they are working with the Shwe Set?

They don't pay equally. They give 2,500 kyat (US \$2.92) for some people and they give 3,000 kyat (US \$3.50) some people.

As the villagers are facing problems, what do they do when they are sick?

If they feel sick, there is a doctor and you have to go to the hospital. For the ones who have money, they get treated very well. The ones who don't have money go and show themselves but it [disease] is still the same. This is a problem we have. As for me, I need to send my children to hospital but I can never send them to hospital. Some diseases, we cannot show them [get treatment] here, we need to send the patient to Yangon; if we send, the money is gone. There are some people who are in debt. Some people have to pawn their houses. As for us, we have no houses to pawn. We cannot work as other people do. Just my children do daily wages for day today [expenses].

What do your children do?

As I told you, my son-in-law does a Shwe Set job in Taungoo. One of my son works beside

the town.

You said that the Burmese government started to construct the dam starting from 2000?

Yes, 2000.

When did the water come up to your plantation?

The land flooded after six or seven years. During four or five years, the water only flooded the land in rainy season. The land appeared in the summer and we could work. The land flooded again in the rainy season. We could not see the land after seven to ten years.

On your land, you earned a living with lemons?

Yes, with lemons.

How many acres of lemon plantation did you lose?

Five acres. For other plantations, we haven't work on it yet. They are just plainland.

How much money did you get per year from your lemons?

Now, the price is not good. I got about 1,000,000 kyat per year (US \$1,166.86). It is just according to the account. We got and shared with my children. Now, I'll get more because it is about 500 kyat or 600 kyat (US \$0.58 or US \$0.70) for one lemon, in the summer. At that time, it was 400 kyat (US \$0.47) for one lemon, it was in the summer; during three months in the summer. Its price is not good in the rainy season, only 40 or 50 [kyat] (US \$0.05 or US \$0.06) for one lemon.

How many years did you do lemon plantation work?

When we started doing it until it was destroyed, it was about twenty or thirty years. Since we worked in the forest after our village was destroyed, we only worked on lemon [plantations]. For farming, we didn't do it anymore. The Burmese government people went around everywhere, and they ordered us to do things, so that's why we only did lemon plantation work; it was close to the river shore.

In which village did you live before?

U---.

From which year did you start coming to live in Shwemyin?

Since 1974. Our village was destroyed in 1980. The Burmese built up a new village and we had to live there and work on plantations. During seven years before the dam was constructed and the land was flooded, the village had to move. Some people went to do jobs in the town, some went to flat areas and some went to the forest, when the land was destroyed. People who had money, they drove motorbike taxis; there were just a few of them. Most of the people did not have jobs. We just worked only day today. We could not think of something to do the next year because the water increased more and more, day after day, and it destroyed more [places]. We could not go to plantations to do the work. Even if we need to buy a new plantation, we cannot. Things were destroyed and we could not do anything, but we had to keep living like this.

Does the Burmese government have any plans to build more dams?

Their plan is to build this dam. They would build the dam until it is done, even if the dam could not be built. After they get the electricity, I have no idea whatthey will do. Will they send it to the towns, or share withthe civilians, or just only for themselves? We don't know exactly.

How many villages were destroyed by the dam construction?

Not only the close areas flooded, but also far areas wereflooded. There were about two or three thousand villages;we didn't count all the villages,we just guessed. There were a lot of plantations [flooded].

Have you heard any other villages report about their plantations flooded?

We heard that other villages are also [flooded]. Plantations also flooded in Toungoo [town] but just a few.

Would you like to say anything else related to what the villagers have suffered because the military government constructed the dam?

Because they have already built it, they will not listen to us, even if we say [anyting]. We want them to destroy the dam and we will go back to do plantations by the time the land reappears. If it is continued like this, in the future, we will be in trouble. We will starve. We will face with health problems and if we have no money for medicine.We will face many difficulties.

Source document/ShwegenDam/2011/19

Project name:	Shwegen dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Tatmadaw
Company/Investors:	
Government/Military:	Tatmadaw
Trends:	Lack of consultation; Disputed or lack of compensation; Development-induced displacement and resettlement
Consequences:	Environmental impacts; Impacts on livelihoods; Migration
Collective action:	Reporting to authorities
KHRG Log #:	11-26-A3
Publishing info:	"Nyaunglebin Interview: H---, February 2011," KHRG, March 2013 (First Publication)

Testimony:

This report contains the full transcript of an interview conducted during February 2011 in Shwegen Township, Nyaunglebin District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Saw H---, a 60 year-old man from B--- village, who discusses the difficulties that villagersface because of the Kyauk N'Ga dam construction. H--- givesdetailed information about villagers'sexperienceswithfleeing from one place to another since the movement restrictionswere enforced by the Tatmadaw in 1974. He compared that time to now, where

even though those restrictions have ended over, villagers have to flee again, first because of the presence of the Tatmadaw in the project area, and then because of the flooding caused by dam itself. The villagers in the area were not notified that there would be a project in their area, nor did they know that there would be widespread flooding as a result. He describes the livelihood problems that villagers face as they flee, especially relating to farming. H--- also expressed his concerns for the people in the flat field area, which is located below the dam, because he imagines that the dam may break. In response to these challenges, villagers have reported to the KNU about the problems that they face because of the dam, but they were afraid to report to the government.

Interview | Saw H---, (male, 60), B--- village, Shwegen Township, Nyaunglebin District (February 2011)

The following interview was conducted by a community member in Nyaunglebin District, and is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Nyaunglebin District, including one other interview.

Ethnicity: Karen

Marital Status: Married

Occupation: hill farming

Where is your village?

At first, I lived in K--- village but I'm now living in B---.

How many households in B--- village?

Only [censor for security] households.

How many households were in K--- village while you lived there?

There were two or three parts [sections] in the village. There might be thirty or forty households. Then, people fled and all disappeared because of SPDC.

I would like to know that the SPDC is now setting up the dam in Kyauk N'Ga area. Therefore, how did it harm the villagers' rights? Did you have to face with losing plantations and farms?

We have suffered since 1974 until now. In 1980, we could go back and do plantation. We couldn't do flat field farming. We could only grow the other [vegetables]. Again, the SPDC were active and we fled again. Now, the water rises and everything is flooded. Therefore, we have no place even to farm the hill fields. We don't know what we should do.

What kind of career did you do before SPDC constructed the dam? Can you explain it to us step by step?

At that time, we only farmed hill fields. We couldn't farm flat field farms in K--- because of the SPDC. At that time, it was not flooded yet. The water completely flooded this year, in 2010. In 2010, we did hill farming but many areas flooded. We could do hill field a little bit but for some places, we could not do anything because all [land] was flooding.

Could you do any careers before the dam construction?

We could not. We could do hill farming nearby. We could do hill farming, but when the SPDC based there [K--- area], we fled to the mountains step by step. Then, now, the water

came and we could not work in K---. Flat fields are flooded and a lot of hill fields and flat fields are also flooded in K---. We suffered and it became problems for us, including the children.

You had to flee before the dam was constructed?

Yes, we had to flee since a very long time ago. Actually, it started since 1974.

It means you could never farm your hill field or flat field again?

I could not. We could never do it again, since we fled in 1974. We could go back and work on the small plantations [in the past] but since the dam is constructed, we can't work on anything.

How many acres of your flat fields were flooded?

I had two flat fields. One has six or seven acres if we measure it well. For the other one, it has five acres. One of my dogfruit gardens was also flooded.

Where were your lands located?

K---.

When did you start living in K--- village? In which year?

I was born there, in K--- village.

How many years did you live there?

About ten years. I lived in K--- since childhood. We arrived here when the SPDC made the restriction. Then, we could never work on our livelihood.

You had to flee after living in K--- for ten years?

[We] had to flee.

Where did you flee to?

Fled around this area, such as B---. I fled to D--- once already. It was the place close to D---. We fled there and we came back again. It seems like the situation is a little bit better. After we went back and lived there, we had to flee again. We had to live like that for two or three times. Now, the water comes and we just live like that.

Before the dam was constructed, you could not go back and work on your flat fields, those that are flooded?

We couldn't.

Because of the SPDC army movement?

Yes, because of the SPDC army movement.

When you lived in your village, did the SPDC army reach to your village, destroy it or burn down your village?

A lot. In K--- village, they burnt down everything. They killed and ate some cows and buffalos that we had, but some cattle ran and escaped. Mostly, the enemy destroyed them.

Do you know when the SPDC constructed the dam?

They constructed it a few years ago, but the water rose just this year. It might be two or three years [since the construction].

Don't you know which year did they started construction?

I did not know which year. We might know if we think about it carefully. The water came after the dam was already built for two or three years. The water rose in 2010. I think that they started building dam in 2006.

Did the SPDC warn or inform the villagers in time, before constructing the dam?

They did not warn or inform of anything.

Did the water reach to your village?

Totally flooded. There are two or three parts [sections] in K--- village and all three parts flooded. All plants were flooded. All died. About a hundred of rice [farms] were flooded; maybe one or two hundred [farms]

The place where the water reached, are there any houses that were damaged and flooded?

There were no new houses that were flooded. However, huts in the hill fields and flat fields were all flooded. We could not stay anywhere when the water actually came. We then fled to another area.

Could the villagers take their animals with them when they fled?

Some could, but some couldn't.

Did their [animals] flooded and die?

There were no pigs or chickens, those could not be brought with them.

How about cattle?

No. Starting from the restriction, until the dam was built, there were no more cattle. They came once when we lived at the base of the mountain, at the top of K---. When they attacked there, the villagers lost some pigs and chickens.

Before building the dam, did they inform the villagers with any letters?

No. We knew nothing.

Did the villagers know beforehand, that they were going to build the dam?

We knew beforehand. People said that they were going to build [the dam].

How did you know beforehand? What did you hear?

We heard that the SPDC was going to construct the dam. Their project was successful only after three years. After three years of their project, the water flooded to K---.

You heard about that because the villagers who lived in the lower area passed you the information that they [SPDC] were going to construct the dam, or [*the interviewee interrupted*]?

We just heard people say that they would build the dam, but no announcement. There was no SPDC announcement.

Because the SPDC built the dam, did it harm any of the villagers' rights? Can you explain to us step by step?

About abusing the villagers' rights, most of the rights [of villagers from] the area between the top of the dam and the base of K--- Mountain were abused. If we look throughout the area, flat fields and gardens, all of them flooded and the owners could not do their careers anymore. For some of the villagers, they earned their livings only with their lands. They could not do anything when the lands flooded. It became a great difficulty and we can't do anything.

How many flat fields were flooded? Do you know all of them?

I can guess. If we count only K--- area, there are about fifty or sixty flat fields.

Only flat fields?

Yes, only flat fields. It doesn't include dogfruit gardens. Many dog fruit gardens were flooded.

Because the SPDC built the dam and it flooded many villagers' flat fields and hill fields, did they [villagers] write any letters [to the authorities]?

No, they did not.

Did they report to the authority of other countries?

They did not report. The other people who [*meaning is not clear*] will know, but for me, I don't know.

What kind of work do the villagers do now, as their hill fields and flat fields flooded?

They just farm the hill fields along the mountain where the rice cannot grow well. Therefore, we did not have enough rice, but we could pass through each year. As all of the hill fields and flat fields flooded, and we don't have places to do farming, we have no idea what to do in next coming years.

How many years have the places been flooded?

It started flooding in 2010.

Have the villagers negotiated with SPDC regarding the villagers' difficulties, such as the hill fields and flat fields that were flooded?

I do not know. Maybe, the leaders know.

Did they repay the cost of the hill fields and flat fields?

No, they did not pay.

Didn't the villager head go and request [the cost of the land]?

I have no idea. The villager head in our area did not dare to go to the SPDC.

The village head did not dare to meet with them?

Yes, the village head did not dare to meet.

How long has it been flooded until now?

It flooded starting from 2010.

How long between when they started to construct the dam and the flooding?

Over three or four years.

How many years did you work on your farms?

I could always work on it before the restriction started. When the restriction started from 1974, I couldn't work on it anymore. As we couldn't work on it, we just farmed plantations in nearby places. Then, it flooded and nobody can farm[plantations].

Before leaving your flat fields, how many years did you work on them at that time?

We could work on them for about six or seven years.

Did you buy your flat fields or enlarge them by yourself?

No, they are our ancestors. Our ancestors did it for us.

How much is the cost, if you sell all of your flat fields?

It is about 4,000,000 or 5,000,000 kyat (US \$4,667.44 or US \$5,834.31).

Now, how do the villagers handle their livelihoods to survive?

They just farm the hill fields along the mountain where the rice does not grow well. The soil is not the same as the soil in K---. We don't have enough rice even if we cut down the forest [for farming]; only about seven, eight or nine big tins. In K---, we got enough rice even if we did the hill fields; needed only three or four big tins of seeds [rice seed]. You can find no more rice in K---.

Do the villagers have enough rice yearly, by farming hill fields?

Some have enough, but most of them do not have enough rice because of bad fertilizer.

It means people's livelihoods are not normal, as before?

Not normal. Not the same as before.

Some villagers did not have enough food, so how did they find more food?

The leaders supported them, because they could not do anything by themselves. The leaders looked after them.

Who are the leaders?

They were leaders from district and township [Karen National Union] headquarters.

Do the villagers support each other if some of them do not have enough rice to eat?

Yes, for example, if you get more rice and I get less rice, and if it is not enough, we support each other. We support each other if we can. Each year, we farmedwide hill fields but the rice was not good.

Do you know any names of owners of hill fields and flat fields that were flooded because of the dam construction?

I know but they fled to live in different areas. Some are based in the eastern side and some lived in the western side.

Where did they flee to live?

Some live in refugee camps, some live in flat areas, some live along the hills.

The villagers had to flee because of building the dam or [*the interviewee interrupted*]?

As I said, we started to flee step by step since 1974, when the restriction was started and until now. Now, there is another problem that happened because they build the dam, and it becomes more difficult. When they started the restriction and were active, we fled but we could go back to K--- and work on it sometimes, but now, started from when the water came, we can't do anything.

Is there any villager still living in K---?

No, but some soldiers live there for security. Some villagers live there also. They [villagers] live there but not permanently. They just visit.

Visit?

Yes, they visit. Within this year, some people went back to farmhill fields but the water came and their hill fields flooded. If it did not happen like that, the villagers will go back more and more.

Currently, do you have to flee the SPDC movement?

Currently, we don't have to flee, but in the past one or two years, in 2007-2008, we had to flee. We fled along the hills. We did not have to flee, only in last year and this year.

How about in 2009-2010?

I knew that we did not have to flee within 2010, but we heard their [Tatmadaw's] information, however we kept living day by day.

Can you please explain to me, step by step, when you started fleeing until now? How did you face the problems, and can you also please tell us regarding the insufficient food and fleeing problems step by step?

In 1974, we started to flee through Ler Doh Township and we lived in Ler Doh Township for around two or three years. We again fled and reached to Bu Law River and D--- (village). We ran, step by step, and we lived for three or four years in each place. We ran through the bullets many times, and we sometimes lost everything in the forest. We could not bring our cloths and could not drink or eat for many times. We then ran and met with our friends, step by step. We gathered ourselves and kept fleeing to D---. Our district [KNU] headquarter was there. They looked after us by supporting us with some cloths and food. For one or two times, we fled in the forest and slept without cloths.

When you had to flee like that, could you do any livelihood?

No, we could not. We sometimes had to flee during the harvesting time. It was the time to do [harvesting] and to eat, but we had to flee to escape. We fled very far and when we came back to check [the rice], wild pigs and chickens ate all of the rice. We had to go and carry [specific meaning is not clear]. We could not find any money.

How many years haven't you needed to flee?

We haven't needed to flee for about two or three years, but in 2008, [the situation] was still a little bit complicated. We could not know about the SPDC [activity]. They sometimes came, and sometimes went back. When they went back, we could live but when they came again, we had to run to the forest. We have done like that to escape, day after day, and it was very difficult.

The villagers faced with problems because of the SPDC activities. Did they [villagers] have any business methods to get income to use?

We had no methods, while we were running. We ran and farmed hill fields in an area where we reached, if the situation got better. We escaped year after year by farming hill fields. If the SPDC came, we ran around again in Ler Doh and Hsaw Tee townships. We reached in 5th Brigade area [Papun District]. D--- is located in the 5th Brigade area. We fled there then, we came back. We did not know anything during living here. When we did hill fields in K--- and the water came, so everything was flooded. I cannot think of where I should do the hill fields for next coming years.

Did every villagers go back and do farming in K--- when you went back and did it?

Yes, all villagers including two or three soldiers.

All of their fields flooded?

All. It was flooded, but some of them still got ten or twenty big tins. Two or three hill fields were completely flooded.

It means, they could not harvest their rice anymore?

Some people got twenty or thirty big tins, and some people still got fifty or sixty big tins.

Some of their hill fields were in high places, so only half or over half [farms] were flooded. I think that if the hill fields did not flooded last year, we would go to farmhill fields again and this will be going well, because the organization [KNU] will also look after us and support us with some [the rice]. We are working [for livelihood] but as it became one side [only negative], we cannot do anything. I always face with the problems.

You said that you do not meet with the SPDC?

No, we don't.

Where do you buy food to eat?

One or two years ago, we went to [buy food] in Papun, at Hser Poe Law Teh [place].

In the Papun side?

Yes, at F---. That side was like a peace zone. We went there.

How about the villagers in the flat area? Did they have contact with you?

Officers [village heads] could organize and contact us sometimes. Sometimes, they could not. They just could contact a little bit and it was ruined.

How about among the villagers, do they buy things from each other?

No, we cannot. We cannot buy things from each other. We, people who live in the forest do not dare to meet with SPDC. The people from flat area also said that it is very hard [situation]. They said that they had to work with many sides [groups of soldiers], so they had nothing. Some people from flat area came to us in 2010. They had to go back if the SPDC army started their movement. They did not dare to meet with us in the jungle. That had to run together with us if they came.

Have ever you heard that the houses or village of the people from flat area flooded because the SPDC built the dam in Kyaut N'Ga?

Yes, their [land] was flooded but it is less. For the Shwesayin river, just a few things of the villagers from flat area were flooded. The one from above the the Dam are more affected. For the people who were in K---, G--- and J--- area, they earn their living by farming hill fields and flat fields, and I do not know where they went after their lands flooded. However, some of them went to flat area and some of them fled to the forest. All of the lands flooded. For the deep flatland area, such as Hta MinYoh could not be flooded. They live below the dam. This would not be easy for them if the dam breaks. We wish [it doesn't]. This is not easy for the people from the flatland if the dam breaks, the water from our mountain area will go down. But for them, they [people in flat area] will suffer from the water. They cannot flee like us. I don't know how many dams are in Burma.

We also don't know exactly.

Many dams are in Burma.

Do you hear anything that, because the SPDC constructed the dam, is there any benefit for the villagers from the flat field area or from the forest?

Nothing. Even though we have [benefits], it would be like providing some electricity. We

heard that they sent electricity to China. They use just some electricity for their own country [Burma]. There is no benefit for its civilians.

Doesn't have anything [benefit]?

No.

How about people who live in town or the city?

They might get a little bit of electricity, but not enough.

Did they distribute the electricity to the civilians who get electricity, for free?

They have to buy it. They had to pay electricity fees. They do not give it for free.

If we look through the situation now, can the villagers do their livelihood?

So far, according to the geographic surface, it is going well as we are doing [livelihood]. For the future, I have no idea whether the situation will be better or not. We cannot say so for sure. We currently do it [hill farming] as we can for our daily food, but it is not enough. We still have our leaders who organize food for us, even that is not enough.

How about for the future? Do you know anything about how the SPDC activities will be towards the civilians?

I think that the SPDC military will keep doing [fighting]. For us, we [civilians] have a responsibility to listen, and we just heard that the people said that the SPDC army will always keep doing [fighting]. They always fight until everyone dies. If they were asked to do [stop fighting], they will definitely do [peace]. We expect that both sides [SPDC and KNLA] will have good relationship and live peacefully. This will be better for the civilians. If we look through, they always do [fight] and we cannot do anything.

What is goal of the SPDC movement?

They came and fought the KNU until the KNU lost. They fought but the KNU did not lose. The SPDC army has a plan to fight until the KNU loses. It is The SPDC's plan.

Do they have a plan to keep fighting?

Yes, they have that plan. They always have.

Will they fight the KNU or the villagers?

They will fight everyone. Previously, they shot the KNU if they saw the KNU, and they shoot the villagers if they saw the villagers. They shot all people.

The shot and killed whomever they saw?

They shot and killed all people. They even burnt down the village. They shot and killed women and children. They shot people to be extinct.

In the past, they shot and killed like that?

Yes. In the past, they shot and killed a child, but the child was not dead so that, they threw

[the child] into the fire. We didn't see it but the other people told us.

In which year?

It might be in 1998 or 1990.

Do you know anything regarding the SPDC's objective of building the dam?

Their objective is for themselves and their government. It does not benefit the people who are in the town or city much. Their objective is just for their own business.

Did they have a plan to do things until the villagers disappeared [wiped out]?

Yes, they had. They built the dam and it became like that. They confiscated the villagers' lands and the villagers' farms. It is the way that they made the villagers disappear.

They destroyed?

Yes, they destroyed.

Do you have any other information to tell us which we haven't asked?

I would like know how our situation will be in the future? It will be better or the same? If you can imagine and if you let us know, if we have to be happy, we are happy.

Do you need anything in order to have a chance to smoothly earn your living in the future?

For smoothlyearning a living, something that we need is, if our country's situation is turned into a good [situation], we will be happy. If the situation keeps going like this, we have to do ourlivelihood in a very hard way. Will it be peace or not? We cannot predict. We wish to live without fleeing. If we can work in the same place, it is enough. Even though we can work in the same place, if the situation is like in the past one or two years ago, it is not good because we have to work and run, we had to flee. What can we do to not flee?

Anything else would like to say?

No, but I would like to know that how many dams are in Burma? Even because of building this dam, it causes problems everywhere. I think there might be four or five dams already in Burma. If we look, the dam harmed the natural resources. It harmed the civilians' culture. All of these only benefit the Burmese government.

If we look through the other countries, if a group of government harm the villagers' rights, the civilians write and report to the governments. The government has to pay the cost of the hill fields and flat fields that were destroyed. Therefore, now, the SPDC army built the dam and it harmed the villagers' hill fields and flat fields, so they have to pay the cost of the land back. We would like to know do they pay back or not.

So far, we have not seen it yet.

The SPDC constructed the dam but they haven't paid the cost to the ones who lost their land and farms yet?

No, they did not pay.

Did the village head report any letter to the Burmese government?

They did. They just reported that the hill fields and flat fields were flooded.

Where did they report? To whom did they report?

They just reported to the KNU in the district headquarters about the flooded land.

Reported to the KNU side?

Yes.

How about to the SPDC government side?

We did not report to that side. For us, to report, we are not educated. The ones who are [educated] might report.

Have the villagers reported anything to foreign countries?

Never.

Would you like to say anything else?

If we report like that, will the Burmese government pay us the cost of the land that was destroyed?

For example, in the meeting, if the civilians protest and report this information, I think, they might consider [for compensation]. However, I am not sure whether the villagers dare or not.

There are the villagers who reported.

To the Burmese government?

To the Burmese government, I am also not sure, but I think they might report. Their lands were flooded in thousands [of acres]. They might report. For me, I just report to our leader [now].

If you reported to another country, can they pressure the Burmese government?

If we do so, they can.

Source document/Shwegenyin Dam/2011/20

Project name:	Shwegenyin dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Myanmar government; Tatmadaw
Company/Investors:	
Government/Military:	Myanmar government; Tatmadaw

Trends:	Lack of consultation; Disputed or lack of compensation; Development-induced displacement and resettlement
Consequences:	Impacts on livelihoods; Migration
Collective action:	
KHRG Log #:	11-26-A1
Publishing info:	"Nyaunglebin Interview: Daw N---, February 2011," KHRG, March 2013 (First Publication)

Testimony:

This report contains the full transcript of an interview conducted during February 2011 in D--- Town, Papun District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Daw N---, a 67 year-old woman from Shwegen township, who described how the government unilaterally planned a dam construction around ten years before the interview, and how that dam had caused widespread flooding in the area. Daw N--- explained that the Tatmadaw arrived and forced villagers to leave the project area, but did not provide them with any compensation for the land lost. She describes, in detail, the impacts that the dam had on villagers' livelihoods and housing, and that many villagers had to flee from the rising water. One impact is that because villagers had to flee long distances, some agricultural land that was not damaged by the flooding was nevertheless rendered unusable due to neglect. Daw N--- describes that children have access to primary school, but that the parents are required to provide school fees for attendance at the government schools. Additionally, she explains that even though medics are present in her area, there are many fees attached that villagers must pay in order to receive treatment.

Interview | Daw N---, (female, 67), D--- section, Shwegen Township, Nyaunglebin District (February 2011)

The following interview was conducted by a community member in Papun District, and is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Papun District, including four incident reports, five other interviews, one situation update, and 53 photographs.

Ethnicity: Karen

Religion: Buddhist

Marital Status: Married

What is your occupation?

Right now, what will we do? I told you that our land and working places are already under water and we cannot do anything. Our children can only do farming. If we do hill farming, we have to go very far away so my children just pan gold. My youngest child is hill field farming in F---. It is very far from here and he gets only 20 or 30 [big tin of paddy in a year].

So, now are you doing hill field farming?

Just my children do hill farming. I cannot do anymore. My children have all gotten married.

Does your family do farming?

No, we don't do farming. We don't have our farm anymore. For our farm, which is in G---, we cannot go and work anymore.

So, now, for your livelihood, you just pan gold?

Yes, we pan gold and sometimes we hire ourselves out. When people need and call for

daily wage [work], we go and work.

How many family members do you have?

Some of my children have already got married.

How about your own children?

I have 5 children and we two [Daw N--- and her husband].

You two and five children, so, in total, there are seven?

Yes.

How old is your eldest child?

He is 44 years old.

How old is your youngest child?

The youngest one is 25 years old.

Now we heard some news that the SPDC military government constructed the dam, and because of that dam, it destroyed the villagers' living places and it abuses the human rights. Therefore, can you tell us a little bit about that?

About the dam?

Yes.

I also don't understand about the dam.

Where did they construct the dam?

[They] constructed at the lower part of Kyauk N'Ga.

What is the name of the place below [Kyauk N'Ga]?

It is called Ler P'Yoh. It is Kyauk N'Ga in Burmese.

Where did you, the villagers, live before SPDC came and constructed the dam? Did you live in D---?

We used to live in D---, like we came and worked in D--- so we travelled and lived in the work place in D---. When it was flooding, we fled to the town; we can't come and work anymore.

It means that before SPDC constructed the dam, you used to live in D--- right?

When we were fleeing, we came and lived in Kyauk N'Ga. We lived in Ler Hklaw Hta Blaw Law Kloh once and later SPDC forced us to move to Kyauk N'Ga. Then, because we could not work anymore, my husband was called and he had to go for force labor often, so he did farming in the plainland. After that, we came back and live in town.

Where did you originally live?

G--- village.

Where did you live after you lived in G--- Village?

We ran to H--- and we came down along this river, and then we crossed J--- and then went to K--- and down to L---, Blaw Law Kloh. We lived there for a short time; it was the time that people were harvesting paddy.

In which year did you start fleeing?

I don't remember, also it was during the "4 Cuts"²⁷ so, I can't remember.

When you fled, step by step, where did you stay?

We fled, step by step, and we went and live in M---. We thought that we will live there but Burmese army told us not to stay there, and they forced us to move to Kyauk N'Ga. Then, we build our small hut there [Kyauk N'Ga] and we stay there for a while, but because it was very hard for our livelihood, we went and harvested in plainland. Maybe it was for about one month that we harvested in the plainland. I had a small child, so I could not work. After about one month, we came back [to Kyauk N'Ga] and one monk said to us that we could go and he will not stop us. Therefore, we came to town, when we lived in Kyauk N'Ga, they [Burmese army] called us and asked for force labor very often.

How long did you stay in G---?

At that time, I already had four children, and I was over 30.

No, how many years had you stayed in G---?

I stayed in G--- since I was born, and grew up in G---.

It means you were born in G---?

I was born in G---, and grew up in G---.

What was your occupation before the dam was constructed, when you were in D---?

At that time, we came and worked in P---, in this river.

Did you do farming?

No, we worked alemon plantation. When we worked alemon plantation, we could do our livelihood year by year, but when the water came up and our land was flooded, we could not work. It was flooded everywhere along the river. Then, [we] couldn't do any livelihood.

What was the place where you worked alemon plantation?

²⁷ "Targeting of civilians by the Burma Army has often been explained as part of what was once explicit military doctrine, known as pya ley pya, or the 'four cuts' strategy. Pya ley pya was designed to cut armed opposition off from sources of "food, funds, intelligence and recruits" and, in practice, referred to an extensive scorched earth campaign widely credited with enabling the Burma Army to take control of much of the country beginning in the 1950s." See Self Protection Under Strain: Targeting of Civilians and Local Responses in Northern Karen State, KHRG (August 2010)

P---

Was the place very wide?

Yes, it was very wide.

How wide is your land and how many acres of land do you have?

May be about four acres or five acres.

Do you have any other job?

No, nothing because we are old enough, so we could not work anymore. So, our children have to provide for us.

How long did you work on your lemon plantation?

About 10 years.

Do you think more than 10 years?

No, not more than 10 years. Only about 10 years. Some plants had just fruited; some just had flowers and some had fruit.

Did you live in D--- village before the SPDC military constructed the dam and before it was flooded?

Yes. I lived in D--- village.

How did D--- villagers and the neighbouring villages do [livelihood] and live at that time?

They did the same as us. All of us worked plantations beside the river but when everything was flooded, [people] moved to different places and earned their living. Some of the people went and worked in R---, they farmed hill farms, but because the land is not good in R---, you can't get a lot of rice. [We rely on] the same rivers; Khay Law Kloh river, Wa Law Kloh river, Suh Muh Law Kloh river, and all the places are flooded.

How many rivers?

There are 3 rivers, Khay Law Kloh, Wah Law Kloh and Suh Muh Law Kloh. All the places were under water.

How many households are there in D--- village?

There are many households including Karen, Burmese, and Shan; you can't count.

Can't you remember?

How can I remember? Do you mean our small place [section]?

No, the whole village.

For the whole village, you can't count. It is very crowded.

About hundreds?

More than that.

About thousands?

Maybe about a thousand.

How many thousands do you think?

About one thousand. How can I know? There are Burmese people, and Shan are also living here together. When we first lived [arrived], there was only Karen. Later, the Burmese people and Shan people came in, and all live together.

You said that, before the dam was constructed, you just worked alemon plantation right?

Yes, we worked aplantation, and around the lemon plantation we hadsome paddy field, but after the water came we could not do it anymore.

When you workedthe lemon plantation, how did you sell lemons?

For the price, people gave differently. Sometimes, when the price wasgood, [we got] two or three kyats (US \$0.002 or US \$0.003), in the rainy season, or four or five kyat (US \$0.005 or US \$0.006) for one lemon. When it becomes expensive, in the dry season, they gave us 10 or 20 kyat (US \$0.01 or US \$0.02)[for one lemon]. In the summer, the price is good, but in the rainy season, the price is not good.

You said that, how much for one lemon in the rainy season?

In the rainy season, five kyat is the highest; we sold only fortwo or three kyat.

How about in the summer?

In summer, when it [availability] becomes less, they gave 20 or 30 [kyat] for one lemon. At that time, there is not much lemon.

How many fruits do you think your plantation produced [in the whole year]?

I think 20,000- 30,000 (US \$23.34 toUS \$35.00) or 30,000-40,000 (US \$35.00 toUS \$46.67) fruits per year, until summer.

Where did you go and sell them?

We sold them in the town. People also came and bought them in the plantation.

Are they the companies who came and boughtyour [lemons]?

No, [they are] not companies. They are just normal people who didn't have plantations and bought [the lemons] and do some [small] business.

It means that they are just normal people?

Yes, just normal people. When they get profits, they use it. If they get 100 or 200 [lemons] from each place, they sell them and go back. When they sell to the businessman, they can get a profit.

Before the dam was constructed, and when you lived in D--- village, you didn't have any place [land], did you?

No, I have nothing. We have only one land for our hut and it is good that we bought it early. If we did not buy it early, we could not buy now.

How much did it cost?

At that time, the price was cheap. We bought for 17,000 kyat (US \$19.84), and now it cost hundreds of thousands.

What about your lemon plantation, which was flooded, did you buy it?

No, it was the land of our ancestors. We fled and then we worked on it. In the past, my husband's grandfather lived in X---, and he had his own land in P---. We fled and set up our place there. We cleared the place and prepared it, and later we planted, then we could earn money from it.

How many years have you stayed in D---, since you fled?

It is over 30 years. Maybe about 35 or 36 years.

Do you face the SPDC abuses of the human rights, such as forced labor or, for example, they ask the villagers to go and repair their camp or porter, while you lived for 36 years in D---?

Yes, there were [abuses] when we arrived in Kyauk N'Ga. They called [for forced labor] very often and they said [villagers] would go for only short time, but it was not a short time. It took about a month; sometimes it took 10 days, and sometimes 6 or 7 days. Sometimes, we couldn't stand anymore. Sometimes we had to go for a long time, and because we have to travel under the rain, we were sick. Then, we moved to the plainland, and later we moved to town.

When you started to come and lived in D--- until now, do the SPDC military government ask for forced labor or porters?

Now, no they don't ask.

Do they allow villagers to do their own work freely?

Yes, they allow it, but we have to work [at a place] not so far and not so close. If it is far, they can create problems. If they don't create problems, people would go and work. Mostly people go and work in T---. Some people cut [clear] the area and get some land. [The areas are] beside the hill. Each of them takes a piece of land and they did hill farming, and work on paddy [fields]; some for each.

While you live in D--- village, have you seen that they do not allow villagers to go outside, or if anyone wants to go and work, do they need to make a recommendation letter?

No, now they don't need to take [letters]. In the past, we had to make [letters] whether you went to a near place or afar place. Now, you don't need to do one.

Now, I would like to ask you about education. Does the SPDC government support the school for the education?

No, they don't.

Are there any schools?

Yes, we have schools.

What about the teachers' salary? Do the villagers have to give it?

Yes, we have to give it because we send our children, so we have to give.

How much does one student have to pay?

For one student, if their grade [standard] becomes higher, we have to give more. If the grade is younger, you have to give less.

As you know, how much do they have to give for each [student]?

Higher students have to pay over ten thousand (US \$11.67), fourteen or fifteen (US \$16.34 or US \$17.50) thousand, or twenty thousand [kyat] (US \$23.34). For lower grade students, [they have to give] six or seven thousand (US \$7.00). Kindergarten [students] have to pay less, like one thousand and five hundred for each (US \$1.75). Second and third standards have to pay six or seven thousand.

Do they get any support from the SPDC, for the education?

For education, how can we get? Only our children get.

For the SPDC, do they support the school?

The government school? For the government school, they give salary and they support. We only need to give school fees.

How much salary do the teachers get per month?

I heard people say each one gets only twenty thousand (US \$23.34), or thirteen thousand kyat (US \$15.17) for each month.

Do they support students with books and pens?

No, we have to buy our own.

What about healthcare? Do they take care of the civilians?

No, they don't look after [civilians].

Do they build hospitals for villagers?

No, you have to go and buy medicines by yourself. When we go to hospital, they write the medicines' name and we have to go and buy by ourselves. They just give you treatment, look after you, and give injections for you.

Did the governments build the hospital?

Yes, the governments built it.

So it means they don't provide medicines?

Before, they provided, but now if we need medicine, the medics write down on paper [the prescriptions] and we have to go and buy it by ourselves. They look after us like [telling us] which kinds of medicine we need because we don't understand about medicines. So, they give injections and look after us, but for the medicine, we have to buy by ourselves.

What about some villagers? Can they [afford to] buy medicine by themselves?

For the ones those who can afford it, there are medics in the village who can give injections. They buy medicine and the medic gives injections. Whenever the people are sick, they call the medic and they have to give the medic [money], too. One medicine [injection] is 1,000 or 1,500 [kyat] (US \$1.17 or US \$1.75).

Does the government provide help for the agriculture or for livelihood of the civilians?

No, nothing.

Have they given training about agriculture, Or help with money for agriculture?

No, nothing.

Do the villagers do livelihood on their own?

Yes, villagers have to work on their own. For the children who attend school, their parents try to support them as much as they can. For some children, even though they want to attend school, some parents cannot send them to school anymore because they don't have money. Some of the children want to attend school but for some of the children who can attend, they don't want to go to school.

How do the villagers live and work for their occupation when the SPDC constructed the dam?

They just do daily wage work and gold panning. For the other side of the river, the water has not covered [flooded] yet so they go and do labor by hiring themselves out and some children [youth] each do a little hill farming.

Where do they have to go and do [that]?

At T---, at Maung Na Ma Chaung side. They go and do hill farming at U--- and F---.

Do the villagers have to face any problems when the SPDC constructed the dam?

Yes, like they cannot work anymore because they [SPDC] dug out the land of their work places and farms, so some of the owners cried.

Are they destroying the land?

Yes, they destroy the land like farms and plantations land. All of the places in Kyauk N'Ga village are destroyed. They [SPDC] asked villagers to move to Ka Beh.

Do you know how many farms were destroyed?

In Kyauk N'Ga Village, I don't know. I know only 2 places. In Hs---, Hpah Gh---'s farm and for the other one, I don't know the owner's name, may be Naw Er---'s farm who is Dh--- Moh [mother].

Do you know only two?

Yes. And Th---'s farm. Not Th---, Tu--- from Kyauk N'Ga.

Was the whole farm destroyed?

They destroyed the whole farm.

Did they destroy it after they bought the farms?

No, no way, they didn't buy anything. They constructed the dam and they destroyed everything, but they didn't even treat us with anything. Don't think about looking after us. They destroyed, but they didn't give us any prices [compensation].

Didn't the villagers go and ask for the price?

Even though you ask, they don't give it to you and they just said that the land belongs to them.

How many farms were destroyed, can't you estimate?

No, I can't estimate. I can only estimate the farms from our own village, G---.

How many farms in your village?

Our farm, one farm of Na--- one farm of Ts---, St--- one, Sh--- one, Xr--- one, Ah--- one, Hn--- one, Hp--- one, Br--- one, and from the above side, Jr--- one, Ir--- one, Le--- one, Ng--- one, Nh--- one, Ki--- one, Mu--- one, Maw Me--- one, Op--- one, Lb--- one. Are these all? How many farms?

All 18 farms.

That's all.

Are all these villagers living in D--- village?

Some live in D---, some live here and some live on the hill. Some went to Taw Oo [Toungoo], and some live in the field.

Do they have any problems?

I also don't know. They might also face difficulty. Wh--- is now living here, in Cr---

Do they have any problems for livelihood?

I think they will also have problems. We just live here. For the ones who live in the same place with us, everyone has difficulties.

Did the SPDC let villagers know before they will construct the dam?

No, they didn't let us know. They only met with us and said that they will come and construct the dam. They came and looked at [the place]. They came with Japanese or Chinese [people]. As soon as they said it, then they built it.

So that you didn't know anything ahead?

We didn't know anything. We heard that the farms from Kyauk N'Ga were dug out. When you travel, you can see.

How did you know that they dug out the places?

We travelled to the place. At that time, we travelled to that place. At that time, our places were not flooded yet. At that time, they started building it and they kept two ways for us; one is for going and one is for comming back. Later, they blocked all the places. They poured the soil and we needed to be careful. They transported a lot of soil. We don't know where they go and get the soil. They poured a lot. Then, we didn't arrive there anymore.

In which year did they start constructing the dam?

I don't know. I didn't record the year.

How about starting from the year that they constructed until now, how many years already?

Wait, starting from when they constructed the dam and now, it might be nearly 10 years. They did it little by little. We didn't remember to record it. If we travel, we hate to see it.

When they started to construct it, did it destroy any of the villagers' houses?

No.

How about when they constructed it and when the water rose up, were people's houses destroyed?

Yes, the village that they set up called Y---.In Y--- village all houses are under water and people fled.

How many households in Y--- village?

Many houses. I cannot count. All houses are under water including Shan, Burmese, Muslim and Karen.

Do you know how many households?

No, I don't. May be 40 or 50.

Where did villagers of Y---, which was flooded, move to?

Burmese stay here and Karen people moved to town.

To which village in town?

All move and live in D--- village.

How about here?

Here, only the Burmese [ethnic group] left.

In which place do the Burmese people live here?

In Y---, beside Gi---. It is like when we lived on the hill side of Y---, because all of the places were flooded. If you go by boat, you will see their houses on the hill side; only Burmese people, and they all are fishing.

How many households are there?

I don't know. I have never been there.

Are there any other villages that were flooded like Y---?

No, other village didn't flooded.

What about animals, like pigs, cattle and chickens, are they lost?

In the past, it was lost. Now, the owners of buffalos and cattle drive and sell their animals, because they have no place; they cannot breed animals in town. They drive their goats and sell them.

Which SPDC battalion came and constructed the dam?

No, I don't know. I never ask either. You have to ask to Naw De--- about the battalion. Even though I stay in town, I don't know what battalion.

You said that SPDC did not let you know ahead of time that they will construct dam, so what about writing a letter to any villager?

No.

Because of the dam construction by the SPDC, the villagers lost their houses and land and it causes problems that they can't do their livelihood. Do the villagers write any complaint letter about their feeling?

No, they don't write. They live separately.

Didn't they write anything?

No. They live in Kyauk N'Ga such as Shan or Karen. Their houses were flooded so they asked them to live in Ka Pay.

Are they the people from Y---?

No, from Kyauk N'Ga.

Are the houses from Kyauk N'Ga flooded?

All, they block the water beside Kyauk N'Ga village.

Are all farms flooded?

All.

What are they doing now?

Some are panning gold, some cut bamboo, some hire themselves out and some makethin bamboo strips. They can't do other work.

It means that there is no place that they own?

No.

Can you explain about how the SPDC government started constructing the dam, step by step?

I don't know how to tell.

For example, when they built the dam, the water level was raised. At that time, how do the villagers live and work? And how do the villagers do their livelihood?

People cannot work, so they pan gold, they do hill farming, they hire themselves out and they do hill farming, one for each small part, but it is not enough for them. They have to buy [rice]. They buy and eat as they can afford, like one tin or two tins.

Do you know when the water reached the village?

Which village?

Y---.

For Y---, it was about two or three years, or about 5 years. For Kyauk N'Ga, it happened beforehand.

How many years for Kyauk N'Ga?

It was about 10 years, because it is closer. For Y---, it was a little bit later.

How about the other village, which is located above? Is there any village?

Only Xa---, and I think Xa--- village is also under water.

How many years?

It was under water for maybe about 2 or 3 years, and [people] go and stay in Uh---, on the way that we come. People call it Xh---. Xa--- is flooded and P--- is also flooded. All are flooded.

P--- either?

P--- village is also under water. All are under water.

How about another village?

No, there is no other village.

It means that they don't have any places to work and live because of the dam.

No. All of the places were flooded. It is because you can't live in your own country and place. If we live in our own country and in our own place, we would have farms and land. We have lots of farms and land so that we couldn't work on [them all]. It depends on you how much farming you can do. The rice is also good [fruiting]. There isalso a lot of bamboo and the land like that is so good to makeplantations. There are also lots of farms that you can't work on. When you have to flee, there is nothing. All of our farms became forest.

Could the villagers move their village and the animals in time, when the water came up?

Yes, they could move in time. For us, we have nothing. We don't have cattle. We just only have ourselves so we carried our loads and climbed mountains, and down to town. When the water rose, you couldn't take anything. I just lived in town. I lived with my children. He [her child] did hill farming and raised one pig. He could feed the pig, but it didn't move. He drew it very strongly, and at that time the water was rising. He drew it until the hill farm and the pig didn't move anymore. Then, he brought it to the town by motorbike, but when they put them down, the pig couldn't move anymore. Its ear is also hurt because they brought it with motorbike.

How about your village, D---? Does the water reach until there?

No.

How far is it from your village and the place where it is flooded?

The water can't rise because we live at the place, D---, belowwhere they blocked the water. Under Ag---. They blocked water above, and it is very far. If it [the dam] is broken, we will become *moh loh chaung* [type of small snack floating in water].

Because of SPDC constructed dam and because there is no work and no working place for the villagers, now what do the villagers do?

Some of the villagers work on hill farms. If the people hire them, they do it. Some make charcoal. They work on different things. For us, we can't make charcoal. Some children pan gold. They work for daily food. Some clear the grass or small plants from the plantation.

How much do they pay for daily wages?

Some hire by giving the money all at the same time. For one place, they give 10,000 or 20,000 [kyat] (US \$11.67 or US \$23.34). If they do not give all at the same time, for each day they give 2,000 to 3,000 (US \$2.34 toUS \$3.50), or 2500 [kyat] (US \$2.92) for a man for clearing grass, or small plants.

You said that they give 20,000 [kyat] for one place when they give money all at the same time?

It depends on the place, how small it is and big it is.

How long does it take to clear a big plantation?

If they work hard, it just takes 4 to 5 days, or 10 days, if they work hard.

How about a small one?

If it is small, it is quicker. Some clear one place with two people, and they can finish quicker.

Where do the villagers go and buy food while they are facing problems because of the dam construction?

They have to go and buy in the market from the town. As we are near [to the market], we can go and buy 10 ticals²⁸, 20 ticals or 50 ticals of meat. We can buy some in the morning and some in the evening.

Does the government allow it?

Because you live in the town, you can. It depends on the amount of money you have.

Do the villagers help each other, like share food?

No. We are only the people who are in bad situation. If we are the ones who have lots of money, like the wealthy people from the town, they will look after us.

When the SPDC constructed the dam, do they ask for any force labor from villagers?

No, they don't ask and they do it by themselves. They hire the people who go and work there.

How much do they pay for each day?

I don't know, but they give adequate wages. Some people go and work there because they have no places for work and they can't work on any other things. Some follow cars [as car conductor], some drive cars, and some fix cars. Each person does different work.

Do they [villagers] need to go and dig the land for the road?

No, they do it by themselves. They did it with their own vehicle. They dug out the trees and they dug out all.

Do the villagers need any help because their house and plantations were flooded, because of the dam construction?

Yes, they will need help because of the flooding.

What about from military government, do they support anything?

²⁸ One kilogram is 60.9 ticals, and one pound is 27.66 ticals

No, they don't help us with anything. If you have money, you have to help them.

What kind of help do the villagers need?

I think they would need money to buy food, clothes and send children to school; [help] like that.

Do they also need to live freely and independently, and do they also need the land that they own?

Yes, of course we need that. If we can buy land and grow plants, you can work on it. If you become older, your livelihood is easier for you. You can't always hire yourself out when you get older.

Do you want to report more to us about the SPDC construction of the Kyauk N'Ga dam, the difficulties the villagers face because their farms and their land were flooded, or about other things?

No. I just want to say that we want to work on our river, the Kyauk N'Ga.

Do you want to live peacefully?

Yes, of course we want to live peacefully.

In D--- village, do the other military also come and be active except from the SPDC?

No, they just live in their place.

How about the DKBA or others?

No.

Only the SPDC military?

Yes.

How is their activity towards the civilians?

Now, they do not disturb us.

Do they go and visit your village regularly?

No, they don't visit. I don't see them. They don't come. They just live in their own place. If they come, they just pass the road and they go and buy food in the town.

Does it mean that they live in their own camp?

Yes, they live in their own camp. Now, they don't travel anymore. I also don't see that they are checking the overnight guest list. In the past, they checked overnight guest list.

Is there any camp that is beside your village?

No. There is no camp. It is on the upper side. It is in Ag---. They called it the place where the #57 based.

Is it battalion?

Yes, #57 is a battalion.

Do you want to say anything else?

No, I won't.

Source document/ShwegenDam/2011/21

Project name:	Shwegen dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Tatmadaw IB #57; LIBs #350 and #349
Company/Investors:	
Government/Military:	Tatmadaw
Trends:	Land confiscation
Consequences:	Environmental impacts; Impacts on livelihoods
Collective action:	
KHRG Log #:	11-30-T1
Publishing info:	"Nyaunglebin Interview Transcript: Naw X-- (February 2011)," KHRG, March 2013 (First Publication)

Testimony:

This report contains the full transcript of an interview conducted during February 2011 in D--- Town, Nyaunglebin District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Naw X--, a 36 year-old woman from Shwegen township, who described loss of land due to flooding by a dam. This occurred in 2004, when the government constructed Kyauk N'Ga dam in Hsaw Htee Township, Nyaunglebin District, therefore villagers in the areas had to deal with many problems such as flooding from the dam site. Villagers' work places were flooded and some villages have to relocate to another village because of the dam.

Interview | Naw X--, (female, 36), D--- village, Shwegen Township, Nyaunglebin District (February 2011)

The following interview was conducted by a community member in Papun District, and is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Nyaunglebin District.

Religion: Animist

Ethnicity: Karen

Family Status: Married

Occupation: Fisher

Do you have any problems or disturbances with your work?

No

How long have you done this job? Have you done it since before [the flooding]?

No, I didn't find fish before. Before, I had a lime plantation. The water problems occurred and I don't know what to do. I just do the work that I find.

How many acres of lime plantation do you have?

About 50 acres.

Where did you live before?

I lived on the mountain in Wa Ka Deh. Later my father was dead and we couldn't do well with our work. There was a place in the city, so we moved to the city. We moved and worked in the city. Our land was flooded after the dam was built.

How much was your income each year, by farming a lime plantation before the flooding?

I didn't notice each day's income. We bought food with what we got; it came in and went out. We didn't take note of it.

So you did well?

Yes.

Did you just do lime plantation work for your livelihood before?

Yes.

You didn't notice your daily income?

No, I didn't note it. Before the water flooded, my brother was arrested one time. The Burmese [Tamadaw] arrested him one time. They said that he contacted people in the jungle. They put him in prison. I had to follow him and it [his release] cost a lot. In the same year, the land was flooded. I had a lot of debt when I followed him. I had to go and borrow money from people because I didn't have enough money in my bag.

Did the SPDC government come and give any information to you about whether there would be flooding?

They didn't come and say anything. They always came and find your faults, because our plantation is located above others. You were called to meet [them] when people from the jungle came. You had to feed them and your money was gone again, because we worried that we would be arrested. To avoid being arrested, you had to feed and give them money. They often called to meet you.

How many peoples' plantations are closest to yours?

There are three or four people whose plantations are closest to me.

Are they all Ta Thwee plantations along the river shore?

Yes.

Where do those people go and work now?

Now they go and work for other people. People hire them. They have to take whatever [work] they are given. Even if they do daily work, it is not enough for them. First, we didn't know what to do when our land was flooded. We had to go and work for other people. Some people give you 1,500 or 2,000 kyat (US \$1.75 to 2.33) for a day. You have to do it because you don't want to starve.

Do you know the company that came and built the dam?

I don't know. We are busy with our work and we don't pay attention to them.

When did they build up the dam?

I don't know in which year, but the land was flooded long ago. It was about 4-5 years ago. They did it for long time, not even 4 or 5 years.

So you took the job finding fish since your land was flooded?

Before I did fishing, I went around and worked for other people. You worked for people and they gave you 1,500 or 2,000 kyat in a day. It was not enough for your family. Later, I met with people who came and bought fish. We met with them and we told them to buy a net and we would catch fish for them. They bought a net for us. We found fish and we didn't get fish. You just get 10 viss, or 10 and half viss, or 20 viss in a day. So it doesn't work.

How much can you sell a viss of fish for?

One viss is 500 kyat (US \$0.58).

What about rice?

For rice, one bowl is 1,000 kyat. The money that you get day by day, it is not enough even if you just buy rice and curry. You owe people. It is not enough even if you work day by day.

Did the SPDC army let people know that they were going to build a dam?

They didn't let people know.

Have they come and given compensation to the people whose land was flooded?

They give nothing. They watch you from a distance place.

Did they come and let you know anything about the flooding?

No, they didn't come and let us know.

Are there any other villages located upon the dam? What are the villages?

Yes, Kyaw Na Gar, Bolo, Ywa Myot. They flooded one by one. You had to move village by village. Now, we moved to Ywa Myot and, including Ywa Myot, we had to move from five villages. You moved a little and you thought it was going to be fine, but the water came up and you had to move again. There were five places where we had to move.

On what date did you first move?

It is their year. It was early in the rainy season. We had to move from there. We thought that we were free from the water but we weren't. In the middle of the rainy season, we had to move again.

How many households are in your village?

There are about [censor for security] households.

What about Kyaw Na Gar?

I don't know. Some people go back to city, some go up to the mountain and some people go back to the flat area. There are no people living in Kyaw Na Gar now. Kyaw Na Gar is closed off with water, so they didn't let people stay there. They also don't let people travel there. They closed everything. For Bolo village, I don't know how many people live there because I don't live there. They don't need to move their village yet.

Are there any problems that you meet when you moved from your village?

Some people had to eat porridge when we moved from our village. We had no time to find food for our stomach. You are busy with your house because you worried that your house would flood. Some people faced with problems and they had to eat porridge.

Is there any problem about health, because of the flooding?

Yes. Some people feel depressed. Some people don't have money to buy medicine even if they are sick. Now my daughter is getting sick and defecates [diarrhea] but I can't buy medicine for her.

What is the most [common] disease that people get?

Malaria, vomiting and defecation[diarrhea] diseases.

Do you think why these diseases happen?

I thought it happened because of the water. The water came up and flooded everything. Tree leaves become rotten and the water is not good anymore. Water becomes bad smelling.

Do the SPDC come and look after village about health?

No, they don't.

Is there a clinic in your village?

No, there is a doctor. You can call him when you can pay him, but you can't call him if you can't pay him. He has medicine, but you can't call him if you can't pay him for the medicine.

What about when they [patients] are serious?

They have to stay [untreated] and die if they can't buy medicine.

Do any people die like this?

Yes, some children. They vomited and defecated, but their parents couldn't buy medicine for

them and they died.

Do you know any of their names?

I don't know.

What about education in your village?

We don't have a school. Even before, we didn't have school. We never had a school.

What is the population of the children?

Many children. Some of them, their parents cannot afford to keep them in the city, so they let them stay outside. If they have a mouthful [to eat], their children have a mouthful. There are children. Those children can't read or write. Their parents can't send them [to school].

Are there any parents who send children to the city?

Yes, but very a few. Maybe 30 percent.

What about from other villages, like Bolo?

There is a school, but it has just a short year. The teachers leave after a short time. The students don't know where they have to go to school. The school year is not complete.

Do you mean because of people have to flee and move?

Yes.

Is there any organization to come help you when you have to flee like this?

No.

What month was it when you moved the first time?

It was early in the rainy season for the first time, the second time was in the middle of the rainy season, and the third time was at the end of raining season.

What about the last time you moved?

Not too far; it was about two months ago.

Did you lose any other property from the flooding?

Yes, [answer is not clear] have to borrow pots from other people to cook rice.

What about animals?

I don't raise animals.

Are there any people who built their house with wood and brick in your village?

No. Even if they just build with bamboo, it is not complete.

What is the most common job that people do in your village?

Most people are finding fish. Many people are finding fish now because they can't do other jobs. Before, some people panned for gold, and some people cut bamboo for sale. But now you can't cut bamboo for selling because there is no bamboo there. To pan for gold, all land was flooded. You can't pan for gold. The easy work is finding fish, so people are finding fish.

What about traveling?

It is not easy to travel. You can't afford to pay for your travel cost, so you have to keep your children to die, even if they are sick. Don't need to say about going to the hospital [*interview is not clear*].

How much do you have to pay for the motorbike fee?

3,000 kyat (US \$3.50) for one person and a round trip is 6,000 kyat (US \$7.00). Then you have to pay to the person in charge of the checkpoint. There are four checkpoints and you have to pay 200 kyat (US \$0.23) at each checkpoint. In total, you have to pay 800 kyat (US \$ 0.93) [for checkpoints] and you have to pay 1,600 kyat (US \$1.87) for round trips.

Do you know the name of the checkpoints?

The police checkpoint in Shan village, [*interview is not clear*], the army checkpoint also call Bpyu Ha Kgone and Wa Daw Kyi, is under army command. I don't know the army number because they rotate every three or six months. They don't stay permanently in there. Also the police, I don't know them all. For the police, they change one person in a day. If Ng'Phyu stays in the checkpoint today, tomorrow Ng'Meh is the replacement.

Do you know them?

I don't know them. Since they arrested my brother, I don't want to talk to them anymore.

How many years did your brother have to stay in prison?

Three years.

How much money you have to pay each year?

A lot. Not in a year. I had to pay 500,000 [kyat] (US \$583.43) in seven days. At first, we had money and we paid them, but later we couldn't pay anymore and he had to stay there. We paid money for people not to beat him. Later we couldn't pay and we kept him like that. We came back after three years.

What does he do now?

Now he went back and stays in Hpa'an, but I don't know what he does. Since he came back, he said he doesn't want to come here anymore. Now we come here secretly. They will arrest us and put us in jail if they know.

How much did you have to pay for the boat fee to come here?

We have to pay 15,000 kyat (US \$17.50) for a round trip.

In traveling, what is different before the dam and after dam was built?

It is different. Before the dam, you could travel peacefully. You didn't need to pay a boat fee in that time. If you have a boat and go somewhere, I could follow you. I go and help you, and you come and help me when we have work to do. Now it becomes worse. You work on your own and I work on my own. It is not easy to travel if you don't have money. Now I have to borrow [money] from other people for motorbike and boat fees.

Did you go and ask the government to give back what you lost?

No. they won't give it even if you go and ask, and people don't go and ask. We just go and ask from our friends.

Did anyone go and report to the government that civilians lost their properties and land?

No, no one dares to go and report because they said this is the government's land, so you have no say. They will just slap your face if you go and report. No one goes and report. They said "[T]his is government land and these lands belong to me. I won't give compensation and I don't need to give any, either." So everything is done.

What do they use the dam for?

They said they will sell [electricity] to foreign countries.

Do they provide electricity there?

No. Currently, they don't give any. They already started providing the electricity, but I don't know to where they give electricity. They don't give it to the city; the city isn't lit. They don't provide electricity here. They sell it to foreign countries.

Where do the electricity wires head to?

Along the edge of the road. People said it goes to China.

What about the situation below the dam?

I have never been to the place.

Have you ever been above the dam?

They don't let people go. They closed it since they built the dam. People can't go.

Can you gather and write an appeal letter to government?

No, we daren't write.

What will they do if you write?

They will find peoples' faults. Originally, they already defeated the villagers; they stamp down a civilian under the foot.

What do you need if compensation was given?

[What do] We want if they give us compensation? Now we are in a difficult situation. If they help us [*interview not clear*]. We have to find [work] in the morning and eat in the evening, if they don't help us. We wanted to express this problem a long time ago, but no one came and asked us. We daren't express it in a stupid way because we worry that people will find our fault.

What kind of support do you need?

For residence, food and medicine for health, but no one helps us.

Is there anything left that you want to say?

I have many things that I want to express, because they find your fault anytime they come. I expect them not to come. Don't need to say that they will help us. They will find your fault if you can't feed them. Anytime, you always have to be careful, even in traveling. You always have to travel with worry.

Have the SPDC army arrived after the water flooded?

They did arrive.

What did they support?

Nothing. Instead of giving support, they asked from you.

Do they still come and ask for things from your village?

Yes. They find your fault if you can't feed them. [*interview not clear*]

What about KNLA army, do they arrive in your village?

Yes, they Karen army arrives; even after the flooding, they arrived.

Did they go and give trouble to villagers?

No, they asked "what problems do you have" when they come, and whether the enemy [Tatmadaw] comes or not.

How many times have the SPDC armies arrive in your village after the water came up?

They came four or five times in a month.

What did they do when they came?

They asked for food. They ordered people to cook curry and buy alcohol for them. If you cook a milk tin of rice in your home, you have to give them half. They give you trouble if you don't give to them and they find your fault.

What kind of faults do they find?

They said "you will feed people from jungle [KNLA] but you won't feed us." like those kinds of faults.

Do they come and give trouble, like abuse the villagers?

Yes, once. Some people brought rice for their self, but they [Tatmadaw] said “*you send it to jungle [KNLA]*” and they beat him. That man lives in Aw Gk’La. I didn’t know his name. Not so far.

Who beat him?

The current army that comes and bases here. I don’t what battalion.

When did it happen?

Past 14 or 15 days ago. They also beat a driver. They told a biker not to go if you [*interview not clear*].

Do you know the driver’s name?

No I don’t know. He came to carry bamboo. I don’t know the cart owner’s name either. He is from Aw Gk’La.

Did they beat him seriously?

Yes, very seriously. He daren’t come here anymore.

Did you see when they beat him?

No I didn’t see. But many people saw because they beat him on the road. He went back directly. He couldn’t work for one or two months.

Do you remember the date they beat him?

No.

Do they do any other abuses to villagers in your village?

No, just these two people. Women don’t go out when they come. They stay in home.

Did the KNLA arrive after the flooding?

Yes, they came to see the situation. They asked us whether the Burmese army came and gave trouble to the villagers. They asked the situation like what problems do we have. It is fine when they came.

Do they abuse villagers?

No.

Did they order food from villagers?

No, they don’t.

Do villagers have to be afraid of them when they go to the village?

They didn’t to go all villages. They just went to Ya Yee Der, and if they have information that they want to say, we wait for them on the way and talk to each other and we come back. We

won't let them [KNLA] in the village because there are many people in the village. We worry that someone will go and report to the SPDC and villagers will be in trouble.

Do villagers still have to be afraid of the SPDC army when they enter the village?

Yes, because they find a lot of things. People don't want to talk to them. People are afraid of them. After they drink, and when they get drunk, they find peoples' faults.

Does the SPDC army give trouble to villagers when they know that the KNLA army comes to village?

They arrest you and put you in jail directly. People not dare to let them know. If people from this side come, we meet them in an outside place, and organize for them like what do they want to do or know, who do they want to talk. We daren't to let them go in village.

Does the army [KNLA] give trouble to villagers when they know that the SPDC army comes to a KNLA village?

No.

Do you have anything that you want to report for your future?

No.

Source document/ShwegenDam/2010/1

Project name:	Shwegen dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
KHRG Log #:	10-93-T1-I3
Publishing info:	Nyaunglebin Interview: Saw Ta--, (Male, 48), Ke--- village, Nyaunglebin District, June 2010" KHRG, March 2013 (First Publication)

Testimony:

This report contains the full transcript of an interview conducted during February 2011 in Ler Doh Township, Nyaunglebin District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Saw Ta--, a 48 year-old man from Ke--- village, in June 2010. Saw Ta-- describes how his dogfruit plantation and many hillfield plantations were flooded due to a nearby dam that was constructed by the government. He describes how the land that villagers use as replacements for their flooded land is of poor quality and produces fewer crops than before. Additionally, he describes how there is an increase in rats and insects that destroy the villagers' crops, which causes food shortages for the area.

Interview | Saw Ta--, (Male, 48), Ke--- village, Kwee La village tract, Ler Doh Township, Nyaunglebin District (June 2010)

The following interview was conducted by a community member in Nyaunglebin District, and is presented below translated exactly as it was received, save for minor edits for clarity and security.

Ethnicity: Karen
Religion: Christian
Martial Statue: Married
Occupation: Hill field farmer

Can you work freely and is there anything that comes and disturbs your work?

For some years, it was disturbed for us by the enemy, the Burmese [Tatmadaw], we couldn't work and we had to flee. Now, we do hill field farming on the highlands and rats destroy our field. We don't know how to do [solve]. Rats destroy [crops] and, in some [fields], just stems are left.

Is there a way to eliminate the rats?

There is no way to eliminate the rats but we hope our leaders [KNU leaders] come and help us to eliminate the rats. We can't do it by ourselves.

What about other people?

[Rats] also eat other people's fields. [Rats] eat everyone's fields.

What about people who go and farm hill fields at the upper area?

It is quite good for the people who go and farm hill fields in the upper area, because the soil is good. For us, we can't go and farm hill fields because the Burmese built a dam; the upper area was flooded. Water is flooding. We have to move up to mountainous areas.

What about people's plantations?

Plantations like farms and other plantations were all flooded. You can't use them anymore. You just have to watch.

Were people's hill fields flooded?

Many people's hill fields were flooded. I don't know if it will be flooded more in the future.

How does the water rise up?

Water rises up regularly, and it rises up over a cubit in a day.

People who do hill field farming don't know that water will come up?

For people who do hill field farming, first they don't know that water will come up. They thought water will [stay as before], so they went and cut down trees. But now, water is coming up faster and [all hill fields] were flooded. They can't use their [hill fields].

How far away from the river do they do have hill fields?

A one-hour walk.

How many hill fields were flooded?

There are more than 10 hill fields—15 or 16 hill fields. Some hill fields used 3 tins of [paddy] grain, 5 tins of grain and some 6 tins of grain. For that area, one tin of grain can produce

almost 50, sometimes it yeilds 50 tins of grain.

What about here?

The soil and also paddy is not good. It has *bu khah* [a small insect that destroys paddies]. The paddy become red [before harvest time]. That area, one tin of grain can produce just 10 tins of grain.

Are there people who work and don't have enough food?

There are many. They can't find food. They have to find it, even if it is difficult. [They] sometimes go and porter from Papun and sometimes from Ler Wah. [They] can get [food] if they can travel freely, but they can't get [food] if the road is difficult. It [food] lasts one month.

Do SPDC armies come in this area, this year?

They didn't arrive this year, but they always arrived before.

What problems were caused because of this dam?

Because of this dam there are many problems; our place wereflooded. We can do nothing except watch from a distance place.

Is your plantation alsoflooded?

For me, my dogfruit plantations, both in the flat and hill areas, were flooded. One of my plantations is 6 acres and another one is 4 acres. My plantation is a dogfruit plantation; all was flooded. You can't use it anymore.

How many people are therewhose plantations were flooded?

Many. Many people's plantations were flooded. All dogfruit plantations were flooded and a place where people plant bean, also.

Is there any problem when you go and take rations?

Sometimes there are, but sometime there aren't.

Is there a SPDC military base that is located close to your village?

Before it was, but now it is located a little far.

Is there any way that people can earn money by dong business?

It is not easy in this kind of place, regarding doing business for money. Just one way is farming hill fields and farms.

Do you have a school in your village?

Yes, it has. It has up to grade 4. There are 48 students and 3 teachers. We villagers built up this school, but it belongs to the organization [KNU]. For the teacher salary, if the situation is worse, we support with a tin of rice to a teacher; we support them for three years.

[remainder of interview is not clear]

Source document/ShwegenDam/2010/2

Project name:	Shwegen dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
KHRG Log #:	10-93-T1-I2
Publishing info:	"Nyaungledim Interview: Saw Wa---, (Male, 48), Ke--- village, Nyaunglebin District (June 2010)," March 2013 (First Publication)

Testimony:

This report contains the full transcript of an interview conducted during February 2011 in Ler Doh Township, Nyaunglebin District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Saw Wa---, a 48 year-old man from Ke--- village, who described the hardships that villagers faced due to having their land destroyed by flooding, when a nearby dam was constructed. He described how the Tatmadaw arrived in his area at the time of the construction and began to demand forced labour from the villagers, then excluded the villagers from their agricultural land. In order to survive, villagers do daily wage work.

Interview / Saw XX---, (Male, 48), Ler Gklaw Kee village, Kwee La village tract, Ler Doh Township, Nyaunglebin District (June 2010)

The following interview was conducted by a community member in Nyaunglebin District, and is presented below translated exactly as it was received, save for minor edits for clarity and security.

Ethnicity: Karen

Religion: Buddhist

Martial Statue: Married

Occupation: Daily worker.

Can you work freely and is there anything that interrupts your work?

There? We just work and eat like this. It is not going well, so we come and find work here.

What is the common work that people do there?

[I] cut sesame because I don't have a farm. I work [for other people].

How much do you earn in a day?

They pay 1,500 kyat (US \$1.75). For me I am old, so they pay me 2,000kyat (US \$2.33), but for young people they pay 1,500 kyat.

Can you travel and work freely? Is there any disturbance?

There, there are disturbances. When I come here, I travel around [freely].

You work and you earn 1,500kyat [question is not completed]

No, it is not—I have to buy for a day.

How is the price of rice?

Sometime it is 800kyat (US \$0.93) and sometime it is 900kyat (US \$1.05). My daughter goes and buys it for me. Yesterday, she bought one [big] bag for 20,000kyat (US \$23.34). The rice is good quality.

Do income and expenditures balance?

No, it is not balanced. Expenditures are more and income is less, because [I have] just two hands to work. Also, other villagers are the same. Some people have cows and carts, so they can work on farms. Like other people, I work year by year.

Does the SPDC [Tatmadaw] disturb your work?

Now, I live there and I see they don't disturb us. But there are some orders, and you can't travel. Like, if people don't hire you, you go and find vegetables to sell. But if something happened, they don't allow you to go. [If they don't let you go] you have to stay. [The Tatmadaw unit is] 264. I don't know [the Commander's name]. They occupy Kha village.

So now you don't live in your village?

I come and live at Paw Gka. It is close to Tha Sein. We come and live there and Bp'Deh Gkaw; we become their people.

It means you can't live in your village?

Yes, we couldn't live there.

Why?

Because, they [Tatmadaw] didn't allow us to go back and stay. It was a long time ago. Past 2, 3, 4 and 5 years ago. Before we lived in Shwe Dah and we came back and lived at Paw Gka. We came and lived at Paw Gka for 3 years, almost 4 years. It took 3 years at Shwe Dah. Before we kept [our] monastery at Shwe Dah, but now we moved to here.

Do they send letters or come by themselves?

They didn't come and give letters. I heard older people say we can't keep a monastery there. We had to move to here and [...] [*unclear*]

How did they move you out?

They gave orders to older people.

No people refused him?

People daren't refuse him.

What is different when you lived in your village and when you came and worked here?

There is no difference. It is quite good when we stayed and worked in our village. We have to go back and work at there. It [my old village and here] is 2 hours away.

What is the unit of SPDC who moved you out from your village?

I don't remember because it was too long ago.

Did they come to your village?

Yes, they did come often. They go around on the road. They do nothing.

Didn't they take properties from villagers?

No, I didn't see. For that one, you have to ask the village head.

Like you have to go and porter for them.

No, it [Ke--- village] didn't have that. Before it had it, but not often.

Do they order you to go and work in their camp?

No, it didn't have that. But for cleaning the road, it had that. They always ordered [us] to clean the road for them. If the road became bushy, they asked [villagers] to clean. They don't pay us. No [cutting bamboo or camp repairs]. No, we don't have to guard for them.

Do you live on the East or West of the vehicle road?

[We come and live] on the West of the vehicle road. It is close to the vehicle road. [We live] beside the vehicle road.

How many households?

There are about *[censor for security]* households.

What about paying money for sentries?

No, before when we lived in our village, they ordered us. They came and demanded chickens because you are the head village, so we moved to Ha---. We can't [tolerate] anymore. 4 or 5 years ago, they demanded us to work a lot.

Do they come and explain to you anything about the election that they are going to hold?

I don't listen for that thing. You have to ask the village head if you want to know. I don't know whether the village head was let known. I came and live here for a long time. I don't go back and listen. I live alone, but sometimes I go back and visit my children.

What do you do here?

I come and find fish, [and] pan gold.

Can you find fish?

I find and I cook here.

What do other villagers do?

Other villagers, like in Ban Aye, they work Koh Kee Ka Da [*meaning is not clear*] for the people who don't have farms. For the people who have farms, they farm; it is very difficult there.

Has the KNU ever been to your village?

They have arrived to the place where we moved. They sometimes go to Shwe Dah.

Do they do anything [to villagers] when they go?

They told us nothing.

How is your opinion about the KNU and the SPDC?

I don't believe the SPDC army, but for the KNU I went and ate together with them.

Do the SPDC order you to do anything, like carry things?

In the past, 4 or 5 years ago, we always had to carry. They didn't give you money or even feed you; it is not enough.

What about the KNU army? Do they demand to work from you?

No, if they demand from you, they pay you. They don't ask me to work. Even when I go along with them, they didn't ask me to work. But I work and eat with them.

Which armies, KNU or SPDC, do villagers have to be afraid?

Villagers have to be afraid of the SPDC army. We live in town, so we have to be afraid of the SPDC army. They came and ask you directly if you heard something [about the KNU] even if very far away. Yes or no. You don't know, and you tell them you don't know.

What will happen if the SPDC knows when the KNLA army has entered your village?

They will afflict the village head. If they really know, they will really afflict [the village head]. If they [KNLA] don't enter secretly and if they [Tatmadaw] know, they will afflict [the village head].

What about if the KNLA knows that the SPDC army enters the village?

They say nothing because the SPDC army always enters the village.

What will happen if a fight happens beside the village?

[Saw Wa--- does not answer the question]

Haven't they come and distributed paper to the village and acknowledge the election?

I haven't known that. I left about 2 weeks ago, I don't know if they will come and do that after I leave. They said nothing about [voting]. It doesn't look believable. They will do as their desire because the SPDC governs.

What about the [2008] constitution that they made before? What did they do in your

village?

The one they made by paper? [We] had to sign. We didn't have to give votes. We had to sign. If there were 5 people in your family, only one person went and signed.

It means they don't want people to give [votes] by themselves.

They collected [signatures] from each house; it became their vote. They didn't do it with a ballot. They just [used] the village head. The elders who work under [the Government] came and collected [signatures] and they gave it to their superiors. The superiors went and gave votes. They said it [was] all their supporters. They don't do ballots. People didn't have a chance to put [vote], they do it with households.

How do you think they will do things now?

I can't say. They will do the same thing, but I am not sure.

Do you think there will be a change after the election?

I can't say about whether it will be changed or not; I don't know about politics.

Do you have school in your village?

Yes, it has until grade 4. There are 2 teachers; one is male and one is female. There are 20 students. The SPDC built [the school], but the school head eats money and the village head can do nothing. I don't know how much do they pay [teachers] per month. They said they provide [food]. Villagers don't need to pay.

Do you know anything about Baw K'Hta dam?

I don't know about that, but I heard a little. [I heard] they said they would build a dam.

Do they come and set up buildings and other things?

They came and laid one or two pipes. They didn't build, but they did build before. Since they came to their Byu Ha Kgone [Tatmadaw Operations Command base], they didn't continue building. They roofed [a building] with a white steel roof; it will be a food store. [We are not sure] because we didn't go and look.

Do you know anything about the dam that they have built?

I don't know. I have never been there.

Do you have clinic in your village?

No, it doesn't have one. The clinic is at Bp'Deh Gkaw. They don't give injections for free. If villagers get sick, they go and present themselves [to the clinic]. If they don't go, they just drink medicine in the village.

Can you buy medicine?

We can buy it from the shop.

Do you have a medic or obstetrician?

It has an obstetrician.

Are they allowed to carry medicine?

Maybe they will allow that because they are government people.

What do they do to ordinary people who can't afford to pay money?

They do nothing. You just have to run. You have to go to the city and smuggle [medicine].

Is there any problem for you when you come and work here?

There is no problem. We come secretly to here. If they see and ask us when we go back, we said we [*not clear*] at Gker Ghaw. They will not allow you if you say you come to this side; they will restrict you.

Source document/ShwegenDam/2010/3

Project name:	Shwegen dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
KHRG Log #:	10-93-T1-I1
Publishing info:	"Nyaunglebin Interview: Saw Ma---, (Male, 40), Hu--- village, Nyaunglebin District (April 2010)," KHRG, March 2013 (first publication)

Testimony:

This report contains the full transcript of an interview conducted during February 2011 in Hsaw Tee Township, Nyaunglebin District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Saw Ma---, a 40 year-old man from Hu--- village, who described the interference with paddy planting and harvesting that is caused by flooding from a dam that is not near their area. He describes that the KNU provides food assistance for the villagers, but that the Tatmadaw prevents them from purchasing food because the soldier will not distinguish between civilians and KNLA. In his village, there is a school with three teachers, whom are provided rice by the students' families. Saw Ma--- reports that influenza was never present in his area until the dam began to be constructed.

Interview | Saw Ma---, (Male, 40), Hu--- village, Ler Wah village tract, Hsaw Tee Township, Nyaunglebin District (April 2010)

The following interview was conducted by a community member in Nyaunglebin District, and is presented below translated exactly as it was received, save for minor edits for clarity and security.

Ethnicity: Karen

Religion: Christian

Martial Statue: Married

Occupation: Hill field farmer

Can you work freely and is there anything that interrupts you?

Nowadays, because of the enemy [Tatmadaw] activities, we see people from above [highlands] have faced a food crisis that [crops were] destroyed by [animals]. We, from above, who come and do hill field farming here, our fields, we can say that all our fields will be flooded because of the enemy built up the dam.

What are the insects and animals that destroy and eat your paddy?

Rats, termites and caterpillars; those [eat] everyday.

How many tins of [paddy] grain do you get in each year?

When we do hill field in the highlands, we spend [sow] 4 or 5 tins of grain. The hill fields that were flooded, which we do here, have benefits. [We get] 30 or 40 tins of grain when we plant one tin of grain. If we compare to before, it could produce 50 tins of grain out of one tin grain.

How many tins of grain did you get at the most?

It depends on the Buh Klee [sowing grains]. Like before, if I use 3, or 2 and a half tins, I regularly got 140 or 150 tins, if it is was not destroyed by [insects or animal].

How many people had hill fields that were flooded?

There are 15 people in Ler Wah village tract. I don't think that we can do [farm] because it is still two months and now some [hill fields] are half under water.

How far does water come up in a day?

I think 2 cubits in a day and night. For the area for dogfruit plantations [*not clear*] is a lot. All farms were gone. As I have collected the list, there are 38 [flooded] farms; 160 acres in total.

How many tins of grain will be produced from an acre?

I don't know.

What about a tin of grain?

It can produce 70 tins of grain. We get 60 when we farm hill fields, but farms can get 60 or more.

How many plantations and gardens?

I can't count, but more than 40. We can say all plantations and gardens were flooded in Ler Wah village tract.

What about dogfruit, betelnut and durian plantations?

Dogfruit plantations were flooded but some are left, where they are far from the water. Betelnut plantations are also flooded; many were flooded but a few are still left. I don't know how many acres of plantations but it will have before [*meaning is not clear*].

Do they [Tatmadaw] come and give any acknowledgement to villagers who lost their properties?

No they didn't come and give any; from the enemy, they didn't come and give anything.

[Were] Banana plantations also flooded?

Yes, it was flooded.

What do people do for their livelihood?

People do farming. [We] don't have others. In the summer, some people cut trees and bamboo.

How will villagers whose plantations were flooded work in the future?

It is not easy to work in the area because we make a life by doing hill field farming, and now all our hill fields were flooded. We can do nothing. We can't find a way now, except that we live under management, so we have to report to our leaders.

Do you think this dam will give any benefits to civilians?

It is hard to see that it will benefit civilians, because even their own civilians [Burmese people] have faced enough problems. Their land, food, and places were destroyed. They have no land. Even their own people have to face with many problems.

Did you hear about the SPDC going to hold elections in 2010?

Yes, I did hear. They will hold elections. They give us a chance to go and give votes.

Do you think there will be a change after the 2010 election?

If they do it with honesty and let the world know, I think there will be peace. But if they do it just as their desires, we have suffered since our ancestors because they lie a lot.

After they built the dam, did they come and be active in your area?

They have, but it [the dam] is far from us. If I have to say about Hsaw Tee township, they have but it is not close with us.

Are all people here doing hill field farming?

Most people are doing hill field farming--all people do.

What about other ways to do business?

I don't see any.

What about if food is not enough?

I think even if food is not enough, it is easy to find money. We can just report to our local leaders, step by step.

Do we have people who don't have enough food?

Yes, we do in our site. It has many.

How do they find food?

Our [leaders] who lead us, give us [money] and we buy food.

Does the KNU help them?

Yes, they do.

Are there any problems when you go and buy food?

Now, we go and buy in front [of them]. We have to go and buy amongst the enemy. It is easy to buy when the road is easy [when less military activity], but when the road is hard, we can't buy food.

Does the SPDC interrupt you when you go and buy food?

Yes, it does. If they know that people from the East side go and buy food, they don't distinguish civilian and enemy [KNLA]. They consider [everyone] as their entire enemy and they interrupt all.

Do you have a school in your village?

We don't in Ler Wah village now.

Where do children go and attend school?

There are no children. They fled to the mountains--the highlands that are close to [KNU] administration. There is a school there. According to the village tract decision, they keep [students] until grade 4.

How many students and teachers?

There are 30 students and 3 teachers.

How do you support teachers?

Parents support with one tin of rice. For food, it comes from the KNU education department [KED] support.

What about health?

It also has [clinic]. There are people [organizations] who go around in area.

What is the common disease that people have suffered?

Currently, [it] is influenza. I never heard about influenza before. This year, it has happened to children and adults. It happened in the same year [as the the dam]. Before we didn't have it and I have never heard [before].

Is the water is clean?

It is not clean. It looks like it mixes with [chemicals]. The water surface looks[like it] includes oil.

Where do people go if their disease is serious?

In our area, mostly we go and asked [for medicine] from the township [clinic] when we get sick. We come back and drink the medicine, but if it is not effective, we send [patients] to the hospital. We don't need to pay [when we go and take medicine].

Do they treat patients very well?

Yes, they treat patients very well.

Which season do people mostly get sick in?

I see most people get sick at the beginning and end of the rainy season, and the cold season. Most people get sick when new water and wind comes.

What do you want to say, or is there any thing that you want to say to the world to know about this issue?

We want to report: as we are villagers, we report to responsible people like the KNU and we trust that it [responses] will arrive. I want to say this because I see people have to face many problems in my area. When we say and arrive to UN, and if UN helps us, it will be better.

Do you know what companies came and built the dam?

I just heard other people said Japanese or Chinese [companies]. I don't know their names.

What are other things that you want to say?

I have nothing to say anymore but just the problem we have to face because of this dam. We need the opportunity to be able to work in the future. We need this.

Source document/ShwepyinDam/2010/4

Project name:	Shwepyin dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
KHRG Log #:	10-93-D1
Publishing info:	Incident Report: Agricultural land flooded in Ler Wah village tract, Hsaw Tee Township, Nyaunglebin District, April 2010," KHRG, March 2013 (First Publication)

Testimony:

This report contains a list of land that was documented in during February 2011 in Hsaw Tee Town, Nyaunglebin District by a community member trained by KHRG to monitor human rights conditions. The list identifies 39 villagers whose land was already destroyed by flooding as well as 7 villagers whose land is at risk for damage by flooding.

Incident Report | Agricultural land flooded in Ler Wah village tract, Hsaw Tee Township, Nyaunglebin District (April 2010)

The following Incident Report was prepared by a community member in Nyaunglebin District, and is presented below translated exactly as it was received, save for minor edits for clarity and security. This Incident Report was received along with other information from Nyaunglebin District, including

List of farms that wereflooded by Kyaw N'Ga dam in Ler Wah village tract.

No	Owner Name	# of plantations	Acres
1	Naw A---	1	5
2	Saw E---	1	5
3	Saw B---	1	6
4	Naw W---	1	4
5	Saw T---	1	4
6	Naw S---	1	5
7	Naw L---	1	5
8	Saw K---	1	4
9	Saw H---	1	6
10	Naw Se---	1	4
11	Saw Y---	1	4
12	Saw G---	1	5
13	Saw La---	1	3
14	Saw Mo---	1	6
15	Saw Ta---	1	5
16	Saw Ht---	1	4
17	Saw Wa---	1	5
18	Saw Pa---	1	5
19	Saw To---	1	5
20	Saw V---	1	6
21	Saw X---	1	4
22	Saw Z---	1	4
23	Saw O---	1	6
24	Saw U---	1	5
25	Saw Pi---	2	8
26	Naw Ra---	1	5
27	Saw Lu---	1	5
28	Saw Mi---	1	6
29	Naw Dt---	1	4
30	Saw Th---	1	5
31	Saw Ei---	1	5
32	Saw Yi---	1	5
33	Saw Hi---	1	5
34	Saw Ga---	1	4
35	Saw Na---	1	5
36	Saw N---	1	5
37	Saw Ng---	1	5
38	Saw Mg---	1	5
39	Saw Si---	1	5

2	S a w T s - -	5	1 / 3
			w a s f l o o d e d (c u r r e n t)
3	S a w M e - -	2	
4	S a w L i - -	2	
5	S a w H p - -	3	E n t i r e l y f l o o d e d

6	S a w	3	E n t i r e l y f l o o d e d
7	S a w	3	E n t i r e l y f l o o d e d
8	S a w	3	
9	S a w	3	
10	S a w	4	
	X a		
1	S	5	H

1	a		a	
	w		l	f
	I		f	
-	-	-	l	o
-	-	-	o	o
	d		d	d
	(e	d
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	u		r	
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	e		n	
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	-		y	
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Source document/ShwegenDam/2010/5

Project name:	Shwegen dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
KHRG Log #:	10-42-D1
Publishing info:	"Situation Update Hsaw Tee Township, Nyaunglebin District, June 2009 to February 2010," KHRG, March 2013 (First Publication)

Testimony:

The following Situation Update was submitted to KHRG in 2010 by a community member trained to monitor human rights issues. The community member describes a dam that the Tatmadaw began constructing in 2009. The community member describes how the Tatmadaw worked with two Japanese companies to construct a dam that caused flooding and damaged villagers' agricultural work. Also described are the taxes imposed on the villagers by the Tatmadaw, when they travel to upland areas to buy food that they cannot produce themselves anymore. In order to raise money to buy the food, the villagers have to work for daily wages. The community member also reports that the DKBA planted landmines in near the villagers' land, which prevents them from further access to their former livelihoods.

Situation Update | Hsaw Tee Township, Nyaunglebin District (June 2009 to February 2010)

The following Situation Update was prepared by a community member in Nyaunglebin District, and is presented below translated exactly as it was received, save for minor edits for clarity and security.

Now in our region, Hsaw Tee Township, Nyaunglebin District, the SPDC army [Tatmadaw] comes and is active, with increases in 2 or 3 locations. Also, the DKBA comes and is active in our area. Moreover, in our area it is difficult for civilians to make a living and trade. The problem will show below.

SPDC built a dam at Kyaw Na Gar

We know that they started building this dam in 2009 and they do as they have planned. They do it and we saw their success. For this dam to be successful, in the beginning we knew they were cooperating with China, but they were not successful. Later, we knew that they cooperated with Japanese companies. The Japanese companies that came and worked together with them, are called Ya Ta Sha and A Nor Ya Htar, and they are pretty successful. When it was successful and they blocked the water, the water flooded and many civilians' land and plantations were flooded. So there are many problems that have come to civilians.

The first time they blocked water in 2009; it was in June. They blocked it for over one month and they let flow the water. At this time, when villagers saw water go down, they were happy and they could go back and work in their plantation. After that they blocked again, at the end of November 2009, and until now they never let the water flow again. There are many problems that arise when they don't let water flow. Civilians lost their land and can't find food. They have to work for daily [wages].

The SPDC does nothing for the civilians who lost their land. Moreover, from the civilians who have no food and come to find food on the mountain, they demand 200 kyat (US \$0.23) for each villager. If you bring a load, they demand 500 kyat (US \$0.58). Also for small boats, they demand 1,000 kyat (US \$1.17) to go upriver and 1,000 to go down. Civilians whose land wasflooded have to work by finding fish and trading for rice. Some have to hire their self to other people who pay them 1,500kyat (US \$1.75). They buy rice for each day. The SPDC unit who guards and provides security for the dam, is Battalion #350. They set up 2 or 3 bases above the dam. LIB #349 came and occupies Saw Ther Kee, and is led by Zaw Baing; LIB#350, at Wah Koh Law Dteh, is led by Battalion Deputy Commander Htun Aung Kyaw. In Gha Lo camp, it is led by Battalion Commander Aung Zaw. Those are who provides security for the dam.

In our areas, the areas that the SPDC is active are Htee Blar Kee village tract, and Saw Ther Kee village tract. The enemy [Tatmadaw] who are active are LIB #350, led by Aung Zaw, second [in command] is Aung Kyaw. Now, villagers stay alert. The second army that is active and occupying Der Wee Koh is LIB#349, led by Zaw Baing. Also LIB#350 occupies Saw Ther Kee.

For the DKBA, they come and are active in the lower side of Hsaw Tee Township, at Mae K'dtee village tract and the border with Papun district, Dweh Loh Township in Baw Lo river. The army units that are active, are [Battalion] #999, led by Chit Thu²⁹ and [Battalion] #333, led by Bo Bee. On 20th February 2010, they shelled mortars to Kwe Hta and Raw Hta villages, in Blaw Koh village tract. Villagers had to run to other places. Twenty-five households, a population of 250 people, had to flee and daren't go back. The DKBA planted landmines without letting villager know, so villager daren't go back and retreive their food; they have to find food in other places.

Source document/ShwegenDam/2010/6

Project name:	Shwegen dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Collective action:	

²⁹ Maung Chit Thu was the operations commander of Democratic Karen Buddhist Army (DKBA) Battalion #999 prior to the DKBA transformation into the Tatmadaw Border Guard, which began in September 2010. Although he accepted this transformation, his current position in the Border Guard remains unclear, and he has been variously described as a high-level advisor and an operations commander. Other abuses committed by Maung Chit Thu have been cited in previous KHRG reports, including ordering the forcible relocation of villagers from eight villages in Lu Pleh Township in July 2011, while acting as a Border Guard commander, see, "Pa'an Situation Update: June to August 2011", KHRG October 2011. For more information on the DKBA / Border Guard transformation, see, for example: "Border Guard Forces of South-East Command formed in Paingkyon of Kayin State," New Light of Myanmar, August 22nd 2010; and "Border Guard Force formed at Atwinkwinkalay region, Myawaddy Township, Kayin State," New Light of Myanmar, August 25th 2010.

KHRG Log #:	10-22-D2
Publishing info:	"Nyaunglebin Situation Update: Hsaw Htee Township, May 2010," KHRG, March 2013 (First Publication)

Testimony:

This report includes a situation update submitted to KHRG in May 2010 by a community member describing events occurring in Nyaunglebin District, during the period between December 2009 to 2010 specifically about the situation in Hsaw Htee and SPDC activities. The SPDC built the dam in Hsaw Htee and send more soldiers to take security of the dam so it becomes a problem for the villagers. The situation also describes that villagers lost their livelihood so they had to panning gold for their livelihood. Furthermore, the children also cannot go to school anymore because their parent cannot effort school fees for them.

Situation Update | Hsaw Htee Township, Nyaunglebin District (May 2010)

The following situation update was written by a community member in Nyaunglebin District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security.

Situation in Hsaw Htee area

The [Tatmadaw] has planned to start their movement in Hsaw Htee [area] since December 2009, before 2010. The second thing is the dam project in Hsaw Htee. The enemy [Tatmadaw] constructed a dam called Kyauk N'Ga, and the military [Tatmadaw] has to guard the dam. As a result, there are difficult situations for local people to work. Military [personnel] are always conducting their movement for dam security. Military [units] that are activated for dam security, are LIBs [Light Infantry Battalions] #350, #598 and #589, under the command of MOC [Military Operation Command] #20. Because of the dam, they set up many checkpoints. Therefore, it becomes very difficult for local people who live inside to go and work outside, in the jungle.

There are four check points that were set up after the dam was built; they are Pa Ya Gyi, Htee Ta Mer Taw, Ywa Myote and Ler Hta Kwee. When the enemy is based like this, it becomes more difficult for local villagers to travel. On December 19th 2009, they didn't allow villager to go out and work. They arrested and beat them, asking for 1,000 kyat (US \$1.17) for each person, then let them go. Some villagers have to go back because they didn't have money. Some villagers' property was all under the water. They had nothing with them, so they go and collect food in the jungle. Because of this dam project, 90 acres of farm, 3,000 acres of lemon garden, 2,000 acres of vegetable farm, 47 durian garden and 100 jengkol tree gardens were flooded. They [villagers] have to pan gold because all of their properties were flooded because of the dam. This also damaged land and destroyed the environment.

Education

If we look at local people in the field, before they had their land and properties, and they could afford to send their children to school. Now, they [children] cannot go to school; they have to go and work with their parents, because all their [parents'] lands were under the water. They live under the trees, they do not have a school to go to and they look so sad and unhappy. We see and we pity them, but we also have nothing to help them with. When we asked them, "Don't you want to go to school?" they said, "Our parent can't afford to keep us in school. We have to make a living in our life." They [children] looked really enthusiastic to go to school.

Source document/ShwemyinDam/2010/7

Project name:	Shwegenyin dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
KHRG Log #:	10-143-T1-I1
Publishing info:	"Nyaunglebin Interview: Saw B---, September 2010," KHRG, March 2013 (First Publication)

Testimony:

This report contains the full transcript of an interview conducted during September 2010 in Ler Doh Township, Nyaunglebin District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Saw B---, who described the following abuses: forced labour, movement restriction and livelihood caused by the dam construction. He also raised that the villagers have to deal food crises and some villagers can do only fishing for their livelihood. As a result, their farms and plantations are under water. Furthermore, they have to pay money when they went outside village and they also have to do permission document to cross check points. He also raised concerned that there will not be enough work for their children because they lost their work place and also some of factories near there also flooded.

Interview | Saw B---, (male, 45), N--- village, Ler Doh Township, Nyaunglebin District (September 2010)

The following interview was conducted by a community member in Nyaunglebin District, and is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Nyaunglebin District, including one other interview, one situation update and 288 photographs.

Ethnicity: Karen

Religion: Buddhist

Marital Status: Married

Occupation: Farming a hill field

How many children do you have?

I have three children.

How old is your oldest child?

He is 16 years old.

How old is the youngest one?

The youngest one is 12 years old.

Where were you born?

I was born in Thee Ta Gone Myay [village].

When did you join the SPDC Army [Tatmadaw]?

I joined the SPDC Army in 1989.

How old were you when you joined the SPDC Army?

I was 14 years old.

Did you want to be SPDC Army, or did they capture you?

A few of my friends and I went fishing, and they [SPDC] saw us then captured us.

Which recruitment centre did they send you to?

They sent me to P'Thein recruitment centre, and we held a chain gun.

What ethnic group are you?

My mother is Arakanese and my father is A'Nga Thar, so you can say that I'm Arakanese.

Which Battalion did they send you to?

They sent me to battalion #57.

Can you tell us about your experience when you were in battalion #57?

When I had been a soldier there, I got 8,000 kyat(US \$9.33) per month. This money might be enough for one or two months. If the salary that I got wasnot enough for my family, I had to go to the Battalion Commander and take money before my salary [was paid]. So, I had to struggle for my life like this.

Did you have any other problems?

I did not have another problem. I just had problem about my family and we did not have enough money for food. My salary was 8,000 kyat, but sometimes they cut off the salary [to use] for something; then when I got salary, itwas only about 7,000 kyat[or] 7,500 kyat(US \$8.17 or US \$8.75).

How long had you been in the SPDC Army camp?

I'd been in the Army camp for 12 years.

Why did you run away?

I did not want to stay anymore, because I did not have enough time for my family. For educated people, they have good positions, but for uneducated people like me, [I] did not get good position, so I also gave upliving there and ran away.

Did the soldiers have good friendships with you, and have the same level of position?

Some, they are good, but some are not good.

When did you run away? How many years ago?

I do not remember the date oryear, [but] I came out from the SPDC Army camp 9 years ago.

Did they come and arrest you?

Yes, they came and arrested me. I let them to arrest me and I did not run. Then, they took me to Battalion Army camp, they asked me "*Would you be a soldier or stay in jail?*" I said, "*I*

will not be a soldier you can put me in jail." They put me in jail for 10 years. I did not want to be a soldier anymore because I'm an uneducated person. I don't know how to write or how to read, so I feel terrible. I think because I'm an uneducated person, I did not get good position like others, and did not want to stay in army camp anymore.

How long did you came back and live in N--- [village]?

I came back and have lived in N--- [village] for 10 years.

What is your current occupation?

I cut firewood to sell, burn wood to get charcoal to sell, and I also take odd jobs.

Does the SPDC Army ask you to porter?

Yes, I'm not a legal person, so whenever they called for porters, I had to go. In our zone, they ask for how many people have to carry rice at their Army camp, so I have to go.

What is your position?

I'm taking responsibility as the zone leader.

How many years have you been taking zone leader responsibilities?

I have been taking zone leader responsibilities, if including this year, is about two years. I was taking zone leader responsibilities in Division #101.

While you have been zone leader, can you tell us the food situation that villagers are facing?

When the battalion #101 camp [was there], my villagers could work well with no problems. Before LIB #264 came, we could work very well, but now after they came and based in our village, everything is getting difficult. When we go outside of the village, we have to get written permission document, so the villager rights are restricted. When the battalion #101, MOC #6 and MOC #10 based in our village, we could work more smoothly.

How long has LIB #264 been in [your village]?

It is almost about four months. When carts are going out the village we have to pay 1,000 kyat (US \$1.17) for the checkpoint. For farmers, they have to pay 3,000 kyat (US \$3.50) per month and they have to make permission documents for each [month]. For the firewood and charcoal burners, they have to pay 500 kyat (US \$0.58) for one month. We do not have money, so the villagers do not want to work anymore, and we just go to collect the vegetables and work for daily wages and struggle for our livelihood. In my village, most people are suffering, and some have money. Because of this problem, my family and I came to stay here [M--- village]. We go to carry rice to get money, and buy food for my wife and I to eat. They hire me to carry rice, but sometimes, because of the flooding, I can't go home and I had to sleep at Saw S---'s house.

Who hires you to carry rice, and how much for one big tin do you get paid?

The KNU [Karen National Union] hires us to carry rice and they pay us 5,000 kyat (US \$5.83) for one big tin [16 kg./ 35.2 lb] of rice. If we can carry for two big tins they pay us 10,000 kyat (US \$11.67).

Did the SPDC Army know?

They didn't know we went.

What would they do to you if they know?

If they know, they will take action against me, and maybe they would put me in jail; whatever they want to do. We have to hide and run to work, under the SPDC Army control.

Does the SPDC Army know you come and sell things in Karen people's village?

They do not know. We tell them that we are going to H--- [village], but then we hide to come here.

Does the SPDC Army ask you to porter?

They don't ask for people to porter, but they asked for bamboo to be delivered to repair their Army camp. They ordered the village head to cut 50 bamboo poles and we had to cut and send them. People do not have to go and repair [the camp] for them.

When did they ask you to cut bamboo?

We cut bamboo for them on July 16th 2010, and also on July 30th 2011.

How many bamboo poles did they ask for?

They asked for 50 bamboo poles.

Do they ask for people to porter?

No, they do not ask people to porter. They only ask for [villagers] to cut the bamboo poles for them. I do not know the Battalion Commander, because when they [Tatmadaw] called meetings, only the village heads have to go. This commander never calls the low villager positions. He called meetings only for people who have high positions. He never came down [to the village] he always stays up there [at camp].

Why does your village head not go and report?

Some people want to report, but they are afraid to do that. If they report and their name appears in the name list, they [Tatmadaw] will kill them, so no one dares to report to the ILO [International Labour Organization] office in Rangoon. For example, you came here and I let you do the interview. If the soldiers arrived at my village and you tell them that the villager had reported that [they] forced them to porter like that, we are afraid and do not dare to inform anymore.

The government has announced to other countries that they will not order forced labour on villagers, and if they do [order] forced labour, the villagers can go and inform the ILO office in Rangoon. Why do you or the village head not go and report? Or you don't know about this?

I think they do not know about this, because some villagers are uneducated people. People from Shwegen town and Oh K'La town, I think they go and report to the Battalion Commander, but for simple people like us, we know nothing much; only rich people and

leaders know about where to report.

How many times did they ask you to cut bamboo?

I don't know the exact times when they ask, but they might ask for 20 days per time or one month per time. Three month at a time. For three months we have to give them one cart per day; we have to send them completely, every day for three months.

What do you have to do for that?

I take the responsibility in N--- village to send them one cart, for 10 days, to carry the water for them to the Army camp. T--- village also has to send the cart for ten days. They have to be ready at Army checkpoint if they are asked to go.

Do you have to pay money if you donot go?

We don't have to pay money, but they will yell at village head if the villagers donot go, so we do not disobey their order.

If you do not go, can you hire people?

If people want to go, we have to hire them.

How much you have [pay to] to hire for one day?

We have to pay 3,000 kyat(US \$3.50) for one day, because he [the hired person] has to stay at the Army camp all day long.

Do they ask for food, like chicken, pork and duck?

No, they do not ask for those things, but sometimes they asked for vegetables and fruits.

Do they ask for money?

They ask for money from carts to travel; motorcycles, farms and charcoal burners [too]. They do not ask for people, but they ask for a cart and motorcycle tax. For one cart, [villagers] have to give one 1,000 kyat(US \$1.17), and one motorcycle [driver] also has to pay 1,000 kyat. If [it is] a farmer, they have to pay 3,000 kyat, and for villager who burn wood to make charcoal, *mee thway poh* [place for burning], [they] have to pay 5,000 kyat(US \$5.83).

How much do you have to pay for one written permission document?

They write permission documents only for adult people. We have to show them when we travel, and they will note it down on it [the document].

Can you easily search for food in the jungle?

Yes, in the jungle we can search for food easier.

Can you travel smoothly,because the dam caused flooding?

We can travel smoothly, but because all the factories are flooded, it closed our children's future and they will not have work to do. The gold mining factory also flooded because of the

dam.

Did the woodlands flooded?

The woodlands are not flooded in N--- [village].

Can you travel smoothly because the dam?

I can travel smoothly, but we have to pay more money for boat and motorcycle fees. Before, we walked to bring things to Karen villages and we didn't have to pay any money. But after the dam, we have to take boats and motorcycles, and it makes long trip. We have paid a lot of money for boats and motorcycles.

What do you think about the SPDC government setting up the dam?

They set up the dam to make electricity. We wish to get good water in our country. Some people say, "*The government set up the dam to send the electricity and water to other countries.*"

How do you think about the dam?

I wish the dam that they had set up were good to our people in our country, and to develop our own county.

Do you think it is good for your country?

I can't make the decision [that the dam] is good for us, because currently we do not know or see anything that they develop yet. I don't see anything [that is] good for us.

What about the people whose lemon plantations flooded?

People whose lemon plantations flooded face a lot of problems because they get income from their plantations. When their plantations flooded, they do not have food to eat and have to take odd job.

We heard in your area they will also set up the dam right?

Yes, we heard about it too, but we are not sure when they will come and set it up.

Do you think it would be good?

I think [it] is good because we hope to get electricity and water for our villagers.

Do you get electricity in your village?

In my village, we have not gotten electricity yet. They give the electricity to Shwegen [town].

Do they get electricity all the time?

Before, I had lived in Shwegen. Sometimes, electricity stopped at night and sometimes it did not work for three days.

Did they ask for porters?

Yes, they asked for porters. If they asked for five porters in N--- village, they also asked five porters in T--- village.

How many villages in that area?

There are A---, L---, T---, W---, N--- and G--- [villages].

These villages have to take the duty to porter?

In my village, there are 174 households.

How many porters do they ask for?

One person per village has to take 10 days porter duty. After N--- village takes duty to porter, then the duty turns to T--- village.

Have not they prepared anything yet, to set up the new dam in N--- village?

They just say that they will set up the dam in N---, but they haven't prepared anything yet. To set up the dam, it is good insome way and also not good inthe other way. In bad ways, it will cause problems to villagers when the flooded comes.

Where has the water from the dam gotten up to?

The water from dam almost flooded P--- village.

The village almost got flooded?

Yes, the water is almost coming up to the village.

How many lemon plantations were flooded?

I haven't been there for 14 years, so I'm not sure.As I know, there were a lot of lemon plantations;there were 300 acres.

Can you still see the lemon plants?

If they planted the lemons in above the dam, you can't see the plants anymore, but if the lemon plantations are planted below the dam, you still can see it.

How many households are in Ht--- village?

There are only 50 households in Ht--- village.

Did that village get flooded?

Yes, that village is flooding now, and the water comes up near Y--- [village].

Are the villager moving to other places?

The villagers in that area all moved up above the dam.

Was only Tan Bin village flooded?

Yes, it was only Tan Bin village.

How many villages were flooded?

Only one village was flooded, but I don't know [about] the villages below the dam.

How much water in the Makong River roseup?

The Makong River roseup to Pya Taung village.

Were the farms flooded?

Yes, all the farms in that area were flooded.

How about in Thit Taw Kyo Wan?

I'm not sure because I haven't been to there for long time.

Have you ever been there?

I've been there, but before was not flooded like this. The water comes up only in the rainy season [in the past].

Did you come and collect *ta nyin thee* [dog fruit]?

No, I never go there to collect *ta nyin thee*. I only have collected *ta nyin thee* in N--- area, to Pya Taung. I haven't collected the dog fruit for two years, but some of my villagers still go and collect the dog fruit.

How is your family livelihood?

I take the rice to this side [in his village] and sell it, or carry rice to Karen village to sell. We have difficult work with our livelihood. To get enough food for my family, I have to struggle very hard.

How do you think about the KNU [Karen National Union]?

We don't think anything bad about the KNU. We are villagers so we see only good things in the KNU. The KNU lets the villagers work freely, and sometimes they help the villagers as they can. So, it [village] is very thankful for them.

How different do you think between the KNU and the SPDC Army? Because you have been the SPDC Army before?

I see none of these two groups as bad, but if you look to work freely, the KNU side is better because they give us more chance to work.

Do you want to report anything about the SPDC Army abuse?

I want to say that if the KNU and the SPDC make peace; our villagers will have a better life and can work freely.

How do you improve your life?

If the two groups make peace, the upper leaders will help us to build up our life [and] to develop villagers' living standard.

Source document/Shwegen Dam/2010/8

Project name:	Shwegen dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
KHRG Log #:	10-143-D1
Publishing info:	"Nyaunglebin Situation Update: Ler Doh Township, December 2010," KHRG, March 2013 (First Publication)

Testimony:

This report includes a situation update submitted to KHRG in December 2010 by a community member describing events occurring in Nyaunglebin District, during the period between July to October 2010 specifically military activities, more demand, movement restriction, forced labour and food crises. There are more SPDC military activities so villagers under SPDC control areas have to face with many problems as forced labour and more demand. For villagers in IDP areas, they have to deal with food crises; as a result, they lost their farms and plantations because of the dam. On the other hand, they also have to face with the SPDC military attacking, shelling motor in their village and burn down their farms' barns and village. The mountains villagers have secret contact and trade with villagers in Tatmadaw contolle areas. The mountains villagers cooperated with KNLA and tried to resolve their own problems.

Situation Update | Ler Doh Township, Nyaunglebin District (December 2010)

The following situation update was written by a community member in Nyaunglebin District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security.

Introduction

The SPDC government army [Tatmadaw] always commits human rights violations in our area, such as forced labor, demanding money, and unlawful restrictions. Villagers were restricted by taking responsibility to secure that the KNU [Karen Nation Union] does not come and attack them [Tatmadaw] and to avoid fighting from happening beside the village. They [Tatmadaw] would burn down [villages] and shell mortars into villages and move villages to another place if fighting happens. The SPDC government army threatens villagers in many ways. They always forces [villagers] to work, but they never pay money. There are two groups of villagers in the area [Ler Doh Tonwhsip]. One group is Internally Displaced People [IDP] and another group stayed under the control of the SPDC and KNU.

Situation of Villagers on mountainous areas

Since 2010, from January to March, the SPDC army is active and villagers seriously face with problems. The SPDC army came and destroyed barns and burned down villages. Villagers have faced with problems. Villagers could not farm hill fields. In coming 2011, villagers will have to face with food problems. Moreover, the SPDC military government built a dam at Khay Loh River and villagers who live in mountainous [areas] have to deal with the problem of flooding. Because the SPDC military government built up Kyauk N'Ga dam, villagers land, such as, betel plantations, jengkol plantations, farms and a total of 1,600

plantations were flooded; 18,000 acres of lands were flooded. On one side, the villagers in mountainous [areas] have to deal with flooding, and another side, they were also attack by the SPDC army. Villagers will face with problem in coming year.

Villagers under SPDC control

Villagers always have to deal with SPDC army [ordering] forced labour, demanding money and movement restriction. Villagers live under the SPDC army control area, but the KNU army can also reach those areas. For this reason, the SPDC army ordered villagers to take responsibility for ensuring fighting does not happen. If fighting happens, they restrict, beat, demanding money, shell mortars into villages and [threaten] to move villages. Because the SPDC threatens villagers in many ways, villagers are afraid and villagers worry that fighting will happen, so villagers have to take the responsibility and do as the SPDC army ordered.

Forced Labour

On July 3rd 2010, the SPDC army from LIB #264 forced A---, S---, T---, N---, W---, L--- and B--- villagers to go and repair the SPDC army camp at S--- [village]. One person from each house has to go. There are 500 households and they have to go work every day. Villagers go and work for the SPDC, but the SPDC does not give them any payment. Villagers made three layers of fence for the SPDC army camp and it took 10 days.

On September 4th 2010, the SPDC army from LIB #242, under the command of MOC [Military Operation Command] #10, Captain Bo Naing Win gave orders to Pah T'Lah, Weh Lah Taw, Thoo K'Bee, Noh Ghaw and Aye Neh village tracts to clean up the road that connects to Ler Doh town. Villages that are located close to the road had to clean the road. Moreover, the SPDC army ordered villagers to clean up around their village and farms that were surrounded by trees. They were ordered to clean up everything. The battalion commander of LIB #242 is Aung Kyaw Naing. The SPDC army ordered villagers to clean up the road till the surface of the earth is visible. Villagers have to go and clean up the road every day. The road cleanup was done on September 25th 2010. 1,300 households of 20 villages in five village tracts, and each person from a household had to go and clean the road.

On September 15th 2010, the SPDC army at Hteh Htoo army base ordered E--- villagers and D--- villagers, altogether 20 villagers, to go and carry their rations from U--- village. The trip took a day, and the weight that villagers had to carry was 12 viss [19.2 kg./42.24 lb.].

On September 29th 2010, the SPDC army formed LIB #242, led by Battalion Deputy Commander Zaw Poe Tha, occupied at B'Ya Lay Gone army base, ordered Noh Ghaw, Weh Lah, Htoh Wah, Pah T'Lah, Thoo K'Bee and Aye Neh village tract to go and clean up the road from Ler Doh [town] to Klaw Maw [village]. One person from each house has to go. There are 1,500 households and they have to go every day. This road runs from Ler Doh to Shwegen [town]. The SPDC army repairs this road in order to build the dam in Khay Lo River. I learned this information from the village head.

On September 30th 2010, the SPDC army from LIB #242, at Hteh Htoo [camp], ordered E--- and R--- villagers to clean their army base compound; 300 yards around their camp.

On October 1st 2010, the SPDC army from MOC #10, TOC [Tactical Operation Command] #3 at Mu Theh ordered H--- villagers to clean up the vehicle road for them, starting from Mu Theh to Paw Khay Koh army base. Villagers have to clean up 50 yards alongside the road. Villagers dare not to go because the KNLA [Karen National Liberation Army] has planted landmines for protection. The SPDC army ordered those villagers to clean up the landmines

that have been planted on both side of the road for them.

On September 28th 2010, the SPDC army from LIB #567, at P'Ya Lay Gone, ordered villagers from Pah T'Lah, Thoo K'Bee, Weh Lah and Noh Ghaw village tracts to go and clean up the P'Ya Lay Gone military camp. This was ordered by LIB #567 Battalion Deputy Commander, Aung Kaing Win.

Restriction

On September 5th 2010, the SPDC army from LIB #244 and KNU army [KNLA] met and shot at each other. Because of the fighting, the SPDC army arrested villagers and gave [them] a lot of trouble. They arrested 5 villagers at K--- village, and 27 villagers from F--- [village]. The Company Commander from the SPDC army LIB #242 arrested villagers and beat villagers seriously. The SPDC army arrested villagers on September 6th 2010. They go and clean the place [village] and shelled mortars into the village. Naw M--- from K--- village was hit by mortar, and a pig also was killed. The SPDC army saw Nyaw Tah [village] students when the students were on the way to school, and the SPDC army shot the students. The SPDC army arrested villagers and they release F--- villagers on September 9th 2010 and three K--- villagers on September 15th 2010. The SPDC army beat the K--- village head and Tee³⁰ P--- seriously. Their hands were tied with rope and they were called back to Tha Bo at the Brigade office. A 3,000 viss [4,800 kg./10,566 lb.] pig that was valued at 400,000 kyat (US \$466.74), was used and given to the SPDC army for those two peoples' release. The SPDC army released them on September 23rd 2010.

On September 1st 2010, a bomb was exploded at Er--- village and the SPDC army arrested 30 people. The rest of people were released, except Saw S--- and his two friends. They were arrested by SPDC army LIB #242. They [SPDC] have not released [them] yet.

On September 30th 2010, the SPDC army from LIB #242 arrested 26 villagers from E---, O--- and Pa--- [villages]. They ordered those villagers to go and carry their rations because they will rotate with LIB #567. They ordered those villagers to walk with them, like they will not be shot if the KNLA ambushes them. They let those villagers come back on October 1st 2010.

On October 23rd 2010, the SPDC army from LIB #678, led by Battalion Deputy Commander Aung Kaing Win, arrested two villagers from Ka---. Those two villagers are Saw T--- and Saw E---; [arrested] without any reason. Until now, they [SPDC] have not let those two people come back yet. People do not know where they sent those two people.

SPDC army situation

The SPDC army set up their camp in many places in Ler Doh Township. The battalions are under MOC #10 and they are Battalion #361, #362, #363, #364, #365, #366, #367, #368, #369, #370, #242 and #567 and MOC #3, Battalion #264, #57 and #350. They are active in Ler Doh town and on the highlands [mountain areas] and flat areas. The parties which are active for the 2010 election that was planned by SPDC army are NDF [National Democratic Front] and USDP [Union Solidarity and Development Party]. On October 10th, the USDP party collected advance ballot and provided party card to villagers and took a picture in villages and village tracts. For NDF, they went and organized villagers and if villagers did not vote, villagers will be sent to prison for a year and pay 100,000 kyat (US \$116.68).

The government is going to do a regional development project and they asked rich people to

³⁰ "Tee" is a familiar Karen term of respect attributed to an older man, which translates to "uncle," but it does not necessarily signify any actual familial relationship.

plant rubber and castor oil plants. For this reason, there is no place for native people to work. It becomes a big problem for the native people.

KNU situation

Because the SPDC army came up and burned down villages and barns in the highlands, villagers have faced a food crisis. Then, the KNU and village head gathered together and bought rice and provided it to the villagers. The KNU and other organizations found way [to help the villagers] and everything was going well.

Villagers' strong point

Even though the SPDC army afflicts villagers, they [villagers] contacted each other and everything is going well. Previously, there were only two places that people sold things, Mu Theh and Sa Leh [villages], but now there is one more place in Ler Wah [village]. Villagers from the mountain areas go and exchange products like fruit and vegetables with the flat area. For the villagers who live under the SPDC army controlled area, they do not do everything as they were ordered. They do not do as people asked them to do. They refused it. On September 29th 2010, the SPDC army LIB #242 ordered them to clean the road from Klaw Maw to Ler Doh, but [because] LIB #567 was replaced by LIB #242, they just went and cleaned the road for two days and they stopped.

Other Issues

On September 17th 2010, the ILO [International Labour Organization] came to Ler Doh and met with the SPDC leader, but nothing changes for the villagers. The ILO came and met with people who live in town. For villagers who live outside of the town, the SPDC army still forces them to work until the present day.

On September 9th 2010, the SPDC army from LIB #242, led by Battalion Commander Aung Kyaw Hteh, ordered village tracts to demolish their farm huts. Villagers keep their cattle [in their hut] and [also] it's time to harvest groundnut and paddy, so it is a problem.

On October 17th 2010, the SPDC government ordered Ler Doh villagers to build up house for handicapped people to stay. Four houses will have to be built at Nah Tha Kway, four at Phyu and four at Kyauk Kyi. One house that is going to be built costs 1,200,000 kyat (US \$1,400.23). All total is 14,400,000 kyat (US \$16,802.80). The SPDC government in Ler Doh demanded money from villagers in Ler Doh, Aye Naing, Pah T'Lah, Weh Lah Taw and Noh Ghaw villages. There are 20 rice mills in those villages. The government demanded 5,000 kyat (US \$5.83) from each rice mill. The people who demanded the money are IB [Infantry Battalion] #60, Battalion Commander. On October 13th 2010, the SPDC army from Hteh Htoo army camp demanded bamboo and trees; five logs and bamboo [poles] from each household. He [the Commander] ordered this from E---, Pa---, O---, K---, F---, La---, Na---, Ta---, Ka---, Eh--- and C--- villages; there are 700 households. Today, the SPDC from Hteh Htoo army camp, LIB #567 killed a pig and a village has to buy 2 viss [3.2 kg./ 7.04 lb.] of pork. People sell one viss [1.6 kb./ 3.52 lb.] of pork for 3,000 kyat (US \$3.50), but the SPDC sell it for 3,500 kyat (US \$4.08).

Conclusion

In this report, this is what really happens in our area. I collected the information and submitted it to the upper leader.

Source document/ShwemyinDam/2010/9

Project name:	Shwegenyin dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
KHRG Log #:	10-115-D1
Publishing info:	"Nyaunglebin Situation Update: Hsaw Htee Township, November 2010," KHRG, March 2013 (First Publication)

Testimony:

This report includes a situation update submitted to KHRG in November 2010 by a community member describing events occurring in Nyaunglebin District, during the period during 2010 specifically about military activities, more demand, restriction of travel and livelihood difficulties. There are more SPDC armies coming to Hsaw Htee Township to be able to take security for Kyauk N'Ga dam. As a consequence, the villagers have to deal with more demand when they go through the SPDC camps. Sometimes, the SPDC do not allow them to travel so it caused problems for the villagers. Most of the villagers in the areas, do livelihood by working on farm and plantation because their plantations and farms are under water so it creates a big problem for them. This situation update also documents villagers' responses to abuses that when they were asked not to travel but they travel at night time and they used the way far from the SPDC army camps.

Situation Update | Hsaw Htee Township, Nyaunglebin District (November 2010)

The following situation update was written by a community member in Nyaunglebin District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security.

Military Activities

There are many SPDC [Tatmadaw] battalions that are active and base their camps in our area, Hsaw Htee [Township]. They are LIBs [Light Infantry Battalion] #349, #350 and #57. They base their camps at Su Mu Hta [village tract] that is close to Htee Blah village tract and Ler Wah village tract. A company of LIB #349 base their camp at Ler Kyo Kho [village], and are led by Mya Kaw Teh. LIB #349, led by Nay Thu Aung also bases their camp at Boh Loh [village], which is close to Ler Wah and Saw Ther Kee village tracts. The LIB #349, [led by] Battalion Commander Than Zin Aung, occupies Wah Koh Law Teh camp.

Phyo Zaw Htun leads LIB #57 and provides security for Kyauk N'Ga dam. LIB #350 is active at U Bu Chaw, Thay Say Meh Kyo, Koh Peh, and Htee Pa Doh Hta in Hteh Pla areas. LIB #350 is lead by Battalion Commander Aung Zaw and the Battalion Deputy Commander is Htun Aung Kyaw.

If we look at those areas, civilian have to face problems because of Kyauk N'Ga dam. The water is coming up and, the properties, gardens, farms and other plantations of all civilians who live in that area were flooded. They have to find food for day today [needs] in other places. Some people catch fish and some people come to the place where the water can't reach.

Civilians who live in Ler Wah village tract, and whose hill fields are close to the dam, had some of their hill fields overflowed by water and some of them can harvest part of their hill

field. I heard from people who can harvest their fields say, “*I have to harvest paddy on the htoh*³¹.” In some part of the area in Ler Wah [village], there are some hill fields that the owners can’t harvest. People can’t travel on land routes; they have to use waterroutes for their travelling. The SPDC army set up a checkpoint on the way where villagers travel. Villagers have to pay money where they cross the checkpoint. They demand 1,000 kyat (US \$1.17) from a person; for boats, it depends on the goods they carry. If the boat carries many goods, they demand more, and if the boat carries fewer goods, they demand less. Villagers who travel said, “*On October 23rd 2010 until the election, SPDC army told them that they don’t want to see the boats are travelling.* If I [SPDC] see [you] and do something to you, you don’t need to say anything because you don’t listen to me.”

Villagers do not have food if they cannot come [travel]. Therefore, they find a secret way to travel, which is not close to the SPDC army camp. Mostly, they travel at night time.

Farms and plantations that were destroyed by Kyauk N’Ga dam

No	Name of plantations	Acres of plantations
1	Th’Haw	3746
2	Farms	2847
3	Durian	198
4	Areca	169
5	Banana	930
6	Ker	2800
7	T’Nu	120
Total		11,859

We guess that there are approximately 20,000 acres of area that will be under water.

Source document/ShwegenDam/2010/10

Project name:	Shwegen dam
Type of project:	Dam construction
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
KHRG Log #:	10-114-T1
Publishing info:	“Nyaunglebin Interview: Maung W---, In October,” KHRG, March 2013 (First Publication)

Testimony:

This report contains the full transcript of an interview conducted during October 2010 in Shwegen Township, Nyaunglebin District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Maung W---, who described about the consequence of the problems that cause by dam construction done by the government and the companies including Min A’Naw Ya Hta Company. He described about the livelihood problems that the villagers face and the relocation of the villagers caused by the flooding. Lack of alternative livelihood was also one of the problems that he raises and corruption is also the additional problem for the villagers to travel and for their livelihood. In this interview, he also mentioned about the education and healthcare situation in his area.

Interview | Maung W---, (male, 48), Shan Kyi Section, Shwegen Township, Nyaunglebin District (October 2010)

³¹A *htoh* is a kind of boat that is built up with bamboo poles and used in agriculture.

The following interview was conducted by a community member in Nyaunglebin District, and is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Nyaunglebin District, including 115 photographs.

Ethnicity: Burmese

Religion: Buddhist

Marital Status: Married

Occupation: Odd jobs

How many children do you have?

I have four children. Three of our children are married and another one is single.

How old is the eldest child?

The eldest child is 27 years old.

How old is the youngest one?

The youngest one is 9 years old.

What is your occupation?

My occupation is doing odd jobs. I do a job when I think that job is good.

What are the common livelihoods in your village?

I do not know [about livelihoods] in Kyauk N'Ga. But, in Shan Kyi, except from doing odd jobs, more people work on plantations. There are more Karen people doing plantations. The rest of the people take odd jobs. They do odd jobs as long as they are fine with these jobs. When I first came here, I made charcoal. When we are not fine with making charcoal, we take odd jobs.

How much income do you get per day?

We cannot say exactly for this one. The most income that we sometimes earn is 4,000 or 5,000 or 8,000 or 10,000 [kyat] (US \$5.83, US \$9.33, or US \$11.67). Sometimes, we do not get any income and we even starve. You will not believe me if I say this: we put our fishing nets and face starvation.

Where do you currently live?

I currently live in T--- [not clear answer because anoutside noise disturbed the audio, but later on he says clearly that he lives in T--- village] village.

How many households are there in T--- village?

To compare with the population of the villagers, there are around [censored for security] households. There are more households in lower and upper [parts of the village]. There are three groups in this village. If we combine three groups together, there will be over [censored for security] households, but these people do not include in our village's record [population]; they are different.

Has your village been flooded?

Yes, it has been flooded. It [flooding] reached to half of the village. For us, when there was flooding, we had to move to the place where it is a little bit safe. Now, we have to move again from where the water reached. The flooding [rate] was very strong.

How many times did you have to move?

We have already moved three times. If we have to move again, this time it will become four times.

What problems do you face when you have to move like this?

For the problems that we face, A'Ko³² [Maung W--- is addressing the researcher], now when we have free time while we are working, we carry our properties and cut down bamboo and keep them in a place where we will move [next]. We leave our work and move when the water reaches our house.

What are common livelihoods in T--- village?

We can do only fishing. We cannot do other jobs. We cannot pan gold anymore. There are no jobs available. The main livelihood is fishing. There are no other jobs available.

What was your livelihood before the dam was built?

We made charcoal.

How about other jobs?

We did not do other jobs. We decided to come here. First, we came to V--- [not clear] and our livelihoods were not good, so that we found ways [for better livelihood]. Then, step by step, we are [became] fishermen and we do many [odd] jobs.

How about other villagers?

In the past, villagers did plantation [work] before there was flooding. For us, we do odd jobs, so our jobs are not permanent. To get extra money, we have to go and find a job to do.

How many neighbouring villages are close to your village?

For the current situation, near here, T--- village was flooded, S--- village was flooded. From there, there are L--- village and others, but I have not been there as there is no livelihood available there for me to do. Even though I have not been there, I am sure that these villages are flooded because A---, Z---, C---, D--- and E--- are being flooded.

Did the SPDC army inform the villagers that they will construct the dam?

No, they do not inform us of anything. They do as they want. We do not know anything. We had to move here since the first year when they started building the dam. At first, we stayed in M--- village.

Are there any farms or plantations being flooded?

³²A'Ko is a Burmese term used for men when we call that person who is older than us with respect

Along T---, we do not see any plantations left; all have been flooded. Then, Pwah Aye's plantation in the eastern part is flooded and has no coconut trees and no other [plants] left now.

Are there any schools in T--- village?

Yes. When we first arrived, there was a school opened in a monastery. [However] because of the flooding, the school was destroyed. I also sent my sons to the school, but due to the problems of the flooding, I cannot send them to the school anymore. Now, we work together with other villagers and we will build a school in this coming rainy season. It will be when the school normally starts, around May.

Does the school have to move when the village has to move?

Yes, the school has already been moved once.

Up to which standards are being taught in the school?

The school is a primary school, so it teaches only up to the fourth standard. It is a joint school with Ywa Thit village school.

How many teachers are there in the school?

There are only two teachers left. Another one already went back. These teachers are not the government's teachers. We run the school on a self-help system. It is not run by the government yet. We hire teachers and provide them salary, 2,000-2,500 [currency is not clear] because we want to provide the opportunity for children to be able to get an education.

How about healthcare in the village?

We do not have anything special for the healthcare, but the most important thing is we call mobile medics from the army for treatment and we have to pay them the medical cost. There is no rural healthcare. Currently, any department that reaches here has medics. For the health issue, they cure us only for immediate health problems. If they cannot cure us, we have to go to a hospital for treatment.

What do villagers do when they cannot afford for the medical cost?

Even though villagers cannot afford for the medical cost, they still can call these medics when they are sick, but they owe debts. The medics will record the debts that the villagers have to pay for the treatment, and ask for the money later. They do not ask forcibly.

How about the serious patients?

If they cannot cure the serious patients, we have to send [patients] to a hospital. If it is too late to send them to the hospital, the patients die.

Where do they go for treatment in hospital?

There is no hospital here. But, when they arrive to the town, they have to find a way to be able to access the medical treatment. They have to pay everything, not only for medical cost in the hospital. Even we want to sleep as carers, we have to pay them money and put it into their pocket secretly. When the patients are in a very serious situation and if we, two people,

want to wait for them at the same time, we have to pay them more. The nurses look after the patients only for part-time and we have to pay them all. For example, we pay this nurse during this time and we have to pay again when another rotates and comes.

How much do they have to pay for a nurse?

I do not know how much they have to pay for a nurse because I have never been in this situation. But, I know that they have to pay even though I do not have this experience. I heard about it. It is not a fair payment. For example, even though it will cost only 500 [kyat] (US \$0.58) for us, we have to think for our patients to be in a good situation. If we can pay more, we will be favored.

What problems do the villagers face because of this dam?

We face many problems. Our rural villagers are in trouble and cannot do our livelihoods anymore. Before, we could log along river side, but [now] we cannot do it anymore. We face different kinds of problems. For those who are poor like us, their situation is worse because we rely on the forest and make a living. So, when there is flooding, we cannot do anything.

What are the differences in doing livelihoods before the dam was built and now, after the dam is built?

It is very different. We lack of opportunities to make livelihoods. We cannot travel as we want. We do not even have 20% out of 100% of opportunities for our livelihoods. It is very bad. Our rural villagers' life is very hard.

Did they inform villagers that the flooded would happen?

No, they did not. They probably informed in below [the dam], but they did not inform us, above [the dam]. We have to monitor the situation and move by ourselves. It is like we have to avoid the danger that comes to us by ourselves. No one came and informed us to move. It is not their responsibility, too. For us, when we cannot stay in the previous place, we have to move to where we can stay. Even though our whole village has been destroyed, we cannot do anything. We just have to move.

Did they choose a place for you to stay because your village was flooded?

No. There is nothing for that [place to move], until now. Later, we cannot know, but until now, there is no plan for us. We have to move by ourselves for our safety.

Does the military government pay for [compensate] those plantations, farms, houses etc that were flooded?

It is difficult to say. Despite the pay, they do not even care about us. For me, I won't count myself [because he doesn't own property], but those who own plantations and farms will.

What do these owners of plantations and farms currently do?

They left here and moved to Ma Ra Mah Chaung, Ba Deh Chaung, etc. For those who could buy plantations, they bought [one] and for those could not, they do not. More people moved to Ma Ra Mah Chaung.

What activity did villagers do to [be] against building the dam?

They asked [the authorities] not to build the dam when the dam was first built. [There is] no way for us to ask. We cannot say about their work. If we went and asked like that, they would think that we were their enemies and they would kill us. Then, we cannot do [anything] anymore. If what we asked were fulfilled, the ones who do plantation [work] would ask more.

What do you hope to get for compensation?

I have no hope to get compensation. They will not pay us, too. They will probably say with their mouth, but they will not give it anymore. If we can get it, we will take it, but I have no hope to get it.

Do the villagers from T--- village have to vote in the election?

No. We do not hear anything about it. Until now, they do not tell us anything about the election. We know about it by ourselves because we listen to the radio. There is no campaign or electioneering. But, we will go back and vote when the time for us to go back.

What is your opinion on this election?

I have no hope on this election. In my opinion, the situation will not be good. It will get worse. Only people will change, but the system will have remained the same. It is difficult for us to oppose them because if we do movement [protest], they will recognize us as their enemies.

Is there any benefit or change for civilians?

It will be harder for the civilians after the election. Some will be very rich and some will be very poor. They already decided for the people who can vote. If you are not recognized by them to vote but go and vote on your own, your vote will be rejected.

Is there any forced labor demanded by the SPDC army?

Yes. We have to build their army camp, a school and a monastery for *loh ah pay*³³. We have to do it because it is for our village. Even though they do not ask us, they already think about it.

Building the school and monastery is for your village, but do you have to build the army camp?

Yes. They have to build it. If we do not do it, they will cause trouble for US. The village leaders have to arrange it and the villagers have to build the camp and fences, etc. They also threatened us many times.

What will happen when you do not go and do?

When we do not go and work on the day when they call, they will ask us for more days to work later. For example, they ask us to work for three days and we do not go, later, they will ask us to work for five days. The army usually tricks us like this. It does not affect us very badly, because it [the order] is not to an individual. We have to do as they want. We have to build huts when they want and we have to make fences when they want. But, it wastes our

³³ Loh ah pay is a Burmese term now commonly used in reference to forced labour, although traditionally referring to voluntary service for temples or the local community, not military or state projects.

time as we are fishermen. We met at 10:00 am together in the morning [for fishing] and we leave again at 2:00 pm in the afternoon. So, it is a little hard for us.

Do they [SPDC army] provide food or payment for those who do forced labor?

No. They never pay or feed us. They only feed us a cup of sweet tea when they are nice. That is it.

How do you think when you heard that the SPDC Army says that they do not ask citizens to work without payment?

They only say it. It does not happen in reality. Even though they do not feed us well when we have to work for them, it is ok for us if they decrease the price of things. It is not easy to stay under their control. They would see us as bad guys when we stood up and were against them. We have to obey them and do as they ask even though we do not want to do it. If we do not obey them and do [as they say], they will cause trouble for US.

What is the current military unit based there?

It is the LIB [Light Infantry Battalion] #347 and the camp commander's name is Nay Thu Aung. I do not know his particular position, but I heard the soldiers called him "Bo Gyi" [Officer]. He is also the one who called us and told us what to do.

How much does the water rise per day?

We cannot estimate it. Sometimes, it [water level] rises 1 hand span forward and sometimes it rises 1 foot forward. Sometimes, it rises 1 mile away.

Does the water reach to the limited size [threshold of the dam]?

No, it does not reach there, yet. It is still needed four finger tips to reach [the threshold] when we look at it from distance, here. If we go there by a boat, we have to travel about half an hour to reach there. When we look at it from distance, four finger tips needed to reach there, and I don't know how much it will be needed to reach [the threshold] when we look at it closely.

Have you ever been there up close?

No, we cannot go there. They do not allow us to go there.

How far is it from the place where you live and the dam?

It is 7 miles away because if we travel by a boat to there, it will take half an hour, 45 minutes, or one hour when you paddle your boat very fast. If we paddle normally, we will have to paddle for 2 hours to reach there.

Which companies came and built the dam?

The companies always change. They came one by one. They are Min A'Naw Ya Hta and others. There are three or four companies that came. I do not know the names of other companies because they do not travel a lot. I only know Min A'Naw Ya Hta. I do not know the companies that came before.

Is there anything else you want to say?

I do not have anything to say. It [the situation] is just as usual as before. I go where I am supposed to go. Just that. I dare not to travel to many places. We will obtain our rights on the day we should obtain them.

What do you hope for the future?

Villagers will feel the same like us. We [villagers and government authorities] bear and kiss although we do not love. We gasp when we kiss. We do not like them because they have power to do whatever they want and to oppress whenever they want. For us, we cannot be separated from this village because when we compare, the livelihoods here are better than in town. Here, if we have a net, we can find food for our family to eat. It is not that we want to stay. We stay here for our family's livelihoods. If it is not for the livelihoods, people will not want to stay here anymore because the situation can be changed after they release the electricity. As we heard, when they release the electricity, all villages in its compound will have to be dismantled. We cannot say whether it will reach till our village, T---, or not. If I have to say honestly, even dogs do not want to stay in the villages near the dam.

What is the situation of the livelihoods above and below the dam?

Until now, the situation of the livelihoods [above and below the dam] will be very different. The situation above, including travelling is very difficult. It is worsened when the boats are not allowed to travel. If we want to go back, we have to paddle our boat and go back by our own. Below, the situation is good. There is no water [flooding] and no rain and we can do our job as we want, but we have to be aware of our risks by our own. It is good when there is no water [flooded] and rain because we can go and look for the jobs wherewe can earn more profits. If the price of logging is good, we can do logging. Here, we cannot do any jobs now. When we look there, there is the base of the mountain and when you look here, there is no village. Wherever you look, it is only water. For livelihoods, we can only do fishing. There are no other jobs to do. Now, logging machines were built and there are trees that they want. But, there are areas that Bo Gyi allowed them to do logging and there are areas that Bo Gyi does not allow to do [logging]. We can do [logging] when Bo Gyi gives us permission to do it. We cannot do it when Bo Gyi does not allow us to do it. It belongs to majority. But, Do I do logging? No, I myself do not do logging.

What is the difference for people travelling before the dam was built and after the dam was built?

It is very different because usually when we travelled from T--- village by boat to town, we had to pay only 1,000 [kyat] (US \$1.17). Now, when we travel from T--- village to Kyauk N'Ga, we have to pay 1,500 [kyat] (US \$1.75). From there, we have to take motorbike taxisand pay 15,000 [kyat to hire it] (US \$17.50). For the gate tax, we have to pay 200 [kyat] (US \$0.23) and it is for one person. For a single trip, if we only go there, it will cost 3,200 [kyat] (US \$3.73),but, when we come back and bring things with us, if our package is big, the gate will tax us 1,000 kyat or more. At the same time, if they want to cause trouble forus, they create trouble for US as they want. For us, we worry that we will lose our things so that we have to pay even though it is not fair to pay. Even here, I told Bo Gyi's soldiers here that if they want to ask things fromme, they do not ask alone. At least 3 or 4 soldiers combinetogether and ask me for things; I myself will go down,buy it and bring back. Even though they do not give me any profit, it is fine. I will do it for them. But, they should give me money for travelling because it will cost 6,000 [kyat] (US \$7.00) for a double trip, and including the gate tax, it will cost 7,000 [kyat] (US \$8.17). Including packages, it can cost around 8,000 or 9,000 [kyat] (US \$9.33 or US \$10.50). We have to pay as they want because we do not want our things to be lost. If they say, do not go if you can'tpay, then we

lose.

Are there any other things left that you want to say?

I do not have other things left to say. Now, we go and put nets [do fishing]. In the past, we went and put the nets near the upper part of Bo Gyi's area. The officers, in-charge, here went to inform them. I also helped them with what they want. I also gave curry and fried fishes for them. They allow me to travel and do fishing. They said "*Go, but do not go too far and inform us when other people come.*" Later, Kyaw Min Tun told me, do not come over here, and I told him that I do not go there and I do fishing only in lower part [of the river]. [I told him] "*I will not go if you do not want me to go.*" But I reached there when I fish a big fish.

Toh Boh Dam

Source document/TohBohDam/2012

Project name:	Toh Boh dam
Type of project:	Dam construction
Karen District:	Toungoo
Government Region:	Eastern Bago
Actors:	Asia World Company; Tatmadaw
Company/Investors:	Domestic
Government/Military:	Tatmadaw
Trends:	Land confiscation; Development-induced displacement and resettlement
Consequences:	Environmental impacts; Impacts on livelihoods
Collective action:	
KHRG Log #:	12-52-M1-PS1
Publishing info:	"Photo Set: More than 100 households displaced from Toh Boh Dam construction site in Toungoo", KHRG, August 2012, http://www.khrg.org/khrg2012/khrg12b71.html

Testimony:

This Photo Set presents 17 still photographs taken by a local community member who has been trained by KHRG to monitor human rights conditions.³⁴ The photos were all taken in March 2012 at the TohBoh Dam construction site in Tantabin Township within locally-defined Toungoo District.³⁵ According to the community member who took these photos, more than 100 households have been relocated from the area now occupied by the dam construction site, where construction is ongoing. For additional information on the TohBoh dam, see "Toungoo Interview: Saw H--, April 2010, published by KHRG on August 7th 2012.

Photo Set | Tantabin Township, Toungoo District (March 2012)

This photo was taken in March 2012, and shows the Day Loh River Valley in Tantabin Township, Toungoo District where the dam is being constructed.³⁶ Vehicle access roads in the vicinity of the dam site and large swathes of deforested land are also clearly visible. [Photo: KHRG]



³⁴ KHRG trains villagers in eastern Burma to document individual human rights abuses using a standardised reporting format; conduct interviews with other villagers; write general updates on the situation in areas with which they are familiar; and take photographs and videos as evidence of abuse.

³⁵ According to government designations, the dam site is in Tantabin Township, Eastern Bago Region. "TohBoh" is the Karen language name for the dam site and adjacent village, which is also known as "TunBoh" in Burmese language.

³⁶ The river is referred to as "Day Loh" in the Karen language and "Thauk Yay Kah" in Burmese.



The above left photo shows vehicle roads approaching the Toh Boh Dam construction site, while the photo above right shows a bulldozer on another road. While 100 households were relocated from the dam site itself, road-building in the surrounding area has the potential to destroy or limit villagers' access to additional cultivable land.[Photos: KHRG]



The photo above left shows people and vehicles on top of the TohBoh Dam under construction. In the photo above right, a sign in black reads: "*Thauk Yay Khat(2) hydropower electricity project.*"[Photos: KHRG]



The photos above show electricity pylons on a different side view of the Toh Boh Dam under construction. In the photo above right, the sign in red reads: “*Tunnel for diverting water out.*”
³⁷[Photos: KHRG]



The two photos above show housing areas for construction workers near the Toh Boh Dam construction site. [Photos: KHRG]

³⁷According to a report from Free Burma Rangers (FBR) in December 2011, “construction of the TohBoh Dam has displaced one village and will affect 12 villages if completed. Asia World Company began building this hydropower dam in 2004 along the Day Loh Rivernear TohBoh Village, causing all the people in the village to move away. When the project is completed, flooding will affect people in 12 additional villages: Pa LehWa, Lay Mine, Mine Na Seh, Swa Lo, NawKa Maw, NgwayTaung, Toe Thaw, ThaHpanChaung, Tha Ye Ba, Joh Pin Seit, Kyaute Pa Sar and ThehPyu. Mine Na She, Swa Lo and TohBoh will likely flooded, and people’s livelihoods in the other ten villages will be heavily affected. In this area people use this river as their primary transportation route.” See: “Burma Army Shoots Villager in Pa’an District and Continues Construction on TohBoh Dam in Toungoo District,” Karen State, Free Burma Rangers, December 22nd 2011.



The photo above left shows the steel door that will control the water flow from the Day Loh River. The photo on the right shows the spillway control section, designed to regulate the amount of water flow; when the water reaches a certain elevation, the spillway control section will reduce the amount of water flow from the upper dam. According to the community member who took these photos, the surrounding agricultural land belongs to villagers from 10 villages, which includes durian, mangosteen, cardamom and betelnut³⁸ plantations, all of which would be flooded if the dam becomes operational.³⁹ [Photos: KHRG]



The photos above show two different views of the powerhouse that will produce electricity from the dam. The yellow pipe beneath the powerhouse allows water to enter and connect to the machine that produces hydropower. [Photos: KHRG]

³⁸ In Burmese, "betelnut" and "betel leaf" are referred to as "konywet" and "konthih," as if they are from the same plant. The Burmese names are also commonly used by Karen language speakers. "Betelnut" is the seed from an Areca Palm tree, areca catechu; "Betel leaf" is the leaf of the Piper betel vine, belonging to the piperaceae family. See "Attacks on cardamom plantations, detention and forced labour in Toungoo District," KHRG, May 2010.

³⁹ FBR local community leaders estimated that over 5,000 acres of land will be flooded, including lemon, paddy rice, banana and betelnut fields. Three Tatmadaw camps – ChaySoe, Pa Na WahSoe and Yaw Mu Kee – surround the dam. Soldiers from Tatmadaw Infantry Battalion (IB) #39, under the Southern Command, are in each camp; see "Burma Army Shoots Villager in Pa'an District and Continues Construction on TohBoh Dam in Toungoo District, Karen State," *Free Burma Rangers*, December 22nd 2011.



The photos above were taken in March 2012 in the Day Loh River Valley. The top two photos show construction workers building cement terraces, reinforced with bamboo poles, which together will contain the water once the dam becomes operational. In the background, features characteristic of excavation for unknown purposes are present.⁴⁰ [Photos: KHRG]

Source document/TohBohDam/2011/1

Project name:	Toh Boh dam
Type of project:	Dam construction
Karen District:	Toungoo
Government Region:	Eastern Bago
Actors:	Tatmadaw; Asia World Company
Company/Investors:	Domestic
Government/Military:	Tatmadaw
Trends:	Disputed or lack of compensation; Land confiscation; Development-induced displacement and resettlement
Consequences:	Impacts on livelihoods
Collective action:	
KHRG Log #:	11-62-S1
Publishing info:	"News Bulletin: Toungoo Situation Update: 2006 to March 2011, Received June 2011," KHRG, March 2013 (First Publication)

⁴⁰ In the interview received by KHRG along with these photos, Saw H--- describes the likelihood of mining operations occurring simultaneously with the dam construction; see "Toungoo Interview: Saw H---, April 2010," KHRG, August 2012. Additionally, the top right photo resembles previous gold-mining operations along the rivers in DwehLoh Township, Papun District; see "Papun Situation Update: DwehLoh Township, May 2011," KHRG, September 2011.

Testimony:

This report includes a situation update submitted to KHRG in May 23, 2011 by a villager describing events occurring in Toungoo District, during the period between 2006 and March 2011. It contains updated information concerning military activity, specifically the rebuilding of Tatmadaw camps and the rotation of troops in 2011, and details the following human rights abuses: Forced Labour, Forced relocation, Restrictions on freedom of movement or trade, Attacks on villagers, Attacks on livelihood, Attack on education, Landmines, and Military operations. This situation update also documents villagers' responses to abuses, including the provision of intentionally incomplete household numbers to the Tatmadaw, the alteration of vehicles to prevent their use by the Tatmadaw as rations transport, the preparation of hiding sites and food caches in the forest and cultivating relationships with non-state armed groups to secure access to information regarding military operations and threats of attack. This report also discusses concerns regarding food security, health, children's education and the use of landmines by the Tatmadaw and non-state armed groups.

Situation Update | Tantabin and Than Daung Township, Toungoo District (Received in May 2011)

The following situation update was written by a villager in Toungoo District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Toungoo District, including one incident report, and 144 photographs.

Introduction

Since 2011 [began], I went to the area of Toungoo district and [saw what] the villagers suffered with: SPDC [tatmadaw] soldiers came and fought them, they tortured and did bad things to the villagers, they burnt plants in the villagers' plantations that the villagers use for careers to survive. [I] met with the villagers and they reported some information, and the leaders in that area reported some information. I combined the information and reported them. The information was real. I could not write anything by myself. Local people suffered and I write the report as they told me. The villagers have been suffering with this for many years. It was a long time ago and they could not remember the days and months [dates] and they did not write notes. They have been suffering with this for many years, so they keep them as their fate.

Toungoo District, 2nd Brigade situation report

Toungoo District, 2nd Brigade area is located in eastern Bpyin M' Nah and southeast of Toungoo town. There are two townships in Toungoo District. The first township is Than Daung township and the other township is Tantabin township. It [Toungoo] is 2nd Brigade. Under [KNLA] 2nd Brigade, there are two battalions; there are three battalions if you combine KNDO [Karen National Defense Organization] battalions. Battalions #5, #6, and #4 soldiers live there. KNLA Battalion #5 are active in Than Daung [Daw Pa Koh] township and KNDO Battalion #4 are active there [Daw Pa Koh Township] also. And [KNLA] Battalion #6 is active in Tantabin [Taw Ta Tu] Township.

In Toungoo district area, SPDC soldiers set up their city [Nay Pyi Daw] not very far, and close to their [villagers'] area, so SPDC soldiers are based there for security. They clean up [fight] the ethnic armed groups, and they are based in Toungoo district. In Toungoo district, since 2006, the villagers had to suffer bad attacks by SPDC soldiers, so they villagers could not live in their own area and fled outside, in the forest. Some people went to live in town. Some people fled to live in a far area and some people fled to Thai-Burma border refugee camps. We could say all villages in Toungoo district area were damaged. The villages that are under [Tatmadaw] control, SPDC soldiers forced them to live in the same place [near

military camps]. People who were forced to live in the same place as SPDC soldiers are not allowed to go outside. They [SPDC soldiers] control them strictly in many ways.

The villagers situation

The villagers in Toungoo District, 2nd Brigade areado not do many [kinds of] careers or agriculture such as farm hill fields, flat fields, and farms. They mostly work inagricultural cardamom, betelnut, durian, betel leaf, mangosteen, tea leaf, and coffee plantations. There are just a few people who farm hill fields. People who live in flatland areas have farms. But, just a few flat lands are there and most of lands are in hilled areas. Just a few villagers do hill fields in Toungoo district because most of them work cardamom plantations. If they do hill fields, they worry that their plantations will be burnt. Most of the villagers in Toungoo district buy rice and other food from the SPDC town: Toungoo town.

The villagers in Toungoo District have to buy the rice from Toungoo town with difficultly; some people have to go [travel for] two or three days. They have to climb up and down the mountains, not flatlands. There are big mountains with deep valleys. From Toungoo town, they have to buy all the food such as rice, salt, fish paste, chile, and onions. They have to buy all things from Toungoo town. One big tin of rice is 20,000 kyat (US \$23.34), one viss of salt is 2,000 kyat (US \$2.33), one viss of chicken is 1,0000 kyat (US \$1.17), and all things are expensive because of difficult travel]. Actually, one viss of pork is only 6,000 kyat (US \$7.00) and it is cheaper if we buy them in Toungoo town. People have to carry things from a very far distance and people have to pay a lot of fees, so things become expensive.

Pork and chicken became expensive in this way, just a few people live in hill areas and they hide, group by group, in betelnut and cardamom plantations. They always have to live carefully with fear, they dare not feed any pigs and chickens, so chicken and pork became expensive. If they feed chickens, they worry that roosters will crow when the SPDC soldiers come. If they [soldiers] hear [roosters], they will come arrest, shoot and kill them [villagers], so they just feed a few of them [chickens and pigs]. The villagers in Toungoo district do agriculture and buy the rice and fish paste. The sell their fruits at quitehigh prices. They sell cardamom, and after they harvest all cardamomy, the dry all cardamom peels in the sun. They sell them at 15,000 kyat (US \$17.50) for one viss. In 2010, SPDC soldiers burnt cardamom plantations and many cardamoms died. The rest of cardamom plantations are not so good because it was so hot. There are not many cardamoms. One cardamom plantation owner said, *“Since 2006, in the summer from March to April, the SPDC burn our cardamom plantations every year. We have not seen them burn our cardamom plantations in 2011 because it is a blessing from God, and the rain came two or three times from March to April. They have not burnt plantations this year, but they always burnt them in previous years.”* These words were said by a villager named Saw Wee Kyaw from Toungoo District, Ler Ker Der Koh village, [he is] 54 years old.

If we look at Toungoo district, one villager [Saw Wee Kyaw] said the truth [regarding early rain]. On the other hand, people who did hill fields, they could not burn all of their hill fields. When I[the community member] came back along the road, I saw people burnt their hill fields in Lu Thaw Township. Their hill fields were not burnt well. The hill field owners felt upset, and they said, *“This year, we could not clean our hill fields and we will have no food to eat next year.”* If I look at the rain that came in March to April, it has advantages but it became a burden also.

The place where SPDC soldiers based, military camps.

In Toungoo District, 2nd Brigade area, there are the places where SPDC soldiers have bases. Between 2006 to 2011, SPDC soldiers came and based [here] and the places where

set up their military camps appear as the following;

- (1) Boh Ya Chay Yay camp,
- (2) 39 Ta Yin camp
- (3) Kyauk Htaing Lan Kwa camp,
- (4) 13 miles camp,
- (5) 73 Hta Yin camp,
- (6) Oo Yin Koh camp,
- (7) Chaw N' Kwah camp,
- (8) Maing 20 Zee Pin Gyi camp,
- (9) Kyauk Koh camp,
- (10) Maw Pah Dah camp,
- (11) K' Hser Kuh Ploh camp,
- (12) Kaw Soh Koh camp,
- (13) Paw Day Poo camp
- (14) Kler Lar camp,
- (15) Kaw Thay Der/Yay Thoh Gyi camp, and
- (16) Th' Aye Hta camp.

The vehicle road, which goes to the Daw Pa Koh [Than Daung Gyi] sidestarting at [marker] 13 mile camp, the military camps based there are;

- (1) Shwe Nyaung Pin camp,
- (2) Bper Lay Kee camp,
- (3) Than Daung Gyi camp,
- (4) K' Thaw Pweh camp,
- (5) Ker Weh camp, and
- (6) Ker Der Kah camp.

Then, Since 2009-2010, SPDC soldiers removed military camps. The camps that were removed are:

- (1) Der Doh camp,
- (2) Maw Koh Der camp,
- (3) the camp between Ker Weh and Ler Ghee,
- (4) Kaw Law Kah camp,
- (5) Ler Ghee Koh camp,
- (6) the camp beside Day Loh Kloh [river or stream],
- (7) Mah Der Kah camp,
- (8) Thay Yer Yuh camp,
- (9) Leh Ker camp, and
- (10) K' Shee Kee camp.

The military camps that were removed, were the camps based in Daw Pa Koh area.

According to Taw Ta Tu [Tantabin] township area, SPDC soldiers that based their camp thereare:

Starting from eastern Toungoo Town,

- (1) Number #11 police station,
- (2) Z' Yah Gyi camp,
- (3) Htoh Boh Ywa Thih Kauk camp,
- (4) N' Ngah Mauk camp,

- | | |
|------|-------------------------|
| (5) | Kyauk Poo Htoh camp, |
| (6) | Kyauk Pah Sar camp, |
| (7) | Swah Loh camp, |
| (8) | Htoh Boh Ywah Haw camp, |
| (9) | Klaw Mee Der camp, |
| (10) | Shah Shee Boh camp, |
| (11) | K' hser doh camp, |
| (12) | Play Hsar Loh camp, |
| (13) | Naw Soh, |
| (14) | Bu Hsa Kee camp, and |
| (15) | Koh Day camp. |

SPDC soldiers that are active in Toungoo district, 2nd Brigade, are MOC (Military Operations Command)#9 and other battalions. In 2010, MOC#7 and #4 were active. In 2011, MOC #9 came and rotated for MOC#7. MOC#9 OC(Operations Command)#3 rotated for MOC#7's OC#1 place, in Kler Lar [Baw Ng' Lih camp].

MOC#9's OC #1 base in MOC#7's OC#2 place is called Bu Hsar camp.

Under the control of MOC#9 is LIB [Light Infantry Battalion] #539, they rotated for MOC#7's IB [Infantry Battalion] #102 in Play Hsah Loh camp, and they are active in Plaw Mee Der, Htee Nya Bpeh Loh and Htee Muh Hta areas.

MOC#9's LIB#541 came and rotated for MOC#7's IB#250 in Kaw Thay Der camp. They [MOC#9 and LIB#541] are active in Naw Soh, Plaw Muh Der and Thee Mee Soh areas.

MOC #9's LIB#378 came and rotated for MOC#7's IB#261 in Buh Hsar Kee camp and they were active in Buh Hsar Kee, Bu Loh, Htee Htaw Bper and Bpaw Daw Koh areas.

MOC#9's LIB#375 came and rotated for MOC#7's LIB #366 in Kyaw Koh camp and Bp'Leh Wah camp. They were active in Kyaw Koh, Bp' Leh Wah, Maw Bpah Der, Kaw Soh Koh areas.

MOC#9's LIB#372 came and rotated for MOC#7's LIB #425 in T'Aye Hta camp and they are active in T' Aye Hta and the Moh Kee vehicle road.

MOC#9's LIB#376 rotated for MOC#7's LIB#423 in Ker Weh camp, and they are active in Ker Weh, Ker Der Kah [Lih Bpya] and K' Thaw Bpweh [Nah Chay Kway] areas.

MOC#9's LIB#380 came and rotated for MOC#7's LIB#427 in Bo Nar Dah and Htee Hsee Kee camps.

The MOC#9 commander is based in Z'Ya Gyi camp.

SPDC soldiers forced the villagers to do labor and be messengers. They demanded wood and bamboo. They ordered the villagers to carry food, water, and firewood. Every group of SPDC soldiers ordered and demanded things. The old troops forced us to do things and the new troops also forced us to do things, so all troops forced us to do things. Every village that lives under [Tatmadaw] control has to do things for the SPDC soldiers, and they have less time to do their own work.

The suffering of the villagers

The villagers live with two kinds of ways in Toungoo district, 2nd Brigade area. The first kind

of way is “living under the control of SPDC soldiers” and they second kind of way is “not living under the control of SPDC soldiers”.

Villagers living under Tatmadaw control in Internally Displaced Persons (IDP) camps)

The villagers who live under the control of SPDC soldiers have to live by being forced to do things, such as forced labor, carrying things as porters, paying money, and serving in militias. In addition, the villagers who have cars and motorbikes have to transport SPDC soldiers’ food, and SPDC soldiers do not pay them any fee. They [soldiers] did not fill any car with petrol for them [villagers]. The cars owners had to fill the petrol by themselves. They [car owners] always have to send things for free. Some of their cars get damaged by landmines, but SPDC soldiers did not take responsibility. Moreover, if the car driver dies, SPDC soldiers will not take any responsibility. SPDC soldiers forced people who have cars to do things and it was impossible [to avoid] even they did not want to go, so they had to go and carry things for them. In the summer, from December to January,⁴¹ they always send rations once per year; it is the period for sending rations.

Regarding motorbikes, SPDC soldiers force them to wait for messengers with their motorbikes and they dare not stay [and] not go. If motorbikes owners do not come with their motorbikes, they had to keep one motorbike for two days. People who have motorbikes, they had to go with their motorbikes. If they did not go with their motorbikes, they worried that SPDC soldiers would ride their motorbikes crazily and their motorbikes would be broken quickly. Motorbike owners go and wait for the motorbikes with messengers [as passengers]. SPDC soldiers ordered messengers who have motorbikes to send food, to send rice, and to buy things from the town. The SPDC soldiers never pay them motorbike fees or money to buy petrol, they ordered them to do things for free. SPDC soldiers prohibited the villagers from going outside [the village], into the forest. They did not give permission for them. If people want to visit their brothers and sisters in the town, SPDC soldiers give them permission but they have to go and write travel documents at the SPDC soldiers’ camp. They take 1,000 kyat (US \$1.17) for one travel document. Some villagers travelled but they did not go and take travel documents, because some of them travelled in hiding.

For the villagers who live under the [Tatmadaw] control in relocation [IDP] areas it is not easy for them to find and do careers. Most of them hide, come to the forest and buy some fruits, and some of them bring things and sell them in the forest. If the SPDC soldiers saw them, they blamed them that they contacted with KNU/KNLA soldiers. But the village [IDP camp] has been there for a longer time, so they knew how to lie to SPDC soldiers in many ways. They go and write travel documents at the military camp to go to Toungoo town, but they can go to wherever they want.

Those villagers who do not accept to meet with SPDC soldiers[not living in IDP camps]

SPDC soldiers came and set up a military camp beside the villages. They then burnt cardamom plantations and they forced the villagers who lived in the forest to live relocation [IDP] sites. They ordered the villagers to carry their materials in order to live in relocation places, such as Than Daung Gyi and Kler Lar [Baw K' Lih]. They forced some of them to live in Than Daung Gyi and some in Kler Day. The villagers who lived in the forest, they did not go to live in the places where SPDC soldiers ordered them to live, in relocation places. Some of them fled to live at the headwater of the streams, in betelnut and cardamom plantations, and the places that are far away from the places where SPDC soldiers base

⁴¹January and December corresponds to the cooler months of the dry season, and is shortly after rice is harvested during late November to early December.

their camps.

One villager from outside the control of SPDC soldiers said:

"Burmese soldiers ordered us to live in Than Daung Gyi, at Ker Weh village but we did not go. We hid, to live in cardamom plantations and valleys. Some people went to live in the place where Burmese soldiers could not go. The whole village fled. None of the villages went because if we went to live in the relocation places, which are Than Daung Kyi and Ker Weh villages, SPDC soldiers would force us to do things until we died. They would force us to clean landmines, we had to carry their things, they would force us to do things like animals, and we would not have time to do anything for our own job. We could not do anything if we lived in other people's villages. It will not be easy for travelling. We would have no food to eat. The SPDC would feed us anything. They would force us to do things until we died. Therefore, we dare not go. We will die in the forest."

The villager who reported this information is Saw Ghee Kyaw, 54 years old, Leh Ker Der Kah villager, Than Daung Township.

The villager named Saw K' Paw Nay Htoo, 28 years old, Mar Pweh Koh villager said,

"My family, my parents, and my siblings fled to live in a cardamom plantation, we hid and we did not dare to feed pigs and chickens. If we feed chickens, the roosters will crow. We worry that SPDC soldiers will hear the crow, find us and see us when they come. Therefore, we dare not feed chickens and pigs. We have to buy rice from Than Daung Kyi. We hide in order to go. We asked KNU soldiers to help us as guides on the road. KNU soldiers also went to buy the rice the same as us. We asked people in Than Daung Kyi to buy the rice for us and we carried it outside within one night. One person carried five packets of rice and we hid them in the cardamoms, the place that was far away from Burmese soldiers. Then, we carried the rice by ourselves. We carried them at nighttime. We bought them with money and we hid to carry the whole night. We worried that Burmese soldiers would see us. If they saw us, we did not have to say anything because we must know that we would already die. We would have no time to talk."

Health

I went to Toungoo district, 2nd Brigade, and I saw the villagers suffered with diseases. Most of the diseases are malaria, headache, hypertension, and gastric and stomach disease. For small children, they became thinner and they suffer with malnutrition and jaundice diseases. I did not see any bad diseases. I saw that they coughed. If they were a little bit sick, they bought packets of medicine and pounded medicines [traditional medicine]. If they were sick seriously, they sent them to Toungoo town. They spent a lot of money if they were seriously sick. Some patients recovered and some died. People who have money mostly cured themselves in the town. People who do not have money cure themselves with traditional packets of medicines, tree roots, tree bark, and medicinal brews. Some patients recovered and some died. People who live in the forest had to buy medicine and it was too expensive for them. People did not carry and sell medicines from Thailand. There was not much English medicine. Most medicine was from Burma. Big medicine [saline drips] was very expensive.

The villagers who live close to KNU clinics went to KNU clinics and they took medicine from there. Kaw Tho Lei [KNLA soldiers] medical officers take care of them. Sometime, some [censor for security] members reached to [Tatmadaw] controlled areas. Sometime, [censor for security] members reached there and gave them medicine. The medicine was distributed for free, but there was not much medicine; [only] five or seven days of medicine.

Education

According to the villagers, I saw that their children went to school even if they hid in the forest. Some houses were even hidden in betelnut and cardamom plantations. Old people gathered and organized to set up primary schools. Their children went to school in the place where they lived. If SPDC soldiers came, KNU soldiers informed them and they closed their school for a short time. Meanwhile, they did not go to school. They started going to school when SPDC movement decreased. Those schools got some support, such as notebooks, pens, and pencils. It was not enough. [KNLA] Brigadier and battalion commanders organized all needs for the school. The students in primary schools in hiding places could study well, as they were supposed to study. Students above standard five were sent to Kler Lar Taw school, Toungoo Town, and Than Daung Kyi. They sent some of them to refugee camps. They had to give a lot for school fees in town and it cost 600,000 kyat-800,000 kyat (US \$700.12 to US \$933.49) for one student. Most young people in Toungoo district are quite educated; most of them graduated in town.

Landmines situation

The Burmese built up the city [Nay Pyi Daw] in Toungoo District, 2nd Brigade area. Therefore, SPDC soldiers came, took security, and sent more troops. In 2005-2006, when SPDC soldiers cleared 2nd Brigade, responsible people [Karen leaders] and villagers suffered serious SPDC soldier attack. SPDC soldiers were active more, so the KNLA had fewer soldiers and they used landmines in order to prevent themselves and villagers. If they [KNLA soldiers] did not use landmines, all lands in 2nd Brigade would be taken by SPDC soldiers. In Toungoo District, a 42 years old villager who lives in a hiding place said,

“Landmine are one thing that I’m afraid of the most. Whenever it explodes, it never misses the target. It certainly injures the people. If people do not die, their legs are cut off. Burmese soldiers shoot us but sometime miss the target. Landmines certainly hit the people. Two and three years ago, the SPDC came through the forest and planted the landmines along the road where we go to the plantations, and they planted the landmines between each village. Too fearful. Escaped porters told us that Burmese soldiers planted the landmines, but we did not know where. We went to cardamom plantations and we had to go through the forest.

“According to KNU soldiers, If they planted landmines, they let all villagers know the places where they planted the landmines, the place such as which mountain. But, they did not tell us certain place like the specific place where they planted landmines. They did not tell us precisely. They just told us: ‘do not go to that road, landmines are there and do not go to that mountain, landmines are there.’ They informed us like this. Each of the village always informed each other.”

In Toungoo District, 2nd Brigade area, landmines are used until now. For the reason of landmines, SPDC soldiers dare not go through the forest.

SPDC soldiers’ project

Toungoo District, 2nd Brigade, SPDC have done a project in 2007-2008 and they based in Tantabin Township, Toh Boh village. Since then, SPDC soldiers came and based their camp there. The villages located close to Toh Boh village fled to live outside; they moved their villages to other places. The villagers' houses and villages became buildings for the soldiers. They took over the villagers' farms and plantations without pay money. The villagers asked the cost of lands and SPDC soldiers replied: “The land belongs to the government, and does not belong to the villagers. For you, you can live wherever you want. You can make new farms and plantations. This lands are our land and we need them, so we can take all of

them. They do not belong to the villagers. This land is government's lands."

As for SPDC soldiers' project, a local a local leader said, "SPDC soldiers came to Tantabin Township area, Toh Boh village. They did a project in 2006 to 2010. Project (1) is taking electricity power by dam in 2007-2010. Project (2) is planting teak and ironwood trees. Project (3) is planting rubber trees. Project (4) is mining gold. SPDC soldiers have been digging the mountains and dam for about three years but they are doing them until now. According to doing these projects, they took over many villagers' land, farms and plantations."

On March, 2011, SPDC soldiers started doing one thing. SPDC soldiers came to Toungoo Town with dogs. They arrived in Karen villages, KNU areas. They injected rabies medicine to the dogs. The dogs became rabid and let them went through beside the villages, their dogs bit other dogs and the villages' dogs became rabid too. SPDC soldiers' dogs bit the villagers' ducks, chickens, pigs, buffalos, cows and oxen. SPDC soldiers let their dogs go through Toungoo district, Papun district, Lu Thaw township, and Lar Eh village. The owners killed all of the animals that were bitten by the SPDC soldiers' dogs in Toungoo District. SPDC soldiers dogs reached throughout Kleh Soe Kee village, the villages beside the vehicle road, and the villages that are not very far from the vehicle road. As for Kleh Soe Kee villager, every man and woman has to hold sticks when they go outside of the village. One Kleh Soe Kee woman explained this to us.

One villager from Lar Eh Der said, "SPDC soldiers let many of their dogs come. We worried that their dogs would bite our dogs and pigs. If our dogs became rabid, they would bite our children. This was what we worried the most. Burmese's dogs bit our dogs and we killed our dogs at once. If we did not see, they would bite our children. The dogs that we saw [were bitten], we killed all of them. If we could shoot and kill the Burmese soldiers' dogs, we shot and killed all of them. This year, we had to be afraid of one danger because Burmese soldiers let their rabid dogs come."

Source document/TohBohDam/2011/2

Project name:	Toh Boh dam
Type of project:	Dam construction
Karen District:	Toungoo
Government Region:	Eastern Bago
Actors:	Asia World Company or (in Burmese) Shwe Swan Yin Co.Ltd; Tatmadaw
Company/Investors:	Domestic
Government/Military:	Tatmadaw
Trends:	Lack of consultation; Disputed or lack of compensation; Land confiscation; Development-induced displacement and resettlement
Consequences:	Environmental impacts; Impacts on livelihoods; Physical security threats
Collective action:	Reporting to authorities; Organizing a committee or protest
KHRG Log #:	11-62-A-I1
Publishing info:	"Toungoo Interview: Saw H---, April 2011," KHRG, September 2012, http://www.khrg.org/khrg2012/khrg12b72.html
Testimony:	
<i>This report contains the full transcript of an interview conducted during April 2010 in Htaw Ta Htoo [Tantabin] Township, Toungoo District by a community member trained by KHRG to monitor human</i>	

rights conditions. The community member interviewed, a 37 year-old township secretary, Saw H---, who described abuses committed by several Tatmadaw battalions, including forced relocation, land confiscation, forced labour, restrictions on freedom of movement, denial of humanitarian access, targeting civilians, and arbitrary taxes and demands. Saw H--- provided a detailed description of three development projects that the Tatmadaw has planned in the area. Most notable is Toh Boh⁴² hydroelectric dam on the Day Loh River, which is expected to destroy 3,143 acres of surrounding farmland. Asia World Company began building the dam in Tuh Bo, Day Loh village tract during 2005. The other two projects involved the confiscation of 2,400 acres, against which the villagers formed a committee to petition for compensation and were met with threats of imprisonment. Saw H--- also described how 30 people working on the dam die each year. Saw H--- provided many details on villagers who were forced to relocate their villages by both the companies involved in the projects, and the Tatmadaw. Also mentioned is the Tatmadaw's burning of villagers' cardamom plantations, and the villagers' attempts to limit the fire damage using fire lines. It is also described by Saw H--- how some villagers have chosen to remain in KNLA/KNU-controlled areas and produce commodities for sale, despite the attendant increase in the price of goods purchased from Tatmadaw-controlled villages, while others have fled to refugee camps in other countries. For photos of the Toh Boh Dam taken by a different community member in March 2012, see "Photo Set: Toh Boh Dam construction underway in Toungoo District, March 2012" published by KHRG on July 19th 2012.

Interview | Saw H---, (male, 37), B---village, Tantabin Township, Toungoo District (April 2010)

The following interview was conducted by a community member in Toungoo District, and is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Toungoo District, including one incident report and 201 photographs.

Can you tell me about the situation in your township area [Tantabin Township]?

There are five village tracts in our township: Khoh Kee, Kaw Thay Der, Maw Nay Pga, Per Tee and Day Loh village tracts. There are five regions.

There are five regions. Is there are any region that you can't administrate and have lost?

All five regions, especially the Day Loh region; we can't completely administrate it because the enemy [Tatmadaw] fully controls the Day Loh area and there is a project there; they are building a dam in the area. There is a dam project and a dam will be built there.

When was the dam built?



This photo, taken in April 2011, shows 37-year-old Saw H---, a secretary of Tantabin Township in the township office, while explaining a map of the dam project to a community member trained by KHRG. Saw H--- provided information about the situation in the village as it relates to the dam construction such as the number of displaced villages, land that was confiscated, as well as a detailed summary of the buildings that were constructed to accommodate the workers and equipment. [Photo: KHRG]

⁴²According to government designations, the dam site is in Tantabin Township, Eastern Bago Region. "Toh Boh" is the Karen language name for the dam site and adjacent village, which is also known as "Tun Boh" in Burmese language.

The dam project was started in 2005.

Where did they [the Tatmadaw] plan to build a dam?

They planned a dam project, which will be in the Day Loh area, in a place is called Toh Boh.⁴³ Toh Boh is located on the shore of the Day Loh River. Upstream from Toh Boh, there are two mountains; Hsay Shoh and Pa Nah Wah mountains. In Burmese, we call them Shan Taung and Kwyet PyuTaung [respectively]. The river flows between these two mountains and there is a bend there. The river bends to the west of the Day Loh area. It [the river bend] is close to Naypyidaw. There is a long bend, and they will build it [the dam] between the Shan Taung and Kyewt Pyu Taung [mountains].

Have they starting their project yet?

No, they haven't started yet. To build the dam, they will have to divert the waterway. They will divert the waterway through Hsay Shoh Mountain. The water will flow to the other side of Hsay Shoh Mountain and flow back to Day Loh River. They will construct buildings at the bend.

Why are they going to build the dam?

Their plan to build the dam is to produce electricity. They will build it in the place between the two mountains. They will excavate the mountain and let water flow through the mountain to the Day Loh River. They will build one dam there and another one downriver. It means they will divert and stop the water upriver, and build another one downriver.⁴⁴

You said they will construct the buildings at the bend?

For the buildings, they will build them a little upriver. They will construct the buildings inside the village, which is inside old Tuh Boh village.

The Day Loh River flows this way, toward Toungoo, Baw K'Lee comes up to here. It comes back to the Day Loh River. Here is the place they call P'Leh Wah, and there is a big bridge there. Then, there is Yaw Loh River on this side. Yaw Loh River flows downriver from P'Leh Wah, to a place called Kyauk Kon; there is no bridge or village there. The vehicle road comes to the other side of Day Loh River. Here is Taw Koh, and here is the entrance to Day Loh River. There is a big bend here. Here is Hsay Shoh, and P'Nah Wah Soh is here. They will build the dam from here to here. They will let water flow through Hsay Shoh Mountain and let water flow down river to Tuh Boh village along Day Loh River, and they will block [the water] again, here⁴⁵.

Can you explain to me the aim or objective for building the dam?

Their objective is to produce electric power.

Have they been successful?

No, they have not been successful at producing electric power. For this project, they

⁴³ The site of the dam is near 18° 55'N, 96° 37'E and a satellite view gives some perspective on the amount of construction involved with this project.

⁴⁴ The villager is likely describing plans to construct a hydroelectric dam and a power storage facility, rather than two separate dams.

⁴⁵ At this point in the interview, Saw H--- explains the project to the community member by drawing a map. KHRG was unable to acquire a copy of the map for publication, and thus is not presented here.

planned very carefully. They started it in 2007, and it won't be until 2010 when they are successful with this project.

But now 2010 has already gone; do they still have a future plan to build the dam?

Yes, 2010 has gone, but according to their plan, they would finish the project in 2010. But, they can't do as they planned. Currently, they haven't been successful, but they have a plan. Now, they will excavate the mountain to make a hole through to the other side of the mountain, but they haven't done that yet. Their [main] plan will start if they finish excavating the mountain. They planned to excavate the mountain within five years, but it hasn't finished yet. I don't know if they just have a plan to produce electric power, or other purposes, because within five years, they haven't finished excavating the mountain. Some workers who have been inside said, "*the hole they make takes two hours round-trip by car.*" They have excavated the mountain for five years. The miners include Chinese, Burmese, Shan and Karen. But they only allow Chinese workers enter to work inside the hole; no other ethnicities have been allowed to enter.

What about SPDC [Tatmadaw]⁴⁶ army leaders, are they allowed to go?

No, they can't go, but I think they [the company] will let the people who cooperate with them [the company] enter.⁴⁷

So, only Chinese people can enter the hole?

Yes, only Chinese people. They let Chinese [workers] mine the mountain and they have excavated it for five years. Even though they are mining carefully, some Chinese workers who went and worked inside, remained, and died because of a slippery landslide.

How many people died?

Sometimes, four or five people die [at once], and about 30-40 people die in a year. When outside [of the excavated mountain], they came out and fought; they blamed the people who were in charge [saying], "*Your plan is not well organized, so the landslide occurred, and people have died because of you; people have died.*" They fought, cut and killed each other outside. Just in this hole, about 100 people have died.

They keep a place for the workers to stay in Toh Boh village. As I told you before, Toh Boh village is located in the place where they will build the dam, between Shan Taw and Kywet PyuTaung. Toh Boh village is located to the west of Day Loh River and close to the Baw K'Lee, Toungoo [town], and the vehicle road. They built a lot of buildings in Toh Boh village. I visited last year, and I know there was a graveyard for Toh Boh village. The companies and their workers came and forced the Toh Boh villagers to move all [the bodies]. They destroyed the graveyard, and they constructed four or five huge buildings in the graveyard. The graveyard was very large and the area is flat. There are only the workers' houses there.

⁴⁶In Karen, the Burmese phrases Na Ah Pa (SPDC) and Na Wa Ta (SLORC) are commonly used to refer to the Burmese government or to Burma's state army, the Tatmadaw. Many older Karen villagers who were accustomed to using the phrase Na Wa Ta before 1997 continue to use that phrase, even though the SLORC has not officially existed since 1997. Similarly, despite the official dissolution of the SPDC in March 2011, many Karen villagers continue to use the phrase Na Ah Pa (SPDC) to refer to the Burmese government or to the Tatmadaw; see: "Mission Accomplished as SPDC 'dissolved'", "Myanmar Times, April 4-10th 2011. The term Na Ah Pa was used by the villager who wrote this conducted this interview and interviewee and "SPDC" is therefore retained in the translation of this interview.

⁴⁷While it is not entirely clear, it is likely the villager is explaining that only the Tatmadaw soldiers in direct contact with the foreign company building the dam are allowed to enter the excavated mountain site.

There are about a thousand workers.

Upstream from Toh Boh village, they constructed a very beautiful building. The leaders come and stay there. The highest ranks among the Tatmadaw leaders come and stay there. If a minister comes, they are welcome there. They come, stay, sleep and eat there. For the downriver part there [in Toh Boh village], there are many buildings. These buildings are for the people in charge, like managers or officers' staff, and others.

Toh Boh is located on the bank of Day Loh River. They [the company] set up a rope bridge. They connected it to the other side of Day Loh River. There is the other river on the other side of Day Loh River. That river flows to the downriver side of Day Loh River. They constructed many buildings on the other side of Day Loh, like buildings to keep cars, trucks, petrol, rice, oil and machine tools.

The buildings they built in Toh Boh village for ministers are very beautiful. There is a big office. They stuck [a sign] in front of the office [showing] how much this building will cost. They stick those kinds of things in front of the office. They don't write in Burmese. They write in Chinese and English. The workers who go and work there see what they write down, [but] they don't understand the language because they did not go to school. Even though, they see [the signs], they don't understand them.

Is the project only for a dam, or are there any other activities that they plan to do?

There are three projects in this area. [The] first project is to produce electric power, [the] second is to plant teak and *pway* [Ironwood tree], and the last one is a rubber [tree] planting project.

Do they have a plan to mine gold?

For gold, in the workers' experience, they said it takes one hour to travel from the outside to the inside of the hole, and another hour to come back, even by car. So, we don't know whether they really want to produce electricity or if they want to go and mine gold at the other part of the mountain.

Are they still digging?

Yes, they are still digging.

How many cars can travel in the hole?

Only one car can go.

Do they use electric bulbs?

I heard they don't use electric bulbs. They carry light when they travel in the hole. They dig the hole and they don't do it carefully, so the earth slides from the top of the mountain. They cover the hole with *moeka* [a large tarp].

Will civilians face problems or difficulties if the dam is successful; for example, like flooding of the village or plantations?

It is too early to say. I think you already understand a lot about the dam from the information

that I have told you. I will tell you. They will build the dam here, and here is Toh Boh village. Here is Day Loh River. There is flat land on both sides of the river, so people plant betelnut⁴⁸ trees, dog fruit trees, coffee and many other farms, like betelnut plantations and banana plantations in the area. There are many kinds of plantations. Swah Loh village is on the other side of Day Loh River. Around Swah Loh village, there are farms and a lot of betelnut plantations, durian plantations, dog fruit plantations, lemon plantations, banana plantations and other farms.

Can you tell me step-by-step?

I will tell you one-by-one about the three projects. After one, we will go to another one. There are five regions in our Tantabin Township. Among the five areas, especially the Day Loh area, we definitely can't step down [from the hills] because the enemy [Tatmadaw] came and set up many camps. They brought companies to do projects such as producing electric power, and planting valuable timber and rubber [crops]. There are three projects, so they came and set up a lot [of structures]. We can't step down.

I will tell you exactly how many people are in each village, and how many houses are in each village. We know the number of villages in that area. I will tell you now the house numbers that I recorded in 2005. There are 15 villages in the region.

No	Village Name	Households	Population		Total
			M	F	
1	Keh Doh Lu	44	102	118	220
2	Tun Boh	45	117	110	227
3	Ta Lay Loh	9	18	13	21
4	Kheh Der	17	27	30	57
5	Leh Pah Kway	33	72	90	162
6	Noh K'Maw	33	72	85	157
7	Zin P'Lay Gon	28	64	72	136
8	Hsaw Ee Hkee	7	12	16	28
9	Thay Khee Kla	17	30	38	68
10	Kler Mu Kha	27	49	61	112
11	Ywa Tah Hsin	9	29	30	59
12	K'Neh Tee Der	30	72	88	160
13	Pyon Chaw	27	52	61	115
14	Tee Ber Loh	33	82	98	180
15	Leh Pa Kway	27	56	70	126
Total	15 villages	388	844	984	1830

This is just in the Day Loh area. I will just tell you the villages in Day Loh area. I will tell you a little bit about the villages' histories.

The villagers' occupations are working on betelnut plantations, farms, banana plantations, lemon plantations, coffee plantations, dog fruit plantations and other farming. These villages are located in flat areas on the foot of the mountains. If you go down, the land is flat, and if you go up, it is mountainous. These villages are in the area close to the vehicle road near Toungoo and Baw K'Lee, between Day Loh, Toungoo and Baw K'Lee. These villages are

⁴⁸ In Burmese, "betelnut" and "betel leaf" are referred to as "konywet" and "konthih," as if they are from the same plant. The Burmese names are also commonly used by Karen language speakers. "Betel nut" is the seed from an Areca Palm tree, areca catechu; "Betel leaf" is the leaf of the Piper betel vine, belonging to the piperaceae family. See "Attacks on cardamom plantations, detention and forced labour in Toungoo District," KHRG, May 2010.

located in this area.

As I recall, these villages were forced to move five times. In 1975, they were forced to move, but they were not told the place they had to relocate to, so they went and stayed close to other villages. They went and stayed at K'Yay Kon. They stayed there for one year and they came back [to their villages]. They came back and stayed for several years. They were forced [to relocate] again, and they had to go back and stay at an army camp. They had to stay there for four years. It would be until after 1980; it took four years. They came back again to their villages when the situation was okay. In 1985, they were forced to move again. In 1994, they came back and stayed in their village again. One year, after staying in the village, which was in 1995, they were forced [to relocate] again. They stayed in their village until 2001 and, in the beginning of 2002, all villages were forced to move. In 2004 or 2005, they came back to their villages again. There were several villages that came back.

For Toh Boh village, they can't come back to live in their village. They were not allowed to come back to live in their village. They were kept in another place downriver along the Day Loh. If you go down from Toh Boh, a little over one hour along Day Loh, you will see a village. The village is located on the bank of the Day Loh River; the village is called Noh K'Maw village. Toh Boh villagers were ordered to live downriver from Noh K'Maw village. They had to set up their new village there. Some other villagers also came and stayed there.

[Villagers from] two villages, Toh Boh and Law Hsaw Loh, can't come back. They were not allowed to come back to live in their village. At that time [during the relocation], a group came and they checked the whole area here, but local people didn't know anything. After that, people in charge from the Tantabin [Township] office came and met with local people. They said "*Toh Boh village is located in the project area, so you can't come back to live [there]. Your properties, cultivations, plantations, land and other things are in the project area. All of your properties will be destroyed when their [the company's] project starts. Base upon on your ownership of properties or land, the government and companies will pay compensation.*" The people in charge from Tantabin said: "The electric project [team] will come and build the dam upriver from the village. The project will take five years. After five years, villages here will get electricity for village use in many ways, for their business. Villagers' businesses will become better and [there will be] more options for income. So, we will build the dam upriver from your village. If the dam accidentally breaks, the villages downriver will flooded, so we will build the dam soundly."

They said they will give compensation for land or plantations, but later, the people in charge from Tantabin didn't send anything, and said nothing. There was no answer, so the local people formed a committee with 30 people. These 30 people signed [a petition] to receive compensation. They formed a committee with 30 people. They went to the Tantabin office and the people in charge said, "*This is not a Tantabin project. The project comes from headquarters, so we can't do anything. If you want compensation, you have to go to the Division. If you go to Division, I will tell you: this project is run by the military government. Even if you go to them, they won't give you [compensation]. Furthermore, they will arrest you and put you in prison.*" The people in charge from Tantabin told the villagers this.

Based on what the people in charge from Tantabin said, the 30 people who formed the committee did not dare to pursue the case anymore. They were afraid and they stayed like that. They got nothing from losing their land and properties.

Now, the project has started. They surveyed the two mountains, Hsay Shoh and the other one. Hsay Shoh, called Shan Taw [in Burmese], is 1,800 feet (548.64 meters). They excavated this mountain. The other mountain, called Pa Nah Wah, is 2,100 feet (640.08 meters). The area that they surveyed to build the dam is 500 feet (152.40 meters). The dam

will use 300 feet (91.44 meters). The area of the project that they decided [to use] is 2,600 acres. They have added 543 acres. If we combine it, there are 3,143 acres of land, which they have decided [will constitute] the project area inside and outside of Toh Boh village. It is very large.

The area included the Toh Boh betelnut plantations and banana plantations. As I know, one [plantation] is three or four acres. One person has a betelnut plantation, a banana plantation, and a lemon plantation. Some people have one, two or three acres. The total land that the village lost is 3,143 acres.

Based upon on what I know, this project [company] is called Asia World Company.⁴⁹ In Burmese, they call it Shwe Swan Yin Co.Ltd. This is the company that comes and does the project.

Local people here don't know, but I know that the chair person of this company is the grandson of Kung Za. He is from Shan state. He is a descendant of the kings. He has many companies everywhere in Yangon and others. He has a ship for travelling abroad and he has hundreds or thousands of workers.

The manager of this project is U Wan Maung. He has a healthy body. He is big and tall. He is the current manager, and his assistants are U Aung Maw, U Aung Sein, U Sein Win, A'Ban Wa, U Wan Maung and U Wan See; there are six assistants. They have a big objective. They constructed the buildings for workers in old Toh Boh village;⁵⁰ there are thousands of workers. They constructed a beautiful building in Toh Boh village. They house ministers when ministers visit there. The manager and office staff are all housed in there.

They connected Toh Boh to the other side of the Day Loh [River] with a rope bridge. The river is big. You can't cross in the rainy season. Machine boats used to travel in this river. They constructed a lot of buildings on the other side. Those buildings are only garages, like an ice garage, oil garage, and car garage, including all other tools that are necessary for completing the project.

They constructed a vehicle road for this project. The vehicle road runs between Toungoo [town] and Zin Ya Gyi. The road diverges at Toungoo and Baw K'Lee. This road comes from Toungoo, but it diverges with one side going to Baw K'Lee and another one to Zin Ya Gyi. You have to come back to Zin Ya Gyi. If you continue on the separate road from Toungoo to Baw K'Lee for a while, you will arrive at one place; this place is not a camp, it is a place of worship. They call it Myat Swan Nyi Naung P'Ya. If you go down from there a little, there is a place they call Shu Kin Tha; there is a police checkpoint there. They call the checkpoint, 'Number 11 Checkpoint'.

Beginning in Shu Kin Tha, they [Tatmadaw] constructed a new road. The road goes to the project site, in old Tun Boh village. The road started from Number 11 Checkpoint to the project site. They placed several army units along the road to the project site. They divide *baka* [checkpoints]⁵¹ 1, 2, 3, 4, 5, 6 and 7; this is along the road to the project. There are

⁴⁹ Asia World Co Ltd is a division of Asia World Group, and is one of Burma's largest and most diversified conglomerates with interests in industrial development, construction, transportation, import-export and a chain of local supermarkets; see "One the march to do business in Myanmar," *Asia Times*, August 26th 2009. Founded in June of 1992, Steven Law is the managing director of Asia World Co Ltd and is also the son of Lo Hsing Han, the infamous drug lord and chairman of Asia World; see "Burmese Tycoons Part I," *Irrawaddy Magazine*, June 2000, Volume 8, No. 6, pp. 2-3.

⁵⁰ The community member sometimes refers to the dam construction site as "old Toh Boh village", as this is where the village was located before the project began.

⁵¹ *Ba ka* means 'military camp' in Burmese.

seven *baka*. They keep a checkpoint at the entrance of old Tun Boh village; they fully-man the army camp there. Some army camps are big and some are small.

They set up a big army camp close to these two mountains, P'Nah Wah Soh and Hsay Shoh specifically, which is on the mountain that is closer to Hsay Shoh. They set up a big army camp there; the battalion deputy commander stays there. They set up another big army camp close to Kya Phyu Mountain and the battalion commander stays there as well. They go and carry water from the Day Loh River and there is another camp there.

I will tell you details about the army camp. Number 11 Police Checkpoint is in Shu Kin Tha, and there are seven *baka* between Shu Kin Tha and the Toh Boh project site. There is one sentry place in Toh Boh. There is one big camp in the Shan Mountain and another one at Shwe Mountain; Karen people call Kyewt Pyu Mountain, P' Nah Wah Soh; there is a big army camp there. There is another big army camp at Swah Loh village. Swah Loh village is located on the bank of Swah Loh River. The river flows to the Day Loh River, a little downriver from Toh Boh. There is a big army camp at Swa Hta and another camp in Wah Loh village. Then they constructed another road. They constructed it from the other side of the rope bridge [in Toh Boh village] to Swah Loh. There are two small camps on the way.

There is another big army camp beside old Toh Boh village. The enemy who conducts security is the local army. In 2009, [Tatmadaw] IB [Infantry Battalion] #73 conducted security [operations]. It joined with some units from LIB [Light Infantry Battalion] #440. I have heard that Battalion [IB] #39 conducts security now, but I am not sure whether that is correct or not. In Tantabin Township, there are groups of enemies, which are battalion numbers #39 and #73. Battalion #73 is based in Z'Yat Gyi and #39's base is located in 4-Miles [army camp].

I will tell you a little about who came to our area in the beginning. Local people had no idea who came to the area first. After they came, the people in charge from Tantabin came. They disappeared for several years after they came [initially]. Then, the Shwe Swan Yin Company came to the area. The Shwe Swan Yin Company came on June 8th 2007. Before, they reported a different plan for their project, but when they came and drafted the project, their project was to end in Wah Hta. Wah Hta is located farther [to the East] than Swah Loh. There is a big mountain range there. At the foot of the mountain range is Day Loh River. The other side of the mountain range is a field.

In total, the first and second decision to take the land includes over 3,000 acres. They entered and took the area up to Wah Hta. The [original] 3,000 acres does not reach to Wah Hta. They extended it [the acreage] more. They gathered and met local people in the area. The villages there are Noh K'Maw, Thay Khee Kla, P'Leh Wah, Tun Boh. They met with those villagers. They said, "*We will build the dam and we will build it sustainably. If the dam breaks, Noh K'Maw and Tun Boh will be under water. In my project, I will build the dam and the water will flooded over 30,000 acres.*"

I skipped a little about the project that I am telling you about at the moment. The Shwe Swan Yin Company met with local people and said they will take more [land], and they said that there are over 30,000 acres that will flooded. They said they will finish the project within four years. "*We will do it until it is successful.*" So we watched it from 2007; they said they will do it until they have succeeded. Now it is 2011; they are close to success? When we look at what they have done, they just dug a tunnel for the waterway under the mountain, but they haven't reached success yet. They said they will do their project within four years, but now they haven't completed even a tunnel, so I think they won't be successful within the next several years.

What they planned, and actually do, is it the same project? Do they try to do anything else?

It is a thought for us. It is on the minds of local people because when they came, they just said they would build the dam and produce electricity. But over several years, they have just excavated the tunnel. The tunnel is not successful yet.

Will they finish if they focused on digging?

They can finish if they focussed on digging because the mountain is not so big. They dug it for several years, but it doesn't go through to other side. The mountain is not big. The mountain is *babapoe* [medium sized], so it became a thought to local people; "*maybe they said they would build the dam, but they have another secret plan to mine the mountain.*"

Do they hide themselves when they come?

Different people have different opinions. Maybe they will try to make underground communication [lines] or store weapons or remove valuables from under the ground, like gold or precious stones. Local people have different opinions. The mountain is small. They have been digging for several years, but they haven't finished it. They don't let other ethnicities besides Chinese enter the tunnel. They don't allow Karen, Burmese or Shan ethnicities to enter. The mountain is short and small, but it takes two hours to go in and return, so it causes suspicion in local people and they provide different opinions.

As you are a person in charge; do you have a plan to find this out?

It is our responsibility to find this issue out. I think there will be a plan. But it is not good to say, because if we say, it can harm our security.

Can we come and find out more about these kinds of issues in the future when we want to know more?

Yes, you can. As we [the villager and the community member trained by KHRG] are associated, you will know what we know. When we travel in the area, [it will be like] you are travelling in the area. We need to know what they are doing and we have a plan to find out. As we are working together, we can let you know more when we get more information.

How is the suffering of villagers in the area? Can you tell me about that?

Before the Shwe Swan Yin Company came to the area, the people who came first were the army [Tatmadaw]. The army came and the villagers were faced with different kinds of problems. They came and they were people [soldiers] who have money; they bought things like chickens or pigs from villagers, with money. But some people forcibly took villagers' pigs and chickens. Then, it harmed villagers' livelihoods. So, the villagers have to go to the Day Loh River bank. But, to travel to work in their farms at a different place or other villages, they have to get a permission document. They have to pay 1,000 [kyat] (US \$1.13)⁵² for a permission document. They go and work, but they can't sleep at their work place; they have to come back and sleep at their home. Even if they have a permission document when they go and work, they only get a permission document from one army group, but there are several units of army [Tatmadaw units] active [in the area]. If another army group comes, they sometimes find villagers. Sometimes, they need people go with them as a guide and

⁵²As of July 12th2012, all conversion estimates for the kyat in this report are based on the official market rate of 883kyat to the US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the kyat, thus replacing the previous fixed rate of 6.5 kyat to US \$1.

show them places. It has become a disturbance for them [villagers]. At that time, local people have had to suffer a lot. They can only work for three or four days in a week.

Can all 15 villages return to their villages?

Before, they had to move. Some villagers went back in 2011. Only Hsaw Loh and Tun Boh [villagers] can't return. Others villages returned. For Hsaw Loh villagers, they have to go work in their old village to work in their betelnut plantations. I met with a Hsaw Loh villager who returned to work in his plantation. He was given a permission document. One permission document is 5,000 kyat (US \$5.66). The frontline army lets them return to work, but as I told you, there are many army units in our area. When the troops enter, they demand rice or tell villagers, "*You come back and work on the frontline. If you see us patrolling and you tell the KNU [Karen National Union] about us, it will be a problem for us. Since you have come back and work on the frontline, you have to pay me money, like 5,000 or 6,000 kyat (US \$5.66 or US \$6.80.)*" The Hsaw Loh villager whom I met, said "*I have to pay 5,000 kyat for a [travel] permission document, and [when] I returned and worked in my betelnut plantation in my old village, there were many troops. They came and demanded things. I do betelnut [farming] and I get 100 to 200 viss⁵³(160 to 320 kg. / 352 to 704 lb.) of betelnut, and they ordered about over 100 to 200 viss. Since then, I know that it [economic input and output] does not match, so I never go back and do betelnut [farming] again.*" So, villagers from there [Hsaw Loh] have had to leave all their land; some villagers go and work at Shwe Swan Yin Company, where they were given even less of a salary.

How much do they [Shwe Swan Yin Company] give per month?

They give 2,000 kyat (US \$2.27) per day.

What do they have to do?

They have to carry *hta* [metal objects], and cut logs to use in the tunnel. All jobs involve heavy [labour], so it [the wage] is not much because they just pay 2,000 kyat (US \$2.33). Just a few people go and work with the company, but mostly they [villagers] go to Per Tee and do wage jobs, in Burmese villages and in Toungoo town, like working in restaurants and in other places. Some people find fish and sell them. Some people find bees and sell honey. Most people work on their own.

What about the rubber project? Has their plan been successful?

As I told you, there are three projects in this region. For rubber, they started [planting tree] from the new road built for the Tun Boh project. This project was done by the Kaung Myat Company.⁵⁴

What about the other project?

For their other project, they take the plants from here; they plant teak and *pway*. They just plant trees. The land they take is all from Noh K'Maw land. All betelnut plantations, farms, and banana plantations are included. All the land the Kaung Myat Company takes belongs to Noh K'Maw. In total, there are 2,400 acres. The owner of Kaung Myat Company is U Kin Maung Aye. We just know U Kin Maung Aye and his assistant is Aung Zaw. They took 2,400 acres of land.

⁵³ A viss is a unit of weight equivalent to 1.6 kg./ 3.52 lb.

⁵⁴ For information regarding the Kaung Myat Company, its website is: <http://www.kaungmyat.com/>

The other company, they call MSP.⁵⁵ I don't know what it stands for. This company's project is only to plant rubber. The rubber project is in the upstream area [on the Day Loh River]. The project-area is 800 acres. They forcibly took all their land. The land includes some from Noh K'Maw and Toh Boh [villages], 800 acres.

Do you know the chairperson of the MSP Company?

No, we don't know the owner of the MSP Company.

Is the information that you have reported to me complete? Is there anything remaining?

In the 2,400 acres that Kaung Myat [took], and the 800 acres that MSP took for the projects, they have planted teak, *pway* and rubber. They also constructed buildings in each place. People always come and work as *set tha*.⁵⁶ They have given opportunities to civilians for the construction and clearing of the rubber plantation. Local people can come and plant peanut in the place where they [the companies] planted trees. When they [villagers] clean the ground to [plant] peanut, it is the same as if they are clearing their [the company's] plantations. They don't pay anything to the landowners, but the owner can plant peanut on the land that the company had confiscated and planted trees. They [villagers] go and plant peanut and other [crops], while at the same time clearing the plantation for the company. They don't even pay some villagers to go and work, because it is a benefit to them [villagers]. They plant different kinds of beans. It benefits them in some way. You enter and work there and it kind of helps the Burmese [the company].

The suffering which locals experience here is, if I have to say, a lack of education. There are schools but they demand many things from a student to enter the school. They ask for a school entrance fee for a school fund and other things like sports. They ask for many things. Villagers are not doing well in their livelihood, so they can't afford to send their children to school. So, just a few people can send their children to school. They face a big problem with education.

The other one is, the place where they stay is not sanitary. The place [where] they live is on the foot of the mountain. It rains, and the place here is like *kyo weh bpu* [a flat land]. The water that flows into the river is *htoo tee* [with unseen debris]. So there are many kinds of diseases that appear. But among the diseases that they suffer, TB [tuberculosis] is the most serious. As I know, one can have TB and it transfers to many people. They need to cure it first, but some people don't have money. They just stay like this and the disease becomes serious. They go to a hospital for a cure when they have money. Some people are curable; some people, even though they have money and they go for treatment, they are incurable. Some people die in the hospital. This kind of disease has many kinds of consequences. One or two people in a family can be affected by the one who has [TB] in their family. In this case, the government has set up a clinic.

Did the SPDC army set up this clinic?

Yes, the SPDC army set up this clinic.

Do they provide enough medicine to civilians?

⁵⁵Although the villager does not know the name of this company, it is likely that it is Myan Shwe Pyi Limited, which operates in the area; its website is: <http://msp-limited.tradenote.net/>

⁵⁶Set tha is a Burmese term for forced labour duty, such as with messengers stationed at army camps or bases, serving as an intermediary to deliver orders from army officers to village heads, but also involving other menial tasks when no messages are in need of delivery.

They don't give [enough]. They appoint one person to be in charge and work for villages here, like villages in Noh K'Maw village tract. The person's name is U Htay Min. He has attained a high level of education. He knows everything about here. He is working with local people who understand a little about medicine. He tricks villagers from going to a hospital, in many ways. They have to work with U Htay Min and they have to pay many things.

Yesterday, I discovered his treatments. He injects medicine to one person and he asks 4,500 kyat (US \$5.10); it was just glucose and [vitamins] B1, B2 and B6. For one medicine injection, he asks 4,500 kyat. Some people can't afford to pay anymore, and they think "whatever," whether they die or not; they don't care. They think dying is better than being alive. Some people stay until they die. They don't have money to pay for their treatment but if they don't give money [for the treatment], their disease can't be cured. The medic has to give the treatment for free, but now when the villagers pay money for their treatment, it just benefits the medic. They were not allowed to go and buy medicine to bring back to their village. It is all collected when they get to a checkpoint. If you have money and go to hospital in Toungoo or Yangon, the medicine that you bring back, if it includes the prescription, they allow you bring it back. They won't allow you to bring it back if you buy medicine for your family. They don't give you trouble; they just take your medicine when they see it. Some people said you have to pay them money if you don't want them to confiscate it.

What is the MOC [Military Operation command] or LID [Light Infantry Division] of SPDC [State Peace Development Council] army who are stationed in the Toh Boh area?

[It is the] army [Tatmadaw] who is stationed here, there is no MOC or others. They just give responsibilities to locals, like IB# 73 and 39. There are two battalions. IB# 73 entered the area in 2007 and 2008. There are 10 battalions under MOC #7; I will have to check back to find out where they are from.

Do you have any other things that you want to tell me about the projects?

There are things that I hear, but it is not concrete so I think I will have to find out later. There are new projects that will start and they have done only the old projects so far.

Did your villagers have to suffer with forced labour, set *tha*, all the time during 2011?

In my area and other areas, it happens every day. Like in the Per Tee area, it never stops. One group [Tatmadaw battalion] enters and one group goes out all the time. Another area is Maw Nay Bwah; they always have movement in the area. They rotate and are active again and again, and sometimes, small columns of soldiers enter the area.

How many Tatmadaw army camps are in Tantabin Township, currently?

They are based along the Toungoo vehicle road to the Bu Hsa Hkee vehicle road, on the border of 5th Brigade [Papun District]. Because the enemy is based along the road, villagers in the lower [part] of the road have less space to work for their livelihood. They have to go and stay in different places. Yesterday, they [Tatmadaw] came and burned things down. They burned all the plants. They do it almost every year. Yesterday, they [lit fires] but the fires stopped because of the rain. They [lit fires] again, and it rained again. The last few years were the most serious. As I heard from a villager, he was told by a Burmese soldier

that “*the order comes from above, and it said ‘the KNU can exist because of the support from civilians, by giving them a tax like on cardamom*⁵⁷ *and other plants’.*” The important thing is cardamom. It supports KNU a lot. Cardamom is the most important for the KNU, so the leaders [Tatmadaw] from above ordered [local units] to burn cardamom. They came and burned [cardamom plantations] everywhere in the area. Some villagers went and stopped the fire. I myself have a cardamom plantation in Kaw Thoo Der. I went and made a fire line⁵⁸, and I came back. After few days, the fire consumed my entire plantation. They didn’t do this in just one area. It happened in Maw Nay Bwah, Bu Hsah Loh and other areas. They did the same thing.

How many kinds of villagers do you have in your area? Do you have villagers living in SPDC army-controlled areas and outside of the controlled areas?

Yes, it has both. They live inside controlled areas and outside of controlled areas.

Can those villagers associate with each other?

No, they can’t associate. They can’t contact each other for relationships like buying things. Sometimes, they order things and they send [them] to each other.

Do you have things that you want to tell or explain more to me about the [censored for security] [Tatmadaw] plans that will seriously harm civilians, and what the companies do?

I think I don’t have a lot to tell you. I told you the details. There are many abuses. The other thing is, especially villagers who don’t stay under the [Tatmadaw] control, they face a big problem with their livelihoods. They can’t stay together in the same place. If they stay together in the same place, the target [for the Tatmadaw] will be clear. The Burmese army will heavily fire mortar shells at them. They dare not stay together for this reason. They have to stay one there, and one here, and another one there. They have to stay separately in the valley or river source. They have to hide their ways so the enemy will not see it.

For their livelihoods, they face problems like the area becoming limited. It means they are close to a Burmese Army camp. Some villages are very close to army camps but some have a little distance. Their working area became limited because they are close to an army camp. They are afraid of army activities so their area becomes limited. The other thing is they [Tatmadaw] plant landmines after they enter and are active in the area. So villagers daren’t go. That is one thing, and if I am honest about their occupation before, they did hill field [farming], and if the hill field produced 5 baskets⁵⁹ of paddy grain (104.5 kg. /352 lb.), they could have enough food for their family during good times. Because of limited working space, [caused by] the enemy planting landmines and an army camp located close to their place, they can’t do hill field farming as they did before. They can get just one (32 kg. /70.4 lb.), two (64 kg. /140.8 lb.), or three (96 kg. /211.2 lb.) baskets of paddy grain from their hill field. For this reason they face a food crisis.

Is it easy for them to go and buy food, like rice and other things?

⁵⁷ Cardamom seeds come from a plant belonging to the ginger family, and are recognized by their small seed pod, papery outer shell and small black seeds. Cardamom is typically grown on the jungle floor in South Asian countries.

⁵⁸ A “fire line” refers to a number of ways to create a buffer to prevent a fire from spreading. It can be a trench, an area cleared of vegetation and combustibles, or any other linear obstruction between the fire threat and the protected area.

⁵⁹ Unit of volume used to measure paddy, milled rice and seeds. One basket is equivalent to 20.9 kg. / 46.08 lb. of paddy or 32 kg. / 70.4 lb. of milled rice.

They go and buy food from different places, areas and villages. They have contact with people inside. The problem they face is sometimes they meet with the active army [patrols] on the way when they go and buy food. Sometimes they have to go and buy things, but the enemy closes the road and meets them on the way. They face this kind of problem. Sometimes they have to travel for several days on the way. If the enemy arrests them on the way and calls them to follow, the family who was left behind in the village don't know anything about it and it becomes a big problem.

Does the KNLA help them by providing security for them while on the way to get food?

Mostly, the places where they go and buy food are close to the enemy camp. There is also a group of people who are in charge of providing security. So, before the villagers leave to cross that place, they will need to contact that group first. After that, the security group will advise whether the situation is good for the villager to go and buy food or not. If they advise them that the situation is good, they will go; if not, they won't go. Even if they can't buy enough food for a [full] year, at least they get half of the food for their family. But the problem is they have to carry it secretly.

How much do they have to pay for a viss of salt?

People from [Tatmadaw] controlled areas come and sell things here. If you go and buy in a controlled area, one viss of salt is 2,000 kyat (US \$2.28). If they bring salt here, they will sell for 2,500 kyat (US \$2.85). It depends on the distance they come. If it is far, they will sell for 3,000 kyat (US \$3.42) or more.

How much is a sack of rice?

Rice is a higher price. If the rice comes to us, one sack of rice is 45,000 kyat (US \$51.25). The price is cheap inside [controlled areas]. For example, if we have to go and buy it from Kaw Thay Der or Kler La. Between Kler La and here, there are ten SPDC checkpoints on the way. They ask [for money] at each checkpoint. Like with one motorbike, they demand 500 kyat (US \$ 0.57) at each checkpoint. One sack of rice, they ask [for money] and you have to pay 5,000 kyat (US \$5.69) [extra]. We have to pay several thousand [kyat] on the way, and we also have to pay the carrier. The Military Government doesn't allow people to bring rice outside the [controlled] areas. If the military government sees anyone, then that person has a big problem; they killed some people before. They accuse them of going to carry [rice] for the KNU. Some soldiers, you can bribe but some people you can't bribe; they kill you. You have to pay 45,000 kyat outside [controlled] areas. Our area is close to a trading place. For Hsow Kee village tract, they have to pay 45,000 kyat or more, because they are far.

Do you still have other issues that you want to tell me?

Another issue is that, the areas which are not under the [Tatmadaw] control don't have good topsoil or subsoil because of the weather. People who live there have to face the most problems. They have to work hard for their livelihood. The area where we are close to is the worst. Even if you plant [anything], it doesn't grow. The soil is not good. So, people living in the area find bees and sell honey. Some people weave mats. They weave and they sell them. For some people, they do different things. Some people carry things and some people do plantation [work]. They do different things. If they get less income, they eat porridge, but it is very hard, especially in Hsee Daw Koh. Their life is poor.

The other problem is travelling. It is very difficult for them to go and buy food. The price is expensive if people go and sell things to them. The soil is not good in the area. Problems like insects destroying paddies or others plants occur.

I will ask you one thing. People in your area face many problems; in this case, do any families move to refugee camps in Thailand?

There are many people who went to refugee camps and third countries, in the areas like Khoh Kee, Kaw Thay Der area and Maw Nay Bwah and Kloh Hkee. These four areas had to face [that] problem since 2006, when LID# 66 went to the area. It was the time when they planned to do an offensive in 2nd Brigade. They came and we couldn't do our work, so many had to go to refugee camps. Some people went and some people stayed. Some whole villages went. There are three army bases in some areas; you can't travel. Some villages move everybody to refugee camps. Some villages stayed close with the army camp and some far. They stay alert. Then, in 2006 - 2007, most of the villagers from Kloh Hkee area moved to refugee camps.

I want to know one thing. You still have four areas, and one is totally under the Tatmadaw control. How many villages were destroyed in the areas?

If I have to say honestly, all villages in Khaw Thoo Der area were destroyed. Especially Kaw Thay Der, Kler La, Kaw Hsow Koh, Wah Tho Koh and Ler Koh villages on the upper side of the vehicle road. Villagers in the upper side of the vehicle road can stay but especially, Kaw Thay Der, Kaw Hso Koh and Wah Tho Koh it is very difficult. Only Kler La villagers can stay stable in Kaw Thay Der area. All others were destroyed. Even if it [a village] was destroyed, some villagers went back and stayed, and some went to different places. From Kler La to Bu Hsa Kee, the road that the military government constructed was on Pleh Mu Der, Hsih Kheh Der, Thay Khih Hso and Bu Hsah Hkee. The road goes through the villages. Those were destroyed in 1995. Villagers spread everywhere, and later they went to refugee camps. Finally those villages totally disappeared. People who lived in Maw Nay Bwah area dare not go back and stay in their village. Only Pleh Hsa Loh villagers can stay in their village. All other villages were forced to move in 2006. They have to come back and stay in secret places.

Do you have anything that you want to say?

The other problem that they have to face is weather. Last year, the weather was so hot. When people do paddy field farming in the places where the soil is good, they must get 100 baskets (3,200 kg. /7,040lb.), but they only got 40 baskets (1,280 kg. /2,816 lb.) – a 60-basket (1,920 kg. /4,224 lb.) decrease because of the weather. In the Per Htee area, they come and plant peanut. They come and plant it at the foot of the mountain. The [Tatmadaw] military operation is strong. The villagers were not allowed to come [to their plantations] or they dare not come because of the military operation. For example, the time when the peanut [crops] are going to provide seeds, the villagers were not free to go and check their peanut plants or they dare not go to their peanut plants because of the operation, or many other reasons. As a result, the plantations were destroyed by pigs or other animals.

However, this kind of problem that they had to face in the past, is happening a little less now. In Maw Nay Bwah area, especially Klaw B'Der village, the villagers go and buy things from P'Leh Wah. There is an Army camp and sometime there is a military operation. They have to go and it takes three or four days. In the past, they went and the distance took just three hours; going was three hours and returning was three hours. They went in the morning and came back in the afternoon. [Now] they have to come back when there is a military operation. They have to go again, and if they meet the enemy again, they have to come

back again. They sometimes have to carry 10 viss (16 kg. /35.2 lb.) of betelnut three times back and forth. It depends on the operation situation.

Are there villagers who have to take a two or three days-long walk to go and sell things in other villages?

There will be some villagers. Some villagers, they will have to sleep on the way. Each area is different. [Villagers from] Maw Nay Bwah go and buy things from T'Pay Nyaw, and [villagers from] the upper areas go and buy things from 3rdDistrict [Nyaunglebin]. All is far. They have to go and sleep one or two nights on the way. They went yesterday. They met with enemy [Tatmadaw] and they ran. They enemy shot at them but no one was hit⁶⁰.

⁶⁰For information on another similar attack on villagers by the Tatmadaw, see “Tatmadaw soldiers fire at four villagers carrying rice, order forced labour in Toungoo District,” KHRG July 2012.

B. Infrastructure development

Dooplaya Infrastructure Development

Source document/DooplayaInfrastructureDevelopment/2012

Project name:	Dooplaya Infrastructure Development
Type of project:	Infrastructure development
Karen District:	Dooplaya
Government Region:	South Kayin
Actors:	Tatmadaw LID #22 Officer Tay Maung Tun
Company/Investors:	
Government/Military:	Tatmadaw, Myanmar government
Trends:	Land confiscation; Disputed or lack of compensation
Consequences:	Impacts on livelihoods
Collective action:	Negotiation
KHRG Log #:	12-124-S1
Publishing info:	"Dooplaya Situation Update: Kawkareik Township, June to August 2012," KHRG, March 2013 (First Publication)

Testimony:

This report includes a situation update submitted to KHRG in August 2012 by a community member describing events occurring in Dooplaya District, in the period between June and August 2012. Specifically described is the use of villagers for forced labour; the report details how in June 2012, Tatmadaw soldiers under the control of LID #22 ordered K--- villagers to transport Tatmadaw soldiers using their tractors. The report also describes how the construction of a new city by the Myanmar government in Hkyoo K'lee village involving the building of a school and a hospital has resulted in the uncompensated confiscation of villagers' land and the destruction of villagers' plantations, on which they are dependent for their livelihoods. The report also details villagers' concerns that their plantations will be damaged in the construction of a new vehicle road through Hkyoo K'lee village. Further, this situation update includes information about villagers' responses to abuse, including their cooperation with the village head to request compensation from the Tatmadaw.

Situation Update | Kawkareik Township, Dooplaya District (June to August 2012)

The following situation update was written by a community member in Dooplaya District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Dooplaya District, including three interviews and 12 photographs.

Introduction

Reporting events between June 12th and August 23rd [2012], this situation update is about Meh K'La Traw area. The villages that are located in Meh K'la Traw area have to deal with forced labour, land confiscation and food shortage.

Forced Labour

In K--- [village], on June 12th 2012, the Burmese soldiers [Tatmadaw] ordered the villagers [of K--- village] to send [transport] them with one tractor. They [villagers] had to send [transport] them [Tatmadaw] to H--- [village] and they had to wait three days, then they had to send [transport] them back to K--- [village]. They [Tatmadaw] did not force them and they

asked from the village head politely. The villager who had to serve [for Tatmadaw] is not available. Because it was an emergency, he [the villager] was ordered to go for the village's friendship [friendship between village and Tatmadaw]. One villager who is the tractor owner went together along with the 7 Burmese soldiers. The villager had to send them because the LID [Light Infantry Division] #22, under control of Hlaing Aung Khaing's division went back to get their salary. They did not support the petrol cost for the villager.

Land confiscation

Since 2011, the Burmese government has been building a new city in HKyoo K'lee village. They constructed schools, hospitals and other buildings. Currently, there are 40 buildings. In the place where they built the buildings and flattened the villagers' houses and land, over 40 of villagers' coconut trees; and also pomelo and jackfruit trees have been damaged. The places where they flattened include villagers' homes. People planted paddy and it was worth one big tin⁶¹ of paddy grain and the villagers asked the village head to help them for the cost of the damage. So, the village head helped them by negotiating [with Burmese officials or Tatmadaw in charge] then, they said they would support [the request for compensation]. Until now they do not give any compensation. At the time they started developing and clearing the land; the person who was in charge in HKyoo K'lee is officer Tin Maung Tun from LID #22. Now, the villagers have heard that people [Myanmar government] will construct a new vehicle road in the village, so they complained that "*how many of our plants will be damaged?*" but currently, they do not start any work yet. [Villagers] are waiting to see what will happen in the future.

Food shortage that villages have to deal

Th'Waw Thaw (two families)
K'Neh Thay Hpoh Lay (one family)
Paw Baw Hta (six families)
HKyoo K'Lee (15 families)
Kwee Ta Uh (seven families)
Kwee Ta Hoh (three families) and,
T'Naw Hta (six families)

These are villagers who fled to Hser Hpoh Hkee [village] and went back since the ceasefire process is holding. Because, they were not able to do hill farming in the previous year, they do not have food when they went back. In coming years, they thought that if there is peace and everything is flexible, they would have enough food. Currently, since August 23rd [2012], they access the assistance from the area displaced committee. They are supported every three months with three big tins (48 kg / 105.6 lb) [of milled rice] per person.

Source document/Dooplaya Infrastructure Development/2011

Project name:	Dooplaya infrastructure development
Type of project:	Infrastructure development
Karen District:	Dooplaya
Government Region:	South Kayin

⁶¹ A big tin is a unit of volume used to measure paddy, milled rice and seeds. One big tin is equivalent to 10.45 kg. or 23.04 lb. of paddy, and 16 kg. or 35.2 lb. of milled rice.

Actors:	Border Guard #1022 led by Maw Thoh; LIB #355 and LIB #546 under MOC #12
Company/Investors:	
Government/Military :	Border Guard; Tatmadaw
Trends:	Lack of consultation; Land confiscation; Disputed or lack of compensation
Consequences:	Impacts on livelihoods
Collective action:	Reporting to authorities
KHRG Log #:	11-122-D2
Publishing info:	"Tatmadaw and Border Guard camp construction threatens villagers' livelihoods in Dooplaya District," KHRG, October 2011, http://www.khrg.org/khrg2011/khrg11b41.html
Testimony:	
<p><i>In September 2011, residents of Je--- village, Kawkareik Township told KHRG that they feared soldiers under Tatmadaw Border Guard Battalion #1022 and LIBs #355 and #546 would soon complete the confiscation of approximately 500 acres of land in their community in order to develop a large camp for Battalion #1022 and homes for soldiers' families. According to the villagers, the area has already been surveyed and the Je--- village head has informed local plantation and paddy farm owners whose lands are to be confiscated. The villagers reported that approximately 167 acres of agricultural land, including seven rubber plantations, nine paddy farms, and seventeen betelnut and durian plantations belonging to 26 residents of Je--- have already been surveyed, although they expressed concern that more land would be expropriated in the future. The Je--- residents said that the village head had told them rubber plantation owners would be compensated according to the number of trees they owned, but that the villagers were collectively refusing compensation and avoiding attending a meeting at which they worried they would be ordered to sign over their land. The villagers that spoke with KHRG said they believed the Tatmadaw intended to take over their land in October after the end of the annual monsoon, and that this would seriously undermine livelihoods in a community in which many villagers depended on subsistence agriculture on established land. This bulletin is based on information collected by KHRG researchers in September and October 2011, including five interviews with residents of Je--- village, 91 photographs of the area, and a written record of lands earmarked for confiscation.⁶²</i></p>	
	
<p>This photo, taken on September 30th 2011, shows a six-acre paddy farm in Je--- village, owned by Saw A---. Saw A---'s family depends on their farm, but local Tatmadaw forces plan to confiscate his land to build a <i>tat nan myay</i> for</p>	

⁶² This bulletin contains excerpts of two of the interviews and seven of the photographs from the data described above. The full interviews and photos will be published in full as they are processed and translated.

On September 26th 2011, villagers from Je--- village, Kawkareik Township, Dooplaya District told KHRG that they face an urgent threat

Border Guard Battalion #1022. [Photo: KHRG]

of land confiscation by Tatmadaw Border Guard Battalion #1022 led by Bu---, and Light Infantry Battalions (LIBs) #355 and #546 under Tatmadaw Military Operations Command (MOC) #12. According to the Je--- residents, their village head was informed in May 2011 that the Tatmadaw will develop a 500-acre *tat nan myay* [amilitary area or military zone] in Je--- for Border Guard Battalion #1022, which is currently based in Tu---. The village head then met with villagers whose existing agricultural projects were located in the intended project area, and informed them that their lands would be expropriated to make way for the *tat nan myay*, which would include the construction of a base, supply depot, and homes for the families of Tatmadaw Border Guard soldiers.

"The first time they came to measure, it was nine [paddy] farms. They didn't want to collect [survey] the betelnut plantations because there were too many. The betelnut fields and durian fields were about 20 or 30 fields...There is one more rubber field but, as I told you, she [the owner] didn't come [to the interview location]. The man who came with me, his rubber plantation is very big, but when the SPDC⁶³ government goes to take it, they will take it all... I plant once every three years. From three years ago I planted 2,000 plants, and this year I planted more 1,000 plants, so in all there are 3,000 rubber plants... The operation commander came to see village head, and the village head called us let us know... They'll build up both an army camp and their houses, and the battalion...When they come to base here, their families and children will follow and come to stay with them."

- Saw Ca--- (male, 45), Je--- village, Kawkareik Township (September 2011)

"The Border Guard and the SPDC Army [Tatmadaw] came together. The Border Guard commander is named Bu--- but the SPDC commander, I don't know his name. The [Tatmadaw] Battalion was #355... They said they'll build the place for the Border Guard... They didn't take [our land] yet, but they're concentrating on it. They said they'll build up their place, and they came to order the village head to tell the villagers [they would] take the lands. They think if the village head can take it [the land] it'll be peaceful."

- Saw Do--- (male, 60), Je--- village, Kawkareik Township (September 2011)

The villagers that spoke with KHRG said that they had not seen a written order that their land would be confiscated, but that they believed the order to be real, and urgent. At least two interviewees reported that, in the meeting, the village head told rubber plantation owners whose land would be expropriated as part of the planned *tat nan myay*, that they would be paid compensation of 10,000 kyat (US \$12.05)⁶⁴ per tree on their plantations. The villagers expressed concerns that other types of land would be taken, but did not know whether compensation would be paid to farmers who have betel or durian plantations, paddy fields, or fallow agricultural land.

⁶³ In Karen, the Burmese phrases *Na Ah Pa* (SPDC) and *Na Wa Ta* (SLORC) are commonly used to refer to the Burmese government or to Burma's state military, the Tatmadaw. Many older Karen villagers who were accustomed to using the phrase *Na Wa Ta* (SLORC) before 1997 continue to use that phrase, even though the SLORC has not officially existed since 1997. Similarly, despite the official dissolution of the SPDC in March 2011, many Karen villagers continue to use the phrase *Na Ah Pa* (SPDC) to refer to the Burmese government or to the Tatmadaw. The term *Na Ah Pa* was used by the interviewees, and "SPDC" is therefore retained in the excerpted translations of their testimonies included in this bulletin.

⁶⁴All conversion estimates for the Kyat in this report are based on the fluctuating informal exchange rate rather than the government's official fixed rate of 6.5 kyat to US \$1. As of October 28th 2011, this unofficial rate of exchange was US \$1 = 830 kyat.

"I heard the one time the village head told us they'll give [compensation]. For one rubber plant they'll pay 10,000 kyat... If they pay for the plants, that also includes the land [cost] too... Along the lake we have durian plantations, betelnut plantations and dog fruit plantations. The villagers plant many things in that area."

- Saw Ca--- (male, 45), Je--- village, Kawkareik Township (September 2011)

"If they take it, we can't do anything. We just have to give it to them... If they take it, we won't have a place to live... [Now] They'll only take the rubber [plantation] lands but I see, in the future, if they get those places [then] they'll take more and more land."

- Saw Do--- (male, 60), Je--- village, Kawkareik Township (September 2011)



These photos, taken on September 30th 2011, show 48-year-old Saw C--- and parts of his 20-acre rubber plantation in the Mi--- area of Je--- village, Kawkareik Township. Saw C---'s plantation has approximately 4,500 rubber trees which he planted four years ago; his plantation is among lands that Je--- villagers worry will be confiscated by the Tatmadaw after the 2011 monsoon ends. [Photos: KHRG]

The interviewees further reported that government officials measured lands under cultivation along the vehicle road in the Mi--- area of Je--- village immediately after the order was issued through the village head in May 2011, and once more in the second week of September 2011; the soldiers and government officials also photographed the land owners. One source also explained that the Tatmadaw attempted to survey the area in 2010, but clashes with soldiers from Karen National Liberation Army (KNLA) prevented them from doing so, although an access road to the area was surveyed and cleared in 2010.

"They came before the rainy season, in the water festival month. The first time they came to measure the lands was in 2010... I think they were SPDC staff [the first time], because they were ordered by the SPDC government... The second time SPDC government staff [also] came to measure the lands... They took pictures of us. Before they called the villagers, they already sent down their soldiers to the places... There were 100 soldiers."

- Saw Do--- (male, 60), Je--- village, Kawkareik Township (September 2011)

"If the KNLA hadn't been there, they already planned to do this [take villagers' land] once last year... The group that came to measure the area is called 'Ha Sha.' The ones who came to measure the road were Thai... The Thai people came and hired us to clear the road. They paid 4,000 kyat per day. Now they're gone, and later the SPDC government came."

- Saw Ca--- (male, 45), Je--- village, Kawkareik Township (September 2011)

According to the villagers that spoke with KHRG, the lands surveyed in May and September 2011 include at least 167 acres of productive and established agricultural land belonging to 26 villagers, and those villagers have been informed that they will have to give up their land. The table below details the acreage and types of crops cultivated on the land belonging to the 26 villagers who have been ordered to give up their land for the *tat nan myay*.

#	Villager Name	Type of agricultural land	Estimated Acreage
1	Saw E---	Rubber plantation	20
2	Saw F---	Rubber plantation	16
		Betelnut plantation	3
3	Saw G---	Rubber plantation	20
4	Naw H---	Betelnut plantation	1
		Durian plantation	1
5		[Rice paddy] Farm	3
	Saw I---	Rubber plantation	2
		Durian and betelnut plantation	2
6	Saw J---	Durian plantation	1
7	Saw K---	Durian and betelnut plantation	3
8	Saw L---	Durian and betelnut plantation	2
9	Naw M---	Durian and betelnut plantation	2
10	Saw N---	Durian and betelnut plantation	4
11	Saw O---	Durian plantation	3
12	Saw P---	Durian and betelnut plantation	3
		[Rice paddy] Farm	6
13	Saw Q---	Durian and betelnut plantation	2
14	Saw R---	Durian plantation	3
15	Naw S---	Betelnut plantation	1
		[Rice paddy] Farm	4
16	Saw T---	Durian and betelnut plantation	3
17	Saw U---	[Rice paddy] Farm	3
		Betelnut plantation	3
18	Saw V---	Rubber plantation	4
19	Saw W---	[Rice paddy] Farm	3
		Rubber plantation	3
20	Saw X---	[Rice paddy] Farm	3
		Betel nut plantation	2
21	Saw Y---	[Rice paddy] Farm	4
22	Saw Z---	[Rice paddy] Farm	5
23	Saw Ba---	[Rice paddy] Farm	4
24	Saw Be---	Cleared for rubber plantation ⁶⁶	20

⁶⁵ Note that the censored names in this table do not correspond to censored names cited in interview excerpts and photo captions in this bulletin; this has been done intentionally, for security.

⁶⁶The villagers who shared this information with KHRG explained that Saw Be--- and Naw Bi--- had planned to plant rubber on their respective lands, on which they had previously kept fruit trees. Both villagers had already cleared the land, but had yet to plant any rubber trees, when the residents of Je--- learned that the Tatmadaw intended to expropriate their land. According to the Je--- villagers, Saw Be--- and Naw Bi--- both decided that

4			
2 5	Naw Bi---	Cleared for rubber plantation	6
2 6	Naw Bo---	Rubber plantation	2
Total			167

According to the Je--- villagers, the land owners were recently ordered to meet with the village head and a Tatmadaw officer at the camp in Je--- village, where a column of approximately 40 Tatmadaw LIB #355 soldiers were based as of September 2011. The land owners, however, have avoided going to the meeting because they fear that they will be forced to sign an agreement to give up their land for the *tat nan myay* project. One of the villagers also explained that they would give up their land if forced, but planned to refuse the monetary compensation because they worried that Tatmadaw or Border Guard soldiers might blame villagers who accept compensation if fighting occurs near the village in future.

"We haven't gone. If we go, I know we'll have to sign, and we've made a decision that we won't go. If they want to take [our land], they can... They've ordered us to go to see him [the operations commander]... [The villagers will have to sign] so that's why we don't go. If you don't go, you have to give them [the land]; if you go, you also have to give them [the land]."

- Saw Ca--- (male, 45), Je--- village, Kawkareik Township (September 2011)

"They said they'll pay us money, but if they'll take our land we won't take any money from them, and just let them take it. If they give us money they'll take it, and if they don't give [money] they'll also take it... If they want to have [the land] they can take it, because we won't take any money... If we take the money, if something [conflict] happens they'll see [find] mistakes on us... I don't know [what to do]. We just say, 'I won't take the money, but if the KNLA shoots [you] don't put the blame on the villagers.'... For me, if they call us to sign an agreement we won't sign. If they want to take it, they can take the land. We told the village head 'If something [conflict] happens, don't put the blame on us.'... The village head was elected by the villagers but when he plans things like this, he stands more on the SPDC government's side."

- Saw Do--- (male, 60), Je--- village, Kawkareik Township (September 2011)



the risk of land confiscation was too high, and opted not to plant any trees until they could be sure that their land was secure.

These photos, also taken on September 30th, show 60-year-old Saw B---, and parts of his 20-acre rubber plantation in the Mi--- area of Je--- village. Saw B---'s plantation has approximately 500 rubber trees which he planted over four years ago; his plantation has also been earmarked for confiscation by Tatmadaw Border Guard Battalion #1022 and LIBs #355 and 546. [Photos: KHRG]

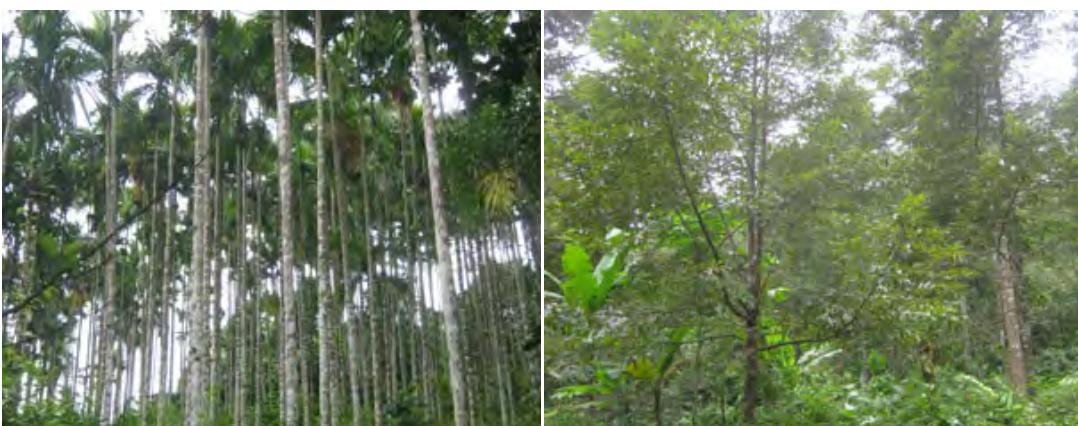
The Je--- residents who spoke to KHRG in September 2011 expressed urgent concern that the process to confiscate their lands to make way for the Tatmadaw Border Guards' *tat nan myay* would resume and be completed in October, after the annual monsoon ends. The villagers cited regular visits to plantations in the area of the planned *tat nan myay* by soldiers and construction personnel carrying maps as fuelling concerns that their land will be expropriated in the near future. The villagers also explained that many residents of Je--- currently earn subsistence incomes from their existing agricultural activities, suggesting that expropriation of their lands would have serious consequences for their future food security and survival.

"They'll come [after the 2011 rainy season] but only if the Kaw Thoo Lei [KNLA soldiers] aren't in this area. Now, they still listen carefully if it's good to come or not, because if they come they know the Kaw Thoo Lei will shoot them... After the rainy season they'll come to my village for sure, but I don't know when. Maybe they're planning to come at the harvest time, or the time when the paddy becomes red. If they come at that time, they'll think the KNLA can't shoot them because the villagers will be working on their farms... You can publish [this information] but don't mention my name. If you mention my name, we'll face problems."

- Saw Ca--- (male, 45), Je--- village, Kawkareik Township (September 2011)

"Je--- village is quite big, so if we separate like that [according to villagers who have enough food and villagers who do not] maybe 50% have enough food and the other 50% don't have enough food. Je--- village doesn't have many [paddy] farms. We work a bit for each. In Je--- village, if we have to take care of each other [share food], we can't take care of each other."

- Saw Do--- (male, 60), Je--- village, Kawkareik Township (September 2011)



These photos, also taken on September 30th 2011, show more agricultural projects which are among the 167 acres of land that local Tatmadaw forces plan to confiscate in Je--- village, according to local villagers. The photo at left shows a three-acre betelnut and durian plantation owned by Saw A---; the photo at right shows a three-acre durian plantation containing approximately 400 durian trees belonging to Saw D---. [Photos: KHRG]

K'TerHtee Border Guard Camp Development

Source document/K'TerHteeCampDevelopment/2012/1

Project name:	K'Ter Htee Border Guard camp development
Type of project:	Infrastructure development
Karen District:	Papun
Government Region:	North Kayin
Actors:	Border Guard Battalion #1013 led by Officer LahKyaing Oo; Major Aung Myo Myint
Company/Investors:	
Government/Military:	Border Guard
Trends:	Lack of consultation; Land confiscation; Disputed or lack of compensation
Consequences:	Impacts on livelihoods; Environmental impacts
Collective action:	Non-compliance
KHRG Log #:	12-43-S1
Publishing info:	"Papun Situation Update: Dweh Loh Township, January to March 2012," KHRG, May 2012, http://www.khrg.org/khrg2012/khrg12b45.html

Testimony:

This report includes a situation update submitted to KHRG in April 2012 by a community member describing events occurring in Papun District, in the period between January and March 2012. It provides information on land confiscation by Border Guard Battalion #1013, which has appropriated villagers' communal grazing land between D--- and M--- villages for the construction of barracks for housing soldiers' families. Related to this project is the planned construction of a dam on the Noh Paw Htee River south of D--- village, which is expected to result in the subsequent flooding of 150 acres of D--- villagers' farmland, valued at US \$91,687. Villagers from K'Ter Tee, Htee Th'Bluh Hta, and Th'Buh Hta village tracts have also reported facing demands for materials used for making thatch shingles, for which villagers receive either minimal or no payment. Updated information concerning other military activity is also provided, specifically on troop augmentation, with LID #22, and IB #8 and #96 reported to have joined Border Guard Battalion #1013 by establishing bases at K'Ter Tee, as well as reports of increased transportation of rations, weapons and troops to camps in the border regions. Details are also provided on new restrictions introduced since the January 2012 ceasefire agreement on the movement of Tatmadaw units; similar restrictions have been documented in Toungoo District in a report published by KHRG in May 2012, "Toungoo Situation Update: Tantabin Township, January to March 2012". Information is also given on a recent Tatmadaw directive, which stipulates that soldiers and villagers living near to military camps must inform any KNU officials they encounter that they are welcome to meet with Tatmadaw commanders or officers.

Situation Update | Dweh Loh Township, Papun District (January to March 2012)

The following situation update was written by a community member in Papun District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Papun District.

A report on the problems faced by villagers in K'Ter Tee and Htee Th'Bluh Hta village tracts, Dweh Loh Township, Papun District

The people that live in the area [K'Ter Tee and Htee Th'Bluh Hta village tracts] have experienced problems in the period between January 1st and March 6th 2012. These

problems are still happening in K'Ter Tee and Htee Th'Bluh Hta village tracts, and they are as follows.

Border Guard Battalion #1013's troops, led by [Battalion Commander] Bo [Officer] Lah Kyaing Oo, confiscated the peoples' cattle grazing land in order to build houses for the soldiers' wives to live in. As a result of this human rights abuse happening, forced labour will also occur again as villagers will be forced to construct the barracks for the soldiers' wives. Also, more than 150 acres of Noh Paw Htee villagers' flat field farms will be flooded as a result of the dam that is going to be built on the Noh Paw Htee River by the Border Guard. These are the problems that have been impacting villagers and which they have been grieving over.

The human rights abuses reported have been caused by the DKBA [Democratic Karen Buddhist Army], which has transformed into the Border Guard⁶⁷. They are the soldiers from Thein Sein's government's Border Guard Battalion #1013, led by Bo Lah Kyaing Oo. The reason for causing these [human rights abuses] is because of their objective to build houses for soldiers' wives to live in. The Border Guard does not analyze the weak points and strong points of the job before implementing things; they do not even know how their work has impacted ethnic villagers, thus it keeps on happening.

To give further information on these events, a D--- villager said that the villagers' cattle grazing land lies in the area between the south of D--- village and the north of M--- village. The houses will be built for the Border Guard [soldiers'] wives in the cattle grazing land between these two villages. As a consequence, many villagers have had to send *d'nih* [a kind of leaf used in thatch shingles] and bamboo poles to the Border Guard, either without any payment or for a very low price, even though they did not want to. These villagers were from villages in K'Ter Tee and Htee Th'Bluh Hta village tracts comprising: Noh Paw Htee, Poh Ma Heh, Noh Lah, Htee Hsaw Meh (Burmese name, Zin Zweh), Htee Theh Lay and Htee Law Hsee Hta; and villages in Th'Buh Hta village tract comprising: Hpway Taw Ngoo, K' Pay Kee, Htee Hpaw Doh Kee, Baw Soh Hta, Waw Law The, Thoh Klah, Noh Ghaw and Htee Th'Bluh Hta. [In these villages] villagers cannot avoid working for them.

If barracks are built for the Border Guard soldiers' wives, the ancient cattle grazing land will be destroyed and lost. The land with a spring beside D--- village is where the barracks will be built. This place has water in ponds, so hard soil is needed in the place where the barracks will be built. One dam needs to be constructed on the Noh Paw Htee River in order to change the direction of the water so that it flows down into the Baw Soh River (Burmese name, K'Nyin Doh River). This river is located to the west of D--- village and it flows from north to south, so the Border Guard has planned to construct a small dam to the south of D--- village. This information was provided directly by a D--- villager.

To build the dam, Major Aung Myo Myint has been contracted [by #1013 Bo La Kyaing Oo]. He and Border Guard Battalion #1013 Battalion Commander Bo La Kyaing Oo held negotiations and decided that they will build the dam forcibly. No discussion was held with

⁶⁷ While Tatmadaw and DKBA units have for years operated together, this operational hierarchy became formalised with the DKBA's transformation into a 'Border Guard Force' under control of the Tatmadaw and containing a fixed number quota of Tatmadaw officers. This transformation dates to at least May 2009, when commanding officers stated in high-level meeting of DKBA officers that the DKBA would transform itself into a 'Border Guard Force.' Leaked minutes from the May 2009 meeting are retained by KHRG on file.

Ceremonies attended by Tatmadaw commanders officially announced the transformation of large portions of the DKBA into Border Guard Forces in September 2010; see, for example: "Border Guard Forces of South-East Command formed in Paingkyon of Kayin State," *New Light of Myanmar*, August 22nd 2010; and "Border Guard Force formed at Atwinkwinalay region, Myawady Township, Kayin State," *New Light of Myanmar*, August 25th 2010.

the villagers, the public. When the dam is built, it will block the water in the Noh Paw Htee River and the water level will rise by nine feet, as reported by D--- villagers. If the water level rises like this, 150 acres of D---- villagers' flat fields will be underwater, and they will be destroyed and lost. If we calculate it, the value of 150 acres of flat fields would be at least 75 million kyat (US \$91,687)⁶⁸.

The place in this report, where the Border Guard are trying to build the dam, is located to the west of Ka Ma Maung and the Papun vehicle road, and four furlongs (0.5 miles / 0.8 km) away to the northwest of M--- [village]. It takes 20 minutes on foot from M---village to that area. Thein Sein's government's LIB [Light Infantry Battalion] #8 troops used to be based in Bilin Town but they have come to K'Ter Tee to join with Border Guard Battalion #1013, led by Battalion Commander Bo La Kyaing Oo. They are active in the area in which the dam will be built. KNLA [Karen National Liberation Army] Battalion #102 troops are sometimes active there. LID [Light Infantry Division] #22, IB [Infantry Battalion] #8, and IB #96 are under the control of the Thein Sein government. They are based in K'Ter Tee camp where they have their headquarters, and they are active from the southwest of Thaw K'Law Kee village to Kyak Thaw Hsay [where Yoh Klah Camp is located] and to the north of M'Taw village, along the right side of the vehicle road. Also, they travel back and forth from the east of Nat village to Hsoo Mweh Hta Camp, which is located on the bank of the Salween River.

In this current ceasefire period, Thein Sein's government troops [Tatmadaw] can only travel 200 yards from the fences around their camps. They are allowed to cut firewood and carry water 200 yards from the vehicle road, and they are allowed to leave their camps and travel back and forth up to 200 yards away from the villages where villagers live. [If they travel] any further away, misunderstandings can arise between the armed groups, and attacks can happen. This information was received from KNLA soldiers who are active on the front line.

Again, a directive was passed to Thein Sein's government's troops at the frontline camps and villagers from nearby villages. If anyone sees any responsible persons from the KNU [Karen National Union], they must let them know that they are welcome to meet and talk with the camp commanders or officers from Thein Sein's government's army camps. The directive announced that the public must cooperate and help to maintain the current ceasefire status so as not to break it again. Every person who lives close to the camps was informed about it as well.

The KNU has also welcomed [the Tatmadaw], but they have sent more weapons, troops and rations, as much as they could, to the border camps. Due to Thein Sein's soldiers' activities, every ethnic armed group is watching what Thein Sein's Tatmadaw does carefully.

We think that it has nothing to do with KHRG members whether or not we obtain peace or maintain a ceasefire. The things related to KHRG members are: how well villagers are, how free they are, and how happy they are, because KHRG members watch the public and help the public. Even if we have peace, we cannot say that there are no human rights abuses during peacetime. We will still have one kind of human rights abuse or another after getting true peace. We would like to report that human rights abuses keep on happening, so KHRG members have to continue to stand by the sides of villagers. All KHRG members have the responsibility to use their skills to help with every social problem.

⁶⁸ As of May 23rd2012, all conversion estimates for the kyat in this report are based on a rate of 818 kyat to US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the kyat, thus replacing the previous fixed rate of 6.5 kyat to US \$1.

Source document/K'TerHteeCampDevelopment/2012/2

Project name:	K'Ter Htee Border Guard camp development
Type of project:	Infrastructure development
Karen District:	Papun
Government Region:	North Kayin
Actors:	Border Guard; Karen Peace Force (KPC) Chairman U Soe Myint
Company/Investors:	Domestic
Government/Military:	Border Guard; Karen Peace Force (KPC)
Trends:	Lack of consultation; Land confiscation; Disputed or lack of compensation
Consequences:	
Collective action:	
KHRG Log #:	12-88-S1
Publishing info:	"Papun Situation Update: Dwe Lo Township, February to June 2012," KHRG, September 2012, http://www.khrg.org/khrg2012/khrg12b77.html

Testimony:

This report includes a situation update submitted to KHRG in June 2012 by a community member describing events occurring in Papun District, during the period of February 2012 to June 2012. Specifically discussed are details about land confiscation by several logging and mining companies, attempted land confiscation by the local authorities, difficulties with securing adequately staffed schools, and it includes details about the Tatmadaw sending rations and bullets, which creates concerns amongst the villagers who fear that fighting will resume in their region. The report shows that villagers are able to hold meetings and voice their opinions regarding the entrance of the mining companies, with specific criticisms against local authorities.

Situation Update | Dwe Lo Township, Papun District (February to June 2012)

The following situation update was written by a community member⁶⁹ in Papun District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Papun District, including 167 photographs.⁷⁰

Situation Report: Dwe Lo Township location

For Dwe Lo Township's location, it is bordered by Pweh Law Stream in the east, Brigade #3 in the west, Brigade #1 in the north and Lu Thaw Township in the south. In our Dwe Lo Township, the civilians are living in two stages until now, one is under [Tatmadaw] control

⁶⁹ KHRG trains community members in eastern Burma 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 writing situation updates, community members are encouraged to summarise recent events, raise issues that they consider to be important, and present their opinions or perspective on abuse and other local dynamics in their area.

⁷⁰ In order to increase the transparency of KHRG methodology and more directly communicate the experiences and perspectives of villagers in eastern Burma, 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. As companion to this, a redesigned website will be released in 2012. In the meantime, KHRG's most recently-published field information from Papun District can be found in the report, "Papun Situation Update: Northern Lu Thaw Township, March to June 2012," KHRG September 2012.

and the other is [as] IDP [internally displaced people].

The Burmese Military location

In Dwe Lo Township region, the Burmese Military is based in Meh Way, Hkoo Thoo Hta, Waw Muh, Kay Kaw, Kwee See, Taung Thon Lon, K'Ter Tee, Maw Law Kloh and K'Ma Moh. These are the places where the Burmese Military camps are based. Beginning in 2011 to now, the military camps which withdrew from our [Dwe Lo Township] region are Htwee Thee Uh, Ma Htaw, Sayar Aung Myint, Maw Thay Tha; [they] are not [in our region] anymore.

The Burmese Military Activity

In our region, from Baw Kyoh Traw to the east of Buh Law stream, LID [Light Infantry Division] #44 and the LIB [Light Infantry Battalion] are active and they rotate themselves every six or four months.

To send bullets, like in the past year, they repaired the old vehicle road in Buh Law Traw and they sent vehicles from Nat Kyi to Hkoo Thoo Hta camp. After that, they sent [the bullets] to Meh Way, by motorboat. Because the Karen soldiers do not do any shooting after the ceasefire, they can send [bullets] safely.

As the Burmese Military [still] sends rations and bullets like in the past year, the civilians consider that they [civilians] cannot be happy about the ceasefire. If there are the [military] activities, like the past year, they [civilians] will face the same problem. Some of the civilians are happy because, since the ceasefire was entered, they can travel and trade freely.

Since the ceasefire was entered, the Burmese Military has many plans to organize the civilians in different ways. On May 2012, the Education Coordinator from the Burmese Military ordered the E--- village leader [to a meeting] and he said that "*Now, there is a school in your region.*" He said that "*if there was no school, [I] would build one and send teachers to manage the school.*" If we look back to that year [when he sent the teacher] at the teachers he sent, they just taught for two or three months, and after that they rotated out. Therefore, our Karen leaders saw that it is not a correct practice, so they told the Burmese leader that if they said like that [promised teachers], they [the teachers] have to teach until the end of the year and they have to teach Karen subject, with Karen teachers to manage [the school]. Now, we have not heard [back] and we do not know anything related to this plan.

As there are gold mines [in the region], the civilians face many difficulties. Their properties are destroyed. Moreover, the civilians who live in the villages that are set up downstream on the Meh Toh Law River, do not have a chance to drink pure water because the water is polluted. The oil from the machines flow down and the civilians have to go and pipe water in from the mountain, and it is not enough for them to drink or to shower. Moreover, because of the polluted water, the animals, cows and buffalos drink the polluted water, shower with the polluted water, and it causes health problems; even the fish died.

On June 10th, 2012, we went to a meeting in Ma Lay Ler Village tract and a villager from D--- said, "Now, the companies came in and work, and the land of the civilians are being destroyed." The villager said, "Why don't the Karen leaders forbid them? Let's not talk about forbidding. Now, there are only the rights for the companies and there are no rights for the villagers. In the past, before the companies came to do gold mining, they [the authorities] didn't ask for any fees when the villagers did gold panning. Now, if the villagers go and pan for gold among the companies, each person has to obtain a recommendation letter for one week. For one recommendation letter, [the villagers] have to give [money] to the village tract

authorities, KNDO [Karen National Defence Organization] member and the village tract leader and they ask 10,000 kyat⁷¹(US \$11.49) for one recommendation letter. If [the villagers] don't take a recommendation letter, the authorities don't allow [the villagers] to pan gold. If I look at the arrival and gold mining of the companies, if the leaders from the headquarters, from the districts and the townships prohibit them, it will be the best. I hope that the Karen leaders will prohibit [the companies] for us in order not to have the companies' gold mines in the coming years."

On June 15th, 2012, when [they] went and held meeting in Meh Way village tract, the E--- villagers named T---, V---, W--- and S--- heard that the companies will come and do gold mining in Meh Way region, so they shouted in front of the leaders not to allow the companies to come and do gold mining; they asked the leaders to prohibit [the companies] as much as they can. "*If the leaders give permission, our villagers will face many difficulties.*"

Now, in K'Ter Tee village tract, between L--- and M--- [villages], they [Border Guard] developed a plan to build barracks for the Border Guard soldiers' wives. The Peace Council Chairman, U Soe Myint, sent his people to tell the civilians that he had asked permission from KNU leaders for the land from this place, and he said to the villagers, "*You have to agree with me and you have to sign that the land becomes our land, in order to build the place [barracks]*". Some of the villagers believed that the KNU gave permission and, for some of the villagers, they signed because they were afraid of them [the authorities]. Then, [the villagers] accepted a small amount of money and they gave the land [away].

As soon as U Soe Myint had this plan, the current Battalion Commander from LID [Light Infantry Division] #102 firmly forbade them to not to build any buildings. The Battalion Commander explained to the civilians, "*U Soe Myint's people came and told a lie to you, that they went and asked permission from the KNU, but none of them went and met [the KNU leaders].*"

Moreover, in our region, the rich peoples' companies, which are U Mya Hpoo Company and Htun Kye Ta Pwint Company, came and do gold mining in the Baw Paw and Meh Htoh streams, so that many of the civilians' land and their plantations were destroyed. For the land and the plantations that are being destroyed, they [companies] gave 700,000 kyat (US \$804.60) for one acre; some of the villagers did not want to sell but they had to sell.

The companies told the civilians that they have asked permission from the Karen leader and as the leader gave permission, and now they came and mine gold in Meh Toh Kloh [stream].

Beginning on February 5th, 2012 to May 10th, 2012, the company owned by U Yeh Htun came and logged in Hkoo Thoo Hta village tract, in Poh Loh Hta region, and the company built a road to send the wood. The villagers' plantations, dog fruit plantations, betelnut plantations, and rubber plantations, were destroyed because of the road that they built. The prices that they gave for the civilians' destroyed plantations, were not full [value].

Furthermore, the people log, and it affects the source of the stream, which the N--- villagers rely on for their drinking water. When the elephants pull the wood, their urine goes into the stream and the water is polluted so that the N--- villagers dare not, and cannot, drink the water from the stream where they used to drink. Therefore, they have to go and take water from the Meh Hkoo Law stream. They said that, because they can't go and take [water] by themselves, they have to carry [it] with carts. The companies come and do logging, and the N--- villagers face difficulty with insufficient water for drinking and for showering.

⁷¹ As of September 11, 2012, all conversion estimates for the kyat in this report are based on the official market rate of 870 kyat to the US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the kyat, thus replacing the previous fixed rate of 6.5 kyat to US \$1.

For this report, because my education is low, if it is not perfect, I ask the leader to advise me.

Source document/K'TerHteeCampDevelopment/2012/3

Project name:	K'Ter Htee Border Guard camp development
Type of project:	Infrastructure development
Karen District:	Papun
Government Region:	North Kayin
Actors:	Tatmadaw LID #44 TOC #442 Commander Tin Htun; Border Guard Battalion #1013 Commander Hla Kyaing and Deputy Battalion Commander Tin Win
Company/Investors:	Domestic
Government/Military:	Tatmadaw; Border Guard
Trends:	Land confiscation; Lack of consultation; Disputed or lack of compensation
Consequences:	Impacts on livelihoods; Environmental impacts; Denial of access to humanitarian goods and services
Collective action:	
KHRG Log #:	12-147-S1
Publishing info:	"Papun Situation Update: Dwe Lo Township, July to October 2012," KHRG, February 2013, http://www.khrg.org/khrg2013/khrg13b3.html

Testimony:

This report includes a situation update submitted to KHRG in November 2012 by a community member trained by KHRG to monitor human rights. It describes events occurring in Papun District during the period between July to October 2012. Specifically discussed are Tatmadaw and Border Guard abuses, including forced labour, portering, land confiscation, coercive land sale transactions, and damages to the villagers' livelihood. The community member mentioned that large amounts of the villagers' land was confiscated and damaged, as well as an increase in waterborne diseases, from gold mines that were initially operated by the DKBA, but now villagers are uncertain if the private parties who are negotiating permission to continue from the KNU will be allowed to continue the mines. This report also describes how Border Guard #1013 confiscated more than 75 acres of plantation land in order to build shelters for soldiers' families, which created direct problems for villagers livelihoods. Infantry Battalion #96 has been forcing villagers to perform various work for the base and for soldiers on patrol, and demanded bamboo poles to repair their camp. Moe Win, a company second-in-command from Light Infantry Division #44, sexually abused Naw C---, a married woman from T--- village, in her home while she, her baby, and her husband was sleeping. The Company Commander promised Naw C--- 200,000 kyat as compensation and to ensure she not report the crime, but only 100,000 kyat has been paid. This report, and others, will be published in March 2013 as part of KHRG's thematic report: Losing Ground: Land conflicts and collective action in eastern Myanmar.

Situation Update | Dwe Lo Township, Papun District (July to October 2012)

The following situation update was written by a community member in Papun District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Papun District, including two incident reports, three interviews, one other situation update, 240 photographs.

Introduction

I am submitting this situation report and I included [information on] the human rights abuses that happened between July 1st 2012 and October 15th 2012. It includes [information on] forced labour that has taken place since the ceasefire.⁷² The Tatmadaw has been active in our area and has ordered the villagers for *set tha*.⁷³ They have also ordered one or two boats everyday from the villagers who own boats.

Moreover, a Tatmadaw [soldier] who lives in our area also raped a girl. There are also problems from gold mining, which has destroyed the villagers' lands, and the villagers always have to face many different kinds of problems. Likewise, the Border Guard⁷⁴ confiscated the villagers' land in order to build shelters for their families.

Confiscation

In our area, between 2009 to 2012, the villagers' lands and plantations were destroyed because of wealthy people from companies,[who] came and mined for gold. Because of gold mining, the river became murky. The villagers who drink water from the *Bu Loh kloh* [river],get murky water, so there are many diseases [that have] increased. Moreover, the animals, such as cows and buffalo, drank the water from the river and got diseases. Likewise, the fish in the river have also died.



These photos were taken on July 4th 2012 in Dwe Lo Township, Papun district, and show land that was damaged because of gold mining conducted by the Ko Cho and Htee Phyu Sin companies. According to the community member who took these photos, the river in the area was contaminated by the gold mining process and, because of that, the people and animals reliant on this water began to develop illnesses after drinking it. [Photos: KHRG]

⁷² For additional information and analysis on the ceasefire between the Burma government and the KNU, see "Steps towards peace: Local participation in the Karen ceasefire process," KHRG, November 2012.

⁷³*Set tha* is a Burmese term for forced labour duty as a messenger stationed at army camps or bases and serving as a go-between to deliver orders from army officers to village heads, but also involving other menial tasks when no messages are in need of delivery.

⁷⁴ Border Guard battalions of the Tatmadaw were established in 2010, and they are composed mostly of soldiers from former non-state armed groups, such as older constellations of the DKBA, which have formalized ceasefire agreements with the Burmese government and agreed to transform into battalions within the Tatmadaw. Border Guard battalions are assigned four digit battalion numbers, whereas regular Tatmadaw infantry or light infantry battalions are identified by two or three digit battalion numbers. For more information, see "DKBA officially becomes Border Guard Force," Democratic Voice of Burma, August 2010, and, "Exploitation and recruitment under the DKBA in Pa'an District," KHRG, June 2009.

When I went and met with H---'s Tatmadaw village head, *Mu Gah*⁷⁵ Naw W--- said, “*Being a human in this area, we have to be afraid of everything. If the Tatmadaw comes, we have to be afraid of them. If the Border Guard (BGF) or the Democratic Karen Buddhist Army(DKBA)⁷⁶ come, we also need to be afraid of them. We also have to be afraid of Karen National Union (KNU) leaders. We don't dare and report to [any of] them the problems that the public are facing now, and if we dare, we worry that we would be fined. If we think carefully, being public doesn't have any value*”.

Regarding gold mining, the DKBA came since 2009 to mine gold. Because of that, the villagers' properties were destroyed. The villagers faced so many problems, and when the DKBA left, there was not any gold mining and the villagers were very happy. But, again, the rich people came and asked permission [to mine] from [KNU] headquarters, and district and township leaders. They were permitted [to mine], so the company came to mine more gold than the DKBA did. The DKBA mined gold in three rivers, such as *Meh Kleh kloh*, *Baw Paw kloh* and *Meh Kleh kloh*, so the plantations, other properties and trees beside the rivers were all destroyed.



These photos were taken on July 4th 2012 in Mah Lay Ler village tract, Dwe Lo Township, Papun District. The top left photo shows damage to villagers' houses, while the top right photo show excavation pits and environmental contamination caused by this gold mine. As can be seen, the damage is not only limited to the mine site, but includes the area through which vehicles pass to and from the site. The community member who took these photos explained that mines such as these have damaged villagers' livelihoods.
[Photos: KHRG]

Between June 2012 to August 2012, I heard that the KNU leaders would stop the gold mining project, and I was so happy. If we look today, the company in charge [of the mines] came and built their relationship with the KNU leader and later claimed that they were given permission from [KNU] headquarters, but they started making preparations, which makes me worry again. Since the gold mining project started, there have always been problems. If there is still the gold mining in the future, our children will also face the same problems as us.

Regarding the gold mining, if the leaders see that there are benefits for the villagers, they should not stop the company. If the leaders from other countries see that there are no benefits for the villagers, I hope they would delay it until it can be completely stopped. Since

⁷⁵*MuhGah* literally means “aunt” but it is also a prefix to address someone who is the about the same age with your parents or aunt.

⁷⁶The DKBA was formed in December 1994, led by monk U Thuzana with the help and support of the State Law and Order Restoration Council (SLORC), which was the name of the military government in Myanmar at that time. For more information on the formation of the DKBA, see “Inside the DKBA,” KHRG, 1996.

gold started being mined, there have not been any benefits for the villagers. Instead, it has destroyed huge amounts of the villagers' lands, plantations, trees and bamboo. There is only plain land without any green grass, just like what [happened to the land], as *Muh Gah* [Aunt] Naw W--- mentioned above. Now, the leaders stopped the gold mining, so there is no more gold mining and the villagers are very happy about it. However, the villagers recently started to worry again because so many companies and rich people came. If the leaders allow them [to mine], the villagers will face the same problems as in the past again.



These photos were taken on July 15th 2012 in Dwe Lo Township, Papun district. The top left photo shows mine workers as they mine the gold using a water pump and what appears to be a liquid additive contained in yellow plastic containers, which may be petrol for the pump. The top right photo shows a backhoe that is used for excavating large amounts of soil from an area. [Photos: KHRG]

After the ceasefire talk, on June 5th 2012, in our area, the Tatmadaw Light Infantry Division #44, Tactical Operations Command (TOC) #442's Commander, Tin Htun, appointed Border Guard Battalion number #1013's Commander, Hla Kyaing, and Deputy Battalion Commander, Tin Win, to come and build shelters for the families of the soldiers between Sa-- [K'Taing Tee] and S---. [This is] a place called Wah Hker Toh area, [which is] 75 acres large and the construction will destroy rubber plantations, flat fields, a graveyard, and football fields.

The villagers whose properties will be destroyed when the BGF [Border Guard] builds their families' shelters are: (1) P--'s 20-acre rubber plantation on four acres of flat field; (2) Saw M--'s one-acre rubber plantation on ten acres of flat field; (3) Gy---'s one acre of flat field; and (4) Saw L---'s three-acre rubber plantation. All of these villagers live in S---village. The villagers from Sa--also lost properties such as: (1) three acres of flat field; (2) two acres of rubber plantation; (3) Ma Hs---'s nine acres of rubber plantation; and (4) two acres of cardamom plantation. Some of the villagers from Htee Hsaw Meh also lost their land.

Before they started building, Commander Tin Htun and Commander Hla Kyaing gathered the owners of the plantations fields and flat fields, and informed them that there will be the shelters in their lands and that they would have to sell their lands to them [the Tatmadaw and Border Guard]. The owners would have to accept and be satisfied with how much they will pay. If not, they will just confiscate the lands without paying. Because of that, the villagers were afraid and sold their land for 450,000 kyat (US \$528.17)⁷⁷ for one acre of land, but rubber plantations were [sold for] 800,000 kyat (US \$938.97) for one acre. Some villagers got paid for each tree in the rubber plantation; for example, one rubber tree was 5,000 kyat (US \$5.87). The villagers who have suffered for this case said that, "Because we were threatened, we sold it to them. We know that the money that we got paid won't last for

⁷⁷As of November 27th 2012, all conversion estimates for the kyat in this report are based on the official market rate of 852 kyat to the US \$1. This reflects new measures taken by Myanmar's central bank on April 2nd 2012 to initiate a managed float of the kyat, thus replacing the previous fixed rate of 6.5 kyat to US \$1.

very long, but if we have a flat field or a rubber plantation, it will last until our children and our grand children [can work]. Now, they are still building; they didn't stop building, even though the KNLA [Karen National Liberation Army] stopped them." Thara [Teacher] Aung Gyi said that after Commander Tin Htun met with the villagers, they told the villagers not to spread [information about] the project to KNU leaders or the leaders from other countries.⁷⁸

Forced labour and demands

There is always forced labour and demands in our area when the Tatmadaw is active. But it is not happening very often, like in the previous years. It has become a lot less.

For example, the Tatmadaw army camp in R--- is occupied by Infantry Battalion [IB] #96 and led by Company Commander Myo Ko, who ordered R--- villagers to serve as *set tha* [messengers]; one person [served] per day. Every day, each villager who has to serve as *set tha* [must] go around and send letters, cook for them, cut bamboo and trees and also build fencing for their army camp. This kind of forced labour still happens even now.

Moreover, they also based a column [in R--- village], and there are 24 soldiers in that column. The column is active in B---, D--- and R---. The column is Light Infantry Battalion [LID] #44, [Column] #9, [led by] Column Commander Mya Min Thu. Whenever they travel, they always call two porters from the villagers to carry their stuff and travel in front of them [to serve as human shields for Column #9]. If they arrive in a village, they will call porters from the new village and let the old porters go back to their village. There are still demands from them as well as forced labour. However, it is becoming a little less; there is no more killing or torture.

The Tatmadaw, based in G---army camp, is IB #[96], [led by] Camp Commander Myo Min Tun, and the company second-in-command is Nyi Nyi Htway. On July 18th 2012, they demanded the villagers cut 80 *Wah Thoh*⁷⁹ and 20 poles of *Wah Kluh*,⁸⁰ in order to repair their camp.

On July 20th 2012, Commander Myo Min Tun ordered two boats per day from the villagers who own boats. They ordered them to go and wait in front of their army camp, which is by the river, and asked them to transport food. It is still happening even now. When they [IB #96] ordered them to do something, they said they would pay, but they did not pay anything, even now. Sometimes, they even order the villagers to carry the toilet bowl for them to build a toilet to "pee and shit"; they ordered the villagers to carry that.

Starting on July 4th 2012 until now, their [IB #96's] demands are increasing. On August 23th 2012, they again ordered G---villagers to cut three poles of *Wah Kluh* and 10 poles of *Wah May*⁸¹ to repair their army camp.

In order to prove that the abuses that G---villagers have suffered are true, the G--- section leader, U Wa---, sent out his note as a proof.

⁷⁸ The community member is likely referring to members of the Norwegian Myanmar Peace Support Initiative (MSPI) who have been actively visiting rural areas in Karen state to meet with local communities. For more information on the MPSI pilot projects, see "Nyaunglebin Situation Update: KyaukKyi Township, July 2012," KHRG September 2012; see also "Situation Update: Moo, Ler Doh and Hsaw Htee townships, Nyaunglebin District (January to June 2012)," KHRG October 2012.

⁷⁹ *Wah Thoh* is "giant" bamboo that has a diameter of around 8 inches, with narrow leaves that are less than an inch wide.

⁸⁰ *Wah kluh* is "giant" bamboo that has a diameter of around 8 inches, with broad leaves that are around 4 inches wide.

⁸¹ *Wah May* is a narrow kind of bamboo that has a diameter of around three inches.

Rape case

The Tatmadaw soldiers LID [Battalion] #44,[Column] #3 is led by the company's second-in-command, Moe Win. There are 27 soldiers in that column and they are active in D---, K--- and G--- [villages].

On June 15th2012, this column came from D---village, entered T--- village and spent their nights there. On June 16th 2012, in the night time at 11:00pm, most of the villagers were asleep. At that time, the company's second-in-command, Moe Win, went to a villager named Naw C---'s house, and went inside her bedroom. Without saying anything, he lifted up Naw C---'s sarong. At that time, Naw C--- was about to move and her child cried, so her husband who slept in front [room] of the house was awakened and called his wife to ask why she did not hear her child crying. When Moe Win heard her husband's voice, he tried to run. At that time, Naw C--- shouted that someone was in her room, so her husband went inside the room and saw Moe Win sitting by the fireplace. When C---'s husband went to check his wife, Moe Win ran away from the house. In the morning, C---'s husband went to see Commander Soe Wunna and reported it to him. Commander Soe Wunna told him not to spread [word of] the incident; [Soe Wunna] would compensate⁸² them with 200,000 kyat (US \$234.74). No one spread [information of] the incident. Until now he [Soe Wunna] only paid 100,000 kyat (US \$117.37), the other 100,000 hasn't been paid yet.

Military activities

The Tatmadaw army who is based in R---, is IB #96 and the camp commander is Myo Ko; he ordered the villagers as *set tha* and also ordered them to cut trees and bamboo. There is a column called LID #44, [Column] #9 for the R---, B---and D--- [village] area. They always ask the villagers to porter, where two villagers from each village have to go to the frontline.

The army that is based in G---army camp is IB #96. The Camp Commander Myo Min Htun, and the Company Second-in-command Nyi Nyi Htway, always order the villagers to do something. IB #96's company commander was appointed on August 8th2012, and the IB #96 camp Commander was appointed on August 6th2012; they always rotate after serving for four months.

The Tatmadaw army who is active in the eastern part of *Bu Loh kloh*, which includes D---, Pr---, T--- and K---, is LID #44, [Column] #3; Camp Commander Soe Wunna leads them, and there are 27 soldiers. They always order the villagers to porter and guide them when they arrive in each village.

For Sa---army camp, LID #44's TOC #442, led by Commander Tin Htun, is based there. For the other places, I don't know which group of army is active.

Conclusion

The above abuses that I have written [about] in this report are the human rights abuses that happened in our Dwe Lo Township. I documented the information and the photos, when I was travelling to collect the information. It is a truthful story. The villagers from Sa---village tract, such as S---, Hk---, Sa--- and Ta---have to face problems from Border Guard Battalion #1013. Major Hla Kyaing is going to build shelters for soldiers' families, and in order to do that, they confiscated the villagers' rubber plantations and many flat fields, so it becomes

⁸²The practice of privately giving money as compensation to a victim or person who has been wronged is common in the local culture, and it is considered an appropriate method of punishment or restitution, rather than a form of bribery.

problematic for them to do their livelihoods.

For the western part of Bu Loh Traw, the rich people from a company came and mined gold, so the villagers who live near there face damages to the soil, plantations and they have to drink polluted water. So, the best thing is to stop mining gold. Forced labour, force portering, looting, *set tha*, demands and rape still happen, even now.

Na Tha Kway Infrastructure Development

Source document/NaThaKwayInfrastructureDevelopment/2012

Project name:	Na Tha Kway infrastructure development
Type of project:	Infrastructure development
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Myanmar government
Company/Investors:	
Government/Military:	
Trends:	Lack of consultation; Land confiscation; Disputed or lack of compensation; Development-induced displacement and resettlement
Consequences:	Impacts on livelihoods
Collective action:	
KHRG Log #:	12-111-S1
Publishing info:	“Situation Update: Moo, Ler Doh and Hsaw Htee townships, Nyaunglebin District, January to June 2012,” KHRG, October 2012, http://www.khrg.org/khrg2012/khrg12b80.html

Testimony:

This report includes a situation update submitted to KHRG in July 2012 by a community member describing events occurring in Nyaunglebin District between January and June 2012. Specifically discussed are Tatmadaw demands, including new gold mining taxes imposed by Light Infantry Battalion #264 and their demands for sentries, and the construction of a bridge inside Na Tha Kway village, which has displaced many villagers without providing compensation. This report also includes information about 400 villagers who gathered together on March 12th to protest the construction of Kyauk N'Ga Dam on the Shwepyin River in Hsaw Htee and Ler Doh townships; the opening of a Karen Nation Union (KNU) liaison office in Ler Doh town on April 9th, during which over 10,000 villagers awaited government officials; the arrival of representatives from the Norwegian government to the internally displaced persons (IDP) area in Mu The; and a visit by a United States Senator on May 29th in Ler Doh town and subsequently in Nay Pyi Daw. The report also describes work and food security problems in Nyaunglebin, where some villagers have migrated to neighbouring Thailand and Malaysia for employment, or to work in Yangon's growing entertainment industry. The community member spoke with villagers in the area who expressed overall satisfaction with the peace and ceasefire process, and they hope that it will continue to be stable.

Situation Update | Moo, LerDoh and HsawHtee Townships, Nyaunglebin District (January to June 2012)

The following situation update was written by a community member in Nyaunglebin District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security.⁸³ This report was received along with

⁸³ KHRG trains community members in eastern Burma 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 writing situation updates, community members are encouraged to summarise recent events, raise issues that they consider to be important, and present their opinions or perspective on abuse and other local dynamics in their area.

other information from Nyaunglebin District, including six interviews, one other situation update, 277 photographs and 36 video clips.⁸⁴

Introduction

There are a lot of human rights abuses in our area. Villagers who are in flat areas and mountain areas have to deal with food and work difficulties. On March 12th 2012, the villagers protested the KyaukN'Ga Dam on the Shwegen River, in LehHtaKwee. Rich people bought land from the government and planted rubber plantations, which caused problems for the resident people.

- LIB (Light Infantry Battalion) #264 demanded money from farmers
- KNU (Karen National Union) opened a liaison office in LerDoh town
- Norwegian delegate to help IDP (Internally Displaced People) in Kheh Der village tract
- Norway [Deputy Foreign Affairs Minister] came to LerDoh and met the villagers

Villagers protest the dam

On March 12th 2012, over 400 villagers from A---, M---, H---, T--- and N--- villages gathered together and protested KyaukN'Ga Dam on the Shwegen River in N--- area, HsawHtee Township and LerDoh Township, Nyaunglebin District. There were three slogans that the villagers called out:

- “No continuation of the dam construction”
- “Compensation for losing lands”
- “Let the water flow naturally”

The villagers made these requests but there was no response from the government until now. They behaved like nothing concerned them.

⁸⁴ In order to increase the transparency of KHRG methodology and more directly communicate the experiences and perspectives of villagers in eastern Burma, 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. As companion to this, a redesigned website will be released in 2013. In the meantime, KHRG's most recently-published field information from Nyaunglebin District can be found in the report, “Sustained Tatmadaw resupply operations in Thaton, Nyaunglebin and Papun during ceasefire,” (May 2012).



The above photos were taken on March 12th 2012 near the Shwegenyin river in the N--- area, HsawHtee and LerDoh Townships, Nyaunglebin District, and shows villagers from A---, M---, N---, T--- and H--- villages gathering on March 12th to protest the planned KyaukN'Ga Dam in Shwegenyin River. According to the community member who took these photos, the villagers are confronted with many challenges due to the construction of the KyaukN'Ga dam; villagers' slogans made three requests from the government (listed above) and prayed for their protests to go on without disturbances. [Photos; KHRG]

New rubber plantations cause problems for local residents

In LerDoh and HsawHteetownships, wealthypeople⁸⁵ purchased land from the government and planted rubber plantations, but some have not been planted yet, as the KNU protected the land. However, the wealthypeople took some land from a forest reserve; some are from places where residentsfarmhill fields and search for firewood. Some are people's farms, but since the government doesnot recognize [the land] as farms, they registered them as uncultivated landsandsold them to wealthypeople.

One person who bought land is U NyanShwe Win. [He bought] 7,000 acresof land between LerDoh and LehWehHkee (Kyauk Ken Gyi). U NyanShwe Win bought another 2,000 acres beside LerDoh. Major Than Tay bought 3,000 acres between Baw K'Hta and LerDoh. U Aung Thin Myint bought 3,000 acres in Baw K'Hta area. The Win Company bought 3,000 acres in Baw K'Hta area. U SoeSoeLwin bought 3,000 acres in Baw K'Hta area. U HtinKyaw bought 7,000 acres between Shwegenyin and Baw K'Hta. U PyitSoe bought 9,000 acres in DohHseeKwayHsa. Daw Yin MyaSoe bought 5,000 acres between DohHsee and Shwegenyin. Moe Aung bought 3,000 acres beside Shwegenyin. 37,000 acres were bought from the government. There are still many whom I cannot get their names.

Beginning in 2000, the government worked on the SittaungRiver Valley project in order to establish rubber, jatropha and agarwood plantations. Of the people who took the land, some have already planted, but some have not started planting yet. This causes problems for the residents, because the government sold the land. Villagers who stay in that areacannot work because those areas have their [new] owner. They mostly go to work in other countries, such as Thailand and Malaysia. Just in this year [2012], 40% of the people went to work in another country⁸⁶.

⁸⁵ In this context, “people” includes both individuals as well as corporations who possess the financial backing to undertake the respective project.

⁸⁶This statistic is the community member’s estimation based on personal experiences in the community.



The above photos were taken on March 13th 2012 in Baw K'Hta village tract, HsawHtee and LerDoh Township, Nyaunglebin District. It shows rubber plantations in Baw K'Hta village tract that wealthy business people bought from the government and subsequently planted rubber trees. [Photos: KHRG]

LIB #264 demands taxes for gold mining

Beginning in 2012, LIB #264, which is based at Baw K'Hta army camp, has demanded money from people who mine gold. Beginning in 2012, they demand 50,000 kyat⁸⁷ (US \$57.14) for each gold sluice,⁸⁸ every month. There are over 30 gold sluices in LerDoh Township, Than KyoWein area; they are only small gold sluices for providing daily livelihood. The government army [Tatmadaw] LIB #264 demanded [the tax] from people who mine gold and they [villagers] could not pay them, so they [LIB #264 soldiers] went and demanded [payment] at their place [mine]. The LIB #264 demand is just to abuse the villagers. In the past, people who strongly demanded money were the police, but now the government army [Tatmadaw] is worse than the police. Those demands have become ordinary for the villagers.

In KyoGyi army camp, they [LIB #264] met with village heads and forced villagers to be sentries. If the villagers do not want to be a sentry, each person will have to pay 2,000 kyat (US \$2.29) each day. Two people must be sentries every day. The villagers have to go every day, as now is a busy time of year. Mostly, the villagers hire people, because now is a busy time of year.

KNU opens liaison office in LerDoh town

Nine people, including a KNU secretary and representatives, came to LerDoh and opened a KNU liaison office in LerDoh town on April 9th 2012. The KNU and the government leader, U Aung Min, came and opened a temporary KNU liaison office inside the USDP [Union Solidarity and Development Party] office. The villagers awaited the KNU and the government leaders to come, this time, with willingness and need for real democracy. The villagers waited for the leader's representatives along the way from Na Thakway to LerDoh; there were over ten thousand people. In the past, battles always occurred in the area and the villagers were always depressed. So, the villagers need freedom, and they reported their needs and opinions for the opening of the liaison office to the leaders from both sides, advocating for a real need for democracy. While the villagers waited for the leaders from both sides, they made a sign that said: "We pray to be liberated from battles in LerDoh"

⁸⁷ As of August 22, 2012, all conversion estimates for the Kyat in this report are based on the official market rate of 875 kyat to US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the Kyat, thus replacing the previous fixed rate of 6.5 kyat to US \$1.

⁸⁸ A sluice is a construction for channeling water to wash and separate gold from silt.

area". The villagers' sign showed their real need and desire to be liberated from fighting, pressure and conflict. The leaders from both sides will arrange and settle the conflict to create real democracy that will be stable forever.



The above photos were taken on May 9th 2012 in LerDoh Township, Nyaunglebin District. The left-hand photo shows villagers of different ethnic groups waiting together for KNU leaders and Burma government officials to arrive and celebrate the opening ceremony for the KNU fellowship office at LerDoh. According to the KHRG community member who took these photos, the villagers were demonstrating their need for freedom and peace. [Photos: KHRG]

As soon as the KNU secretary and leaders finished opening the liaison office, they visited villagers in Kaw HsawHteeChurch. They held a public conference and talked about the KNU and the government process for peace, and explained [the details to] the villagers.



The above photos were taken on May 9th 2012 in LerDoh Township, and show KNU leaders delivering speeches about the opening of the KNU liaison office, including its' role in monitoring the ceasefire process by fostering greater communication between armed groups and receiving complaints from the local community.⁸⁹ [Photos: KHRG]

Norway to help villagers from IDP areas

On April 9th 2012, the Norwegian representative, Mr. Charles Petrie, came to LerDoh and went to Mu Theh to view the IDP [internally displaced persons] area. After reaching Mu

⁸⁹To view a video of speeches made by KNU leaders during the opening of the liaison office in Ler Doh, see "KNU Open Liaison Office Ler Doh_09_04_2012-video," Democracy for Burma, April 19th 2012.

Theh, he met with some of the Burmese leaders and KNU leaders. After they finished the meeting, they went to the IDP areas in Kheh Der village tract, questioned T'Kaw Der villagers and slept at T'Kaw Der village. On April 18th 2012, he went back to Mu Theh village and met with the government army leader and KNU leaders. Mr. Petrie stated that the villagers need real peace and democracy: "Because of conflicts, the villagers are really in trouble and need support to build their houses[and]work places. So, I will report to Norwegian leaders about the villagers' situation and needs, and I will help the villagers".

On May 16th 2012, Mr. Petrie and four friends came to LerDoh and went to IDP areas to see the villagers' situation.



The photo on the left was taken on May 9th 2012 when Mr. Charles Petrie, an agent of the Norwegian government, arrived to provide assistance to IDPs and went to MuTheh to meet with the KNU leaders and the Burma government leaders. The photo on the right was taken on May 10th 2012, when the representative of the Norwegian government came back from Kheh Der village tract and had a meeting with Burma government officials and KNU leaders to discuss the villagers' situation, things that they have suffered and their future needs; he then announced a decision to help the villagers. [Photos: KHRG]

On May 28th 2012, the Norwegian Deputy Foreign Affairs Minister, the Norwegian Ambassador to Thailand, Cambodia and Burma, and many representatives came to LerDoh. The government leader General Kin Yin and KNU leader Major HtooHtoo Lay came and managed the meeting with the IDPs in Kheh Der village tract. Thirty representatives for the villagers came to the meeting in the KNU liaison office in LerDoh. During the visit, Norwegian leaders, the government leaders and the KNU leaders were talking a lot. General Kin Yin gave temporary ID cards to the 30 representatives of the villagers in IDP Kheh Der village tract. Norwegian deputy foreign affairs minister said, "I will support the villagers and I have already prepared USD\$5,000,000 for the IDPs to rebuild their lives. The Norwegian representative, Mr. Charles Petrie, has taken responsibility for the Norwegian support. CIDKP [Committee of Internally Displaced Karen People] has taken responsibility for working with the villages' Human Rights Committee in the IDP areas."



The photo on the left shows the Norwegian State Secretary, Torgeir Larsen (right), the Norwegian Ambassador, Katja Christina Nordgaard (second from the right), Charles Petrie (second from left) and Burma's Ethnicity Minister for, Pago Division, U JuBi SaHla (left) having a meal at the new KNU liaison office in LerDoh. The leaders were there to attend a press conference, shown in the photo on the right, where journalists asked them the questions regarding the country's situation and the status of the IDPs. These photos were taken on May 28th 2012. [Photos: KHRG]

American senator visits LerDoh

On May 29th 2012, the American Senate Finance Committee [member]⁹⁰, US Ambassador⁹¹ and Doctor Samantha came to LerDoh, Sa Phyu Gone and met with religious leaders, KNU leaders from the 3rd Brigade, and CIDKP leaders. They discussed the peace process and IDP villagers. They discussed this for one hour, and two of the American representatives went to Nay Pyi Daw.

The American representatives arrived [in Nay Pyi Daw] and did not inform the Burmese leaders, so the Burmese leader in LerDoh and Bago Division said that the arrival of the foreign people was illegal: "*In the future, if the foreign people come, they can travel only until the west [side] of PgehLoh River [Sittaung River], they cannot come to the east of [Sittaung River]*". The Burmese leader defended this [position]. They [the government] said they will build up democracy in Burma, but the foreign leaders did not inform them, so it became a complaint from the Burmese leaders.

KNU 3rd Brigade holds a public conference

On May 1st 2012, KNU 3rd Brigade held a public conference related to the KNU and the government meeting on the peace process, such as: the KNU requested 11 points [for peace], but the second time, the KNU requested 13 points and then had a meeting with the government. They received responses to all of their 13 points. KNU 3rd Brigade met with

⁹⁰ It is likely that the community member is referring to Susan Collins, a US senator who visited Burma during this period. Senator Collins is not, however, a member of the Senate Finance Committee. See "President U Thein Sein receives US Senator Hon Susan M. Collins and Party," New Light of Myanmar, May 30, 2012; see also "Sen. Susan Collins visits Thailand, Myanmar; to meet with Aung San Suu Kyi," The Bangor Daily News, May 29, 2012.

⁹¹ Although the community member uses the term "ambassador," there technically was no US ambassador appointed at this time. It is likely that the community member meant Foreign Service Officer Michael Thurston, who attended these meetings, but his position at that time was what is called a Chargés d'Affaires, which is an alternative to ambassadors, which nations have used throughout history. See "President U Thein Sein receives US Senator Hon Susan M. Collins and Party," New Light of Myanmar, May 30, 2012. On July 11, 2012, Derek Mitchell became the first US Ambassador to arrive in Burma since September 30, 1990.

villagers and explained the peace process and that peace will be stable. Villagers should be involved in the process, with both sides of the government. The KNU, 3rd Brigade, began explaining to the villagers about the peace process from Moo Township, LerDoh Township to HsawHtee Township.

The KNU 3rd Brigade leaders who went to meet the villagers did not wear soldiers' uniforms and did not bring weapons. They wore Karen traditional shirts and went to one village after another, and a group of villagers travelled with them to one village after another village. There were 15 leaders of the KNU 3rd Brigade who were travelling, and there would be over one hundred people, including villagers, who went with them. The villagers got an opportunity to report and talk about their opinions and ideas in all meetings. In the meeting in Da La Say village tract, ThayPlawTah village, the village head reported that: "*Because of the battles over 60 years, the villagers are getting poorer and have become refugees. A lot of people have to go and be slaves in other countries, so we need lasting peace for our new generation in the future. Currently, there is [only a] ceasefire and our villagers do not feel there is enough peace, so we hope to gain lasting peace in our country.*"



The photo on the left was taken on May 8th 2012 in the Taw Kyaw Paw area. It shows KNU leaders while they were holding a public conference. The photo on the right was taken on May 9th 2012, and shows the villagers peacefully travelling together with the KNU leaders from one village to another. [Photos: KHRG]

The villagers' work and food problems

Villagers in our area have to deal with food problems. In the mountains, they do hill field [farming] and corn plantations, but insects eat [crops] so they do not get enough food and face food problems. On the plains, they do flat field farming, but because of flooding, their paddy died so they have to deal with food problems. Their paddy died, so then they planted beans, but insects ate the bean and killed them, so it caused extreme problems for them.

For the villagers to farm plantations and plant paddy, the government loaned money, but the villagers' beans and paddy died, so it caused problems for them to pay back the government loan. People who have farms and buffaloes sold their farm animals or property, and then they paid back their government [loan].

The villagers are farmers. Their paddy and beans died and [they] have a lot of debts. They do not have other work to do in the area, and they cannot work so they have to go to work in Rangoon, Thailand and Malaysia. In this year [2012], there might be [as much as] 20% of young people in our area who go to work in other countries.

In our country, there are a lot of civilians becoming unemployed and going to work in other

countries, also [others who] cannot go as they do not have travelling costs. Working in Burma, the salary is not much for work, so it is hard to support their family.

Nowadays, in Rangoon, Karen girls and other ethnic girls sell their bodies in many ways to be able to support their families. There are a lot of Karaoke shops in Rangoon and the ethnic girls have to entertain visitors who come, and prostitute their body in many ways. The Karaoke shops are called KTP and a lot of them have opened. The shops are illegal. The shop keepers do not work and arrange secretly with local authorities, such as police and other powerful groups. Most people who go to the shops are police, Burmese leaders, rich people and people who take bribes. It is depressing for our Karen girls and other ethnic girls. In Kyauk Ta Kah Township, Taw Kweh Aye area, the villagers face problems and poverty. They have to sell their body. This happens because the country's politics are not stable and the civilians have to face problems and poverty.

Government builds new bridge on Na Tha Kway Sittaung River

The Burmese government built a bridge on the Sittaung River in Na Tha Kway area, and there are 11 households in Na Tha Kway that had to move. The houses relocated but the government did not give any compensation. The bridge did not replace the old bridge; they build it in the village and it crosses villagers' house gardens. The government did not give any compensation for villagers who had to move or villagers who lost their gardens, so it caused difficulties for the villagers.



The above photos were taken on March 16th 2012 and are of Burma government workers who came and repaired a bridge on the Sittaung River, which is in Na Tha Kway village. The workers also extended the bridge, resulting in 11 villagers' houses being relocated and plantation fields destroyed. According to the community member who took these photos, the government did not provide the villagers with compensation for this damage. [Photos: KHRG]

Tatmadawactivities

In our area, the Burmese army doesnot have any activities; they only walk on vehicle roads and send [supplies to] each other. There are no army activities onthe plains or the mountains. They stay in their camps and sometimes send [supplies to] each other. They donot demand any forced labour. If they need something, they do it themselves and donot order the villagers [to do it].

They keep a militia in Na ThaKway, Kyauk S'Yee and LerDoh towns. The Government doesnot provide the militia's salary, so the villagers have to provide [it] every month. The village head collects money from the villagers; the villagers have to pay 1,000 kyat (US \$1.14) per house every month. The villagers want to remove the militia but the Government doesnot remove [it] for them. They are forced to keep it [militia] until now.

General information

In our area, because the KNU and the Government held peace [talks], the situation for the villagers has become better. The villagers travel to work freely without questions. The sustainedceasefire makes villagers feel the [presence of] peace and arehappy to travel to work freely. In the past, there were battles and the villagers couldnot work freely; they had to [obtain] written work permission. Because of the pressure of battles, the villagers have gotten poorer. Now, the villagers have to rebuild their lives from the beginning.

In the mountains, Norway is supporting pilot projects, so it makes the villagers happy. In our area, the villagers really need support. To rebuild their life, they [villagers] organise a group called aHuman Rights Committee, and if supportfrom other countries arrives, and if it is helpful for them, they will accept it. The things that the villagers need most are enough food, security, and to workundisturbed. In our country, villagers need peace and unity, and to continue for thenew generation in the future.

Conclusion

The above information is the true thing that has occurred in our area. We write the above information as we see and know.

Tavoy Infrastructure Development

Source document/TavoyInfrastructureDevelopment/2012/1

Project name:	Tavoy infrastructure development
Type of project:	Infrastructure development
Karen District:	Tenasserim (Mergui-Tavoy)
Government Region:	Tanintharyi
Actors:	Italian-Thai Development (ITD) Company
Company/Investors:	Foreign
Government/Military:	
Trends:	Lack ofconsultation; Land confiscation;Disputed or lack of compensation
Consequences:	Impacts on livelihoods; Environmental impacts

Collective action:	Negotiation
KHRG Log #:	12-79-T2-I1
Publishing info:	"Mergui-Tavoy Interview: Saw E--- July 2012," KHRG, March 2013, http://www.khrg.org/khrg2013/khrg13b4.html

Testimony:

This report contains the full transcript of an interview submitted to KHRG during July 2012, which was conducted in Mergui-Tavoy District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed 45-year-old G--- villager, Saw E---, who described the destruction of agricultural land, including betel nut and coconut plantations in G--- village resulting from construction of a vehicle road by the Italian-Thai Development Company (ITD). Saw E--- raises concerns regarding the lack of compensation for damaged agricultural land and crops. He also raises his concerns that relocation will be necessary, as the road will continue to be built and is set to cross his land. Further, Saw E--- describes villagers' strategies in response, including requesting ITD to provide compensation for the value of crops lost in road construction, this compensation was promised by the company, but is yet to be received. This report, and others, will be published in March 2013 as part of KHRG's thematic report: Losing Ground: Land conflicts and collective action in eastern Myanmar.

Interview | Saw E---, (male, 45), G--- village, Mergui-Tavoy District (July 2012)

The following interview was conducted by a community member in Tenasserim District, and is presented below translated exactly as it was received, save for minor edits for clarity and security.⁹² This interview was received along with other information from Tenasserim District, including, two other interviews, and 424 photographs.⁹³

Occupation: Farmer

What do the villagers in this village mostly do for their livelihood?

I could say that none of the [G---] villagers have enough food. Some of them hire themselves out because they are poor. If there are people to hire them, then they hire themselves out. They just do it like that.

Currently, I would like to know, are there human rights abuses occurring in your village and your area?

Currently, the problem that we have to deal with is from the big country's [Thailand's] work on this road.

When did the road construction begin?

This road was built here in August 2010.

⁹² KHRG trains community members in eastern Burma 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.

⁹³ In order to increase the transparency of KHRG methodology and more directly communicate the experiences and perspectives of villagers in eastern Burma, 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. As companion to this, a redesigned website will be released in 2013. In the meantime, KHRG's most recently-published field information from Tenasserim District can be found in the report, "Complaint letter to Burma government about value of agricultural land destroyed by Tavoy highway," KHRG, July 2012.

Do you know why they built this road?

I don't know about that.

In your opinion, what do you think they built it for?

This road is related to the rich people. But there is no opportunity for us, citizens.

Did they ever inform [villagers] that this road would be constructed?

They did not say that they would construct the road when they arrived here. They set up their location [construction site] and they asked the village head.

Could you please tell us more about who came to construct this road, as you know?

We heard that a group who came to do research is the Thai-Italian [Italian-Thai Development Company (ITD)], and that they would start to do [construct the deep sea port road].

What did they start to do?

The Italian (ITD Company) [started to] work.

Because this road is built in this village and in this area, please tell us what things have been damaged in this village?

Because they repaired this little road, the things that were damaged are betel nut⁹⁴, coconut and palm trees, and gardens.

Based on the damage, what did the company [community member paused]. What did the person in charge of the construction of the road say? We would like to know if they said anything to the villagers.

They said that, "When this road is open [undergoing construction], record the *thayhtewaboh* [trees and bamboo] that you own, and later [you] will get compensation."

Did they ever pay anything as they said they would provide compensation later?

They have not paid anything yet.

Did they ever discuss with the local people and villagers that they would begin constructing this road?

No.

I want to know more about the views of the local people and villagers regarding this road?

There is no view from the villagers regarding this road. They just believe that it would damage their things, and some are very sad.

⁹⁴ In Burmese, "betelnut" and "betel leaf" are referred to as "konywet" and "konthih," as if they are from the same plant. The Burmese names are also commonly used by Karen language speakers. "Betel nut" is the seed from an Areca Palm tree, areca catechu; "Betel leaf" is the leaf of the Piper betel vine, belonging to the piperaceae family.

Do they want this road to be built, or what do they want?

None of them want this road to be built. Some are sad and planned to sell their land [because they know that] the road will cross their plantation [when construction continues and reaches their plantation].

What things do you think will be damaged if the road is built and currently [what are the problems that] you have to deal with related to this road?

For me, in my view and my understanding, there will be more damage if this road is completely built. The first thing is, both the forest, which is a natural habitat in our village, and our area will be damaged. We can use it [materials in the forest] for our villagers and citizens if it is not damaged. The second thing is, the rivers would definitely be damaged. We can't drink the fresh water anymore. And another thing, the trees will be damaged and will become useless for us. And in our village, if it [the road] is completely finished, our village would certainly be damaged.

If the road in your village is successful, how do you think you will live if you have to relocate?

We don't know how we will live if the relocation happens. I think the villagers [in G---] would disperse out.

We would like to know, how do you want to live your life in the future?

For us, because currently we can rely on the natural habitat; we can eat well and we can easily find vegetables to eat, so we want to live as our grandparents did in the past.

Please, tell us clearly about the villagers' concerns related to this road, which we have not asked you yet?

The first thing is, the villagers want compensation for the trees that were damaged by this road. If they do not get compensation now, they believe that the company will never pay them.

Do you have any other things that you want to tell us?

The other things is just that, the life we live now is such that we can no longer work for our livelihoods as we worked in the past. We have to deal [with the fact] that if we can't stay in our own land; we can't live. We can't easily find frogs, fish, meat and vegetables anymore.

Have they ever told you that they would arrange for the relocation and crops?

They said so, but we – villagers, citizens – discussed this with the people in charge, and asked them, but they haven't paid us money or anything. We dare not believe them because we haven't seen anything.

Thank you, tee [uncle].

Source document/TavoyInfrastructureDevelopment/2012/2

Project name:	Tavoy infrastructure development
Type of project:	Infrastructure development
Karen District:	Tenasserim (Mergui-Tavoy)

Government Region:	Tanintharyi
Actors:	Italian-Thai Development (ITD) Company; Myitta Township Coordinator U Kyaw Swe
Company/Investors:	Foreign
Government/Military:	
Trends:	Lack of consultation; Land confiscation; Disputed or lack of compensation
Consequences:	Impacts on livelihoods; Environmental impacts; Denial of access to humanitarian goods and services
Collective action:	Forming a committee; Reporting to authorities; Negotiation
KHRG Log #:	12-79-S1
Publishing info:	"Mergui-Tavoy Situation Update: Ler Doh Soh Township, June 2012," KHRG, March 2013 (First Publication)

Testimony:

This report includes a field update submitted to KHRG in June 2012 by a community member describing events occurring in Mergui-Tavoy between 2011 and 2012, specifically the development project and land confiscation. It discusses the villagers' concerns regarding the Myanmar Pongpipat Company (MPC), which uses mining chemicals that have caused damage to many villagers' land, as well as the local water source that villagers use for cooking and drinking. Another company arrived in the area to build a hydroelectric dam, without consulting the community, and damaged five villagers' land. The Italian-Thai Development Company (ITD) built a highway to connect the Dawei Deep Sea Port and Thailand. The highway crosses many villages in K'Moh Thway village tract and has damaged many villagers' agriculture land along the route. The ITD did not compensate the villagers for damage to their land, so the local communities formed committees and approached the company to negotiate compensation for the damage, using a list of property description and acreage that was damaged to support an estimate of the damage cost.

Situation Update | Ler Doh Soh Township, Mergui-Tavoy District (July 2012)

The following field report was written by a community member in Mergui-Tavoy District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Mergui-Tavoy District, including three interviews and 424 photographs.

This is the Mergui-Tavoy District field report between 2011 and 2012. This field report contains issues about development projects and land confiscation in K'Moh Thway [K'Maw Thwe] village tract, Ler Doh Soh [Myitta] Township, Tanintharyi Region. There are many companies that enter the rural area where the Karen native ethnic people living from a long time and destroyed many villagers' livelihood. The companies, both domestic and foreign came to mine metal and confiscated a lot of the villagers' land that the villagers used to do agriculture and plantations for their livelihood. Furthermore, the companies built up the dam for the hydroelectric power, which damages many villagers' lands. Some of them give compensation to the villagers, but some do not give compensation.

The hydroelectric power dam in A'Nya Pya area

Related to the hydroelectric power dam, The company came to build adam in the area but they [the company] did not discuss with the local people so it has already damaged five lands which are owned by the villagers that are from five villages, which are A' Nya Pya, Htee Ler Klay, Hsee Hklaw, Nyaw Hklaw and U Yin Kyi in A'Nya Pya area. The village leaders and villagers have already preserved the law and they already reported to the Burma Union leaders [but they do not receive any response].

The villages agreed that, “*We, the local people here, we decided ourselves strongly that we do not leave our places. Even dead or alive we will live in our places eternally because we could say that this dam means destruction, eternal loss for us.*” This is the statement of the villagers.

Myanmar Pongpipat Company (MPC), Mining Metal (Chemical)

Place	Hkay Ta Ser Poo (Hin Da Mine), D’Weh [Tavoy] Township, Tanintharyi District which is 34 miles from eastern Tavoy Town.	The most damage [from the MPC] committed is village
Chemical Type	Mining chemicals (<i>hke tha tu twin</i>)	
Company name	Currently, done by Thai company which name is Myanmar Pongpipat Company	
Get permission	Got permission from the Burmese government in 1999 and started doing [mining] in the year of 1999, and will finish in 2012.	

rs do not get the fresh water anymore. The water becomes polluted since mining chemical process is started. For cleaning chemicals and testing chemical, they also use liquid acid so that creates worry and dangers for the health.

There are two rivers which flow down [the mountain] and they are Hkay Ta Kloh (Hin Da Stream) and Hkay Too Kloh (Hin Du Stream). Because people dig chemicals [on mountain], then soil and sands are thrown down to the stream, so we do not see this big mountain anymore. The river became big field (*ta lin pyin*). In the past, this river was under the vehicle road more than ten feet, but now it is more than five feet higher than the vehicle road, so in the rainy season the water flows to the vehicle road; moreover, the stones, sands and mud flow to the villagers’ agricultures places so some agriculture places are damaged. Because the company obstructed the river to use the water for the work, peoples’ agriculture was flooded. People do agriculture and gardens in most places in the area.

Villagers’ concerns

[T villager] Naw K--, 38 years old, live in T--- village, Kyauk Me Taw village tract, Myit Ta Sub Township, Mergui-Tavoy District, Tanintharyi Region raised that because the Myanmar Pongpipat company (MPC) obstructed the water to mine metal in the agriculture land which own by her father, U D, the water came up more and more, and the plants were destroyed. She mentioned that, related to this damage, if [I] look to the damage [to her land] in 2004, [MPC] paid 500,000 [kyat] (US \$ 583.43) for the damage of the plantations. However, because the water comes up more and more, it again damaged 200 Cashew plants, big areca palm and small areca palm over 10,000 [kyat] (US \$11.67), lime trees, mango trees, coconut trees and papaya trees.

Because Hkay Ta Ser Poo (Hin Da Mine) uses the river in Hkay Ta river, Da village, Lower Hin Da village, Yin Pu Wa village, Hin Da Pyin village and Seik Ku village met with the people in charge of the company by themselves, and told them that because these cases happen, they do not have income to spend for the family. “*We do not have money to send our children to school so our children could not study anymore. It causes a big problem to eat day by day.*” The company owner replied that, “*If it causes problem for you then, come to work to us and the payment for one day [will be] 3,000 kyat (US \$350.06) in Burmese currency and we could calculate how much will cost in Thai currency. If you do [come work], only then, can you get [salary] for one person.*” The land owner told that, “*In the past, I work only one [day] and I eat it with my family; moreover, I could give study [school] fee for my children. I didn’t have to worry like now. Now, I have to worry. I am not able to send my children to school anymore.*” The land

owner's name is Saw H---. Even though he reported to the company owner, they [company] did not arrange or consider [compensation] for the damage for him. With hope, he went to ask advice to the village head. The village head helped him and wrote a letter and reported to the Burmese military government two times, but he did not receive any answer. This company's work will end in 2012.

Damager [perpetrator]	MPC, Myanmar Pongpipet Company	The average [yield] that this company got in a year is 500 tons . In
Places	Hin Da Tha Tu Twin, Myit Ta Township separate, Tavoy Township, Tanintharyi Division	
Damage started	2009 to 2012	
Victims	<ul style="list-style-type: none"> 4. Saw H--- and his family of 7 people (all are 8 people) 5. Naw M--- and her family of 3 people (all are 4 people) 6. Saw K--- and his family 	
Amount of the damage	<ul style="list-style-type: none"> 4. 6 acres of land, 2,000 total plants (betelnut plants) 5. 3 acres of land, 1,000 total plants (betelnut plants) 6. 6 acres of land, 600 betelnut plants; 3 acres of farm, 500 cashew plants 	
Place damage	Kin Pun Cho section, B'Wa Pin Chaw Pya, Kyauk Me Taw group, Myit Ta sub-Township, Tavoy Township, Tanintharyi Division	

their work, they use the big machines such as bulldozers, dump trucks, excavators and gasoline tank trucks. They used these big machines on the road where the civilians travel, so the road has been damaged a lot. Even though there is damage, the company does not repair anything. There is no forest [anymore] because there were a lot of the trees that were used in a year for the buildings and for the work [mine]. The streams used to dry in February, March or April, but in this year [2012] the streams started drying in October and November.

Now, in Tavoy Township, the companies come to mine metal and iron ore in many places, so wherever we went, we saw that the streams were not fresh anymore. The companies use the water, and they do not have discipline in working so the villagers complained because there are always polluted water in many places. The companies which come to work in Tavoy Township are Chinese and Thai. The metal mines are in places such as Hin Da, B'Wa Pin, Wa Kon, Thin Kan Ton, P'Kan Yi, Ha Myin Kyi, Myin Kan Ti, K'Lo Ta, Ya M'Zu and Taw Pi La are in Tavoy Township. They [company] have planned to increase work areas in the coming years.

Villagers Strategies, (Village and Public Sustainable Development Committee)

In K'Moh Thway [K'Maw Thwe] area, Ler Doh Soh [Myitta] Township, Mergui-Tavoy District, the villagers established a committee called Village and Public Basic Stability and Development Committee to solve the land confiscations and development project that occur from the companies [activities] for the villagers. This committee was founded on November 30th 2011, in 11 villages, and there is one committee in each village. This committee was started by 11 people. On May 2nd 2011, one more village, which is Myitta (Way Ta Eh), entered the committee, so altogether there are 12 villages, including 25 committee members. This committee introduced themselves to Myitta Township coordinator, Myitta Township police coordinator, Tanintharyi Division ethnic coordinator, District leader and Ler Doh Soh Township leader, Ler Doh Soh Township secretary, the person in charge of K'Moh Thway area, the Mergui/Tavoy District leader and also the District's secretaries. The committee met with the villages monthly, since May 2011, and were fully welcomed. The committee had seen the villages in the committee [areas] face a problem. Other villagers also relied on the committee and discussed [problems] with the

committee. Other organisations also join the committee when the committee has meetings.

The committee process

The committee holds monthly meetings in every committee members' village. In the meeting, they discuss village strategies: how to protect against damage from the development projects and land confiscation, participation and human rights. The purpose of the Village and Public Basic Stability and Development Committee is to stand [on their own] and struggle to preserve the villages' heritage opportunities and native peoples' opportunities.

On March 28th 2011, the Village and Public Basic Stability and Development Committee met with Myitta Township coordinator U Kyaw Shwe and the ITD [Ital-Thai Development] mediator, Mister Aw P'Yi Baw. They [U Kyaw Swe and Aw P'Yi Baw] asked Ph--- villagers Naw G---, Saw D---, Saw L---, Saw Y--- and Naw H---, whose lands were damaged when the vehicle road was repaired, to meet with them and to sign a list of plantations that were damaged when people repaired the vehicle road. In the meantime, the committee gathered themselves and called out 40 villagers to meet [them] when people signed their name. Myitta Township coordinator, U Kyaw Shwe, ordered people to sign their name, but the villagers did not want to sign. He said that, "*This damage is not only in Khaw Htee Law [village]. There are also many places that would be damaged.*" And some villagers asked that "*How would you consider the damage for us*" and he said, "*I'm a governor and I guarantee for you. Why do you not sign your name?*" The villagers asked, "*When would we get the compensation money from the damage, and how much?*" And U Kyaw Shwe told them that, "*We have not limited the price yet.*" Then, the villagers asked, "*Would you pay us after the road is successful?*" The committee chairman entered the conversation and said that, "*Mister Aw P'Yi Baw is the representative of ITD Company, U Kyaw Shwe is the representative of Township and District, and the Basic Committee is the representative of the villagers. It seems like they agreed with the committee reporting for the villagers.*"

The Basic Committee signed the complaint letter of crops' price and submitted to each Burmese general governor and the Karen ethnic government, township leader, ITD mediator, police chief and committee members. The ITD representative mister Aw P'Yi Baw asked them to report the list of crops' prices, which have been damaged.

Deep Sea Port Highway

In Tanintharyi Region, the whole path that of Deep Sea Port the highway takes from Thailand to Tavoy, crossed the villages in K'Maw Thwe Village tract in Myitta Sub township. That would cross the public's agriculture lands and cause many problems for the public who live in the village and who rely on the crops that are planted in the agriculture land. Therefore, the Village and Public Basic Stability and Development Committee members from K'Maw Thwe signed [a letter] and confirmed the damages.

Reference rates for crops and land compensation

No	Plantations' name	Can eat	Cannot eat
1	areca palm	100,000 kyat (US \$116.68)	50,000 kyat (US \$58.34)
2	Cashew Plant	100,000 kyat (US \$116.68)	50,000 kyat (US \$58.34)
3	Coconut Plant	100,000 kyat (US \$116.68)	50,000 kyat (US \$58.34)
4	Djenkol Plant	50,000 kyat (US \$58.34)	30,000 kyat (US \$35.01)

5	Mango tree	20,000 kyat (US \$23.34)	10,000 kyat (US \$11.67)	
6	Srewai Tree	30,000 kyat (US \$35.01)	15,000 kyat (US \$17.50)	
7	Durian Plant	150,000 kyat (US \$175.02)	75,000 kyat (US \$87.51)	
8	Lemon Tree	30,000 kyat (US \$35.01)	15,000 kyat (US \$17.50)	
9	Line Tree	40,000 kyat (US \$46.67)	20,000 kyat (US \$23.34)	
10	Pomelo	50,000 kyat (US \$58.34)	25,000 kyat (US \$29.17)	
11	Rubber Tree	300,000 kyat (US \$350.06)	100,000 kyat (US \$116.67)	
12	Mangosteen	30,000 kyat (US \$35.01)	15,000 kyat (US \$17.50)	
13	Marian	50,000 kyat (US \$58.34)	25,000 kyat (US \$29.17)	
14	Jack Plant	50,000 kyat (US \$58.34)	25,000 kyat (US \$29.17)	
15	Soo p'da Plant	50,000 kyat (US \$58.34)	25,000 kyat (US \$29.17)	
16	Guava Tree	20,000 kyat (US \$22.34)	10,000 kyat (US \$11.67)	
17	Banana Plant	10,000 kyat (US \$11.67)	-	
18	Pineapple Plant	500 kyat (US \$0.58)	-	
19	Black Pepper	20,000 kyat (US \$23.34)	-	
20	Betel leaf plant	20,000 kyat (US \$23.34)	-	
21	Rakam	20,000 kyat (US \$23.34)	-	
22	Empty land (one acre)	500,000 kyat (US \$583.43)	-	
23	Cardamom Plant (one acre)	1,000,000 kyat (US \$1,166.86)	-	

Source document/TavoyInfrastructureDevelopment/2012/3

Project name:	Tavoy infrastructure development
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Type of project:	Infrastructure development
Karen District:	Tenasserim (Mergui-Tavoy)
Government Region:	Tanintharyi
Actors:	Italian-Thai Development (ITD) Company
Company/Investors:	Foreign
Government/Military:	
Trends:	Lack of consultation; Disputed or lack of compensation
Consequences:	Impacts on livelihoods; Environmental impacts
Collective action:	Forming a committee; Reporting to authorities
KHRG Log #:	12-79-CL2
Publishing info:	"Complaint letter to Burma government about value of agricultural land destroyed by Tavoy highway," KHRG, July 2012, http://www.khrg.org/khrg2012/khrg12b69.html

Testimony:

The complaint letter below, signed by 25 local community members, was written in July 2011 and raises villagers' concerns related to the construction of the Kanchanaburi – Tavoy [Dawei] highway linking Thailand and the Tavoy deep sea port. Villagers described concerns that the highway would bisect agricultural land and destroy crops under cultivation worth 4,450,500 kyat (US \$4,962). In response to these concerns, local community members formed a group called the 'Village and Public Sustainable Development' to represent villagers' concerns and request compensation.

Complaint Letter | Myitta, Mergui-Tavoy District (July 2011)⁹⁵

[From] Village and Public Sustainable Development Committee

To: Prime Minister
Tavoy Town, Tanintharyi Region
Date: 3.7.2011
Subject: Specific value of crops under cultivation

In Tanintharyi Region, the highway from Thailand to Tavoy deep seaport will go the whole way through the villages in K'Maw Thwe village tract in Myitta sub-Township. It will also go across the agricultural land of the civilians who live in the village.

That will cause a lot of grievances for the civilians who live in the village, and who rely on the plantations that are planted in the agricultural land. Therefore, the Village and Public Sustainable Development Committee members in K'Maw Thwe confirm with their signatures the loss of these plantations on the next page.

We are reporting the name list of the Committee members along with the specific value of the crops and sapling plants that are already planted there.

Sd.
Saw Hk---, Secretary
Village and Public Sustainable Development Committee
K'Maw Thwe Village tract
Myitta sub-Township, Tavoy District

⁹⁵This complaint letter was submitted to KHRG in July 2012 and is presented here, translated into English exactly as originally written, save for minor edits for clarity and security. It was received along with three interviews, one situation update and 424 photographs.

Tanintharyi Region

Copy to:

- Minister, Ministry for the Progress of Border Areas, Tavoy Town, Tanintharyi Region
- General Governor, Myitta sub-Township
- Township police officer, Myittasub-Township
- Resettlement and Mediator (Ital-Thai Development Co. Ltd)
- Village's committee members
- Office for receiving and accepting complaints

Village and Public Sustainable Development Committee
Myittasub-Township, K'MawThwevillage tract

Committee members

No	Name	Candidates' Role	Location	Signature
1	Saw Ay---	[Position censored for security]	Nyaw Ton	Sd
2	NawNg---	[Position censored for security]	Myin Kan Baw	Sd
3	Saw Ky---	[Position censored for security]	PyinTha Taw	Sd
4	Saw H---	[Position censored for security]	Nan P'Yok	Sd
5	Saw K---	[Position censored for security]	Th' PyuChaw	Sd
6	Saw D---	[Position censored for security]	SeikPyon	Sd
7	Saw Gh---	[Position censored for security]	K'LetKyi	Sd
8	Saw I---	[Position censored for security]	Th'PyuChaw	Sd
9	Saw N---	[Position censored for security]	Myin Kan Baw	Sd
10	Saw M---	[Position censored for security]	KyinTha Aye	Sd
11	Saw G---	[Position censored for security]	Th'PyuChaw	Sd
12	Saw Z---	[Position censored for security]	Kaw Se Chaw	Sd
13	Saw Bo---	[Position censored for security]	Nyaw Ton	Sd
14	Saw Sa---	[Position censored for security]	K'Meik	Sd
15	Saw R---	Committee member	SeikPyon	Sd
16	U Saw L---	Committee member	K'Meik	Sd
17	U Saw H---	Committee member	Nan P'Yok	Sd
18	U Saw E---	Committee member	PyinTha Taw	Sd
19	U Saw B---	Committee member	K'Taw Ni	Sd
20	U Saw O---	Committee member	K'Taw Ni	Sd
21	U Saw Hp---	Committee member	K'LatKyi	Sd
22	U Saw T---	Committee member	Myit Ta	Sd
23	U Saw A---	Committee member	Myit Ta	Sd
24	U Saw Ht---	Committee member	Kaw Se Chaw	Sd
25	U Saw Y---	Committee member	KyinTha Aye	Sd

Village and Public Sustainable Development Committee
Myittasub-Township, K'MawThwevillage tract

Specific value of the crops

No	Plantations' name	Value of mature crops	Value of sapling or immature crops
1	Areca palm	100,000 kyat	50,000 kyat
2	Cashew Plant	100,000 kyat	50,000 kyat

3	Coconut Plant	100,000 kyat	50,000 kyat
4	Djenkol Plant	50,000 kyat	30,000 kyat
5	Mango tree	20,000 kyat	10,000 kyat
6	Srewai Tree	30,000 kyat	15,000 kyat
7	Durian Plant	150,000 kyat	75,000 kyat
8	Lemon Tree	30,000 kyat	15,000 kyat
9	Line Tree	40,000 kyat	20,000 kyat
10	Pomelo	50,000 kyat	25,000 kyat
11	Rubber Tree	300,000 kyat	100,000 kyat
12	Mangosteen	30,000 kyat	15,000 kyat
13	Marian	50,000 kyat	25,000 kyat
14	Jackfruit Plant	50,000 kyat	25,000 kyat
15	SonP'Da Plant	50,000 kyat	25,000 kyat
16	Guava Tree	20,000 kyat	10,000 kyat
17	Banana Plant	10,000 kyat	
18	Pineapple Plant	500 kyat	
19	Black Pepper	20,000 kyat	
20	Betel leaf plant	20,000 kyat	
21	Rakam	20,000 kyat	
22	Empty land (one acre)	500,000 kyat	
23	Cardamom Plant (one acre)	1,000,000 kyat	
Totals		3,910,500 kyat (US \$4,359.53) ⁹⁶	540,000 kyat (US \$602)

Source document/TavoyInfrastructureDevelopment/2012/4

Project name:	Tavoy infrastructure development
Type of project:	Infrastructure development
Karen District:	Tenasserim (Mergui-Tavoy)
Government Region:	Tanintharyi
Actors:	Myitta Township coordinator U Kyaw Swe; Italian-Thai Development (ITD) Company
Company/Investors:	Foreign
Government/Military:	Myanmar government
Trends:	Lack of consultation; Disputed or lack of compensation
Consequences:	Environmental impacts; Impacts on livelihoods
Collective action:	Forming a committee; Reporting to authorities; Negotiation
KHRG Log #:	12-79-CL10
Publishing info:	"Complaint letter to Township leader, Ler Doh Soh Township, Tenasserim," KHRG, March 2013 (First Publication)
Testimony:	The complaint letter below, signed by the 25 members of the Village and Public Sustainable Development Committee was written in December 2011. The complaint letter describes the structure and background of the committee, and its activities relating to development projects that impact upon villagers' livelihoods: working closely with and representing the villagers. This report also contains detailed information about

⁹⁶ As of July 20th 2012, all conversion estimates for the Kyat in this report are based on the official market rate of 897 kyat to the US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the Kyat, thus replacing the previous fixed rate of 6.5 Kyat to US \$1.

specific incidences of damage to villagers' lands and plantations, especially as a result of the Italian-Thai Development Company's construction of a road bisecting villagers' land. Also reported is pollution caused to the T'Naw Th'Ree River due to metal mining by a Thai company. Further, the report includes detailed information about villagers organizing together, negotiating with authorities for compensation, and reporting complaints to the committee and to authorities.

Complaint Letter | K' Moo Thway village tract, Ler Doh Soh Township, Mergui-Tavoy District (April 2011)

[From] Village and Public Sustainable Development Committee

To: Township leader
Ler Doh Soh Township
Mergui-Tavoy
Date: 21.12.2011

Subject: One year report of K'Moo Thway village tract Village and Public Sustainable Development Committee

As the above issue, we, the group of K'Moo Thway area, Village and Public Sustainable Development Committee, were founded on November 30th 2011 [involving representatives from] 11 villages, with one committee [member] from each village. This committee was started with 11 people. We included one more village, which is Myitta [Town] (Way Ta Eh) on May 2nd 2011 so altogether they are 12 villages. On May 2nd 2011, District and Township leaders met with us and acknowledged us so committee villages [villages with members on the committee] became 12 villages and there were 25 members in the committee. We had seen villages that are not members of the committee facing problems and they have reported to us and discussed with us. Other organisations also join us when we have meetings.

We introduced our committee to Myitta Township coordinator, Myitta Township police coordinator, Tanintharyi Division ethnic coordinator, District leader and Ler Doh Soh Township leader, Ler Doh Soh Township secretary, K'Moo Thway area in-charge [leader], Mergui-Tavoy District leader and also Districts' secretaries.

Our committee, we met with the villages monthly since May 2011 with very warm welcome. Because our committee has less knowledge [on some issues], and for it to be permanent and strong, we need our District and Townships leaders to give knowledge to us and support us with hopefulness. We would always accept your [District and Townships' leader] support.

With respect,

Signature	Signature	signature
Sd Saw E--- (Minutes)	Sd Saw H--- (Secretary)	Sd Saw B--- (Facilitator)

Village and Public Sustainable Development Committee
Myitta sub-Township, K'Maw Thwe Village tract
Committee members

No	Name	Candidates' role	Location	signature
1	[name censored for]	[position censored for]	Nyaw Ton	

	[security]	[security]		
2	[name censored for security]	[position censored for security]	Myin Kan Baw	
3	[name censored for security]	[position censored for security]	Pyin Tha Taw	
4	[name censored for security]	[position censored for security]	Nan P'Yok	
5	[name censored for security]	[position censored for security]	Th' Pyu Chaw	
6	[name censored for security]	[position censored for security]	Seik Pyon	
7	[name censored for security]	[position censored for security]	K'Let Kyi	
8	[name censored for security]	[position censored for security]	Th'Pyu Chaw	
9	[name censored for security]	[position censored for security]	Myin Kan Baw	
10	[name censored for security]	[position censored for security]	Kyin Tha Aye	
11	[name censored for security]	Advisor	Th'Pyu Chaw	
12	[name censored for security]	Advisor	Kaw Se Chaw	
13	[name censored for security]	Advisor	Nyaw Ton	
14	[name censored for security]	Advisor	K'Meik	
15	[name censored for security]	Committee member	Seik Pyon	
16	[name censored for security]	Committee member	K'Meik	
17	[name censored for security]	Committee member	Nan P'Yok	
18	[name censored for security]	Committee member	Pyin Tha Taw	
19	[name censored for security]	Committee member	K'Taw Ni	
20	[name censored for security]	Committee member	K'Taw Ni	
21	[name censored for security]	Committee member	K'Lat Kyi	

22	[name censored for security]	Committee member	Myitta	
23	[name censored for security]	Committee member	Myitta	
24	[name censored for security]	Committee member	Kaw Se Chaw	
25	[name censored for security]	Committee member	Kyin Tha Aye	

No	Date	Place	Issue
1	30.12.2011	Hkoh Hsay village (Old)	<p>Villages in K'Moh Thway area which are –</p> <ul style="list-style-type: none"> 1. Wa Hsguh Hkoh village 2. Hkaw Paw village 3. Hkler Hpoo village 4. K'Mee village 5. Hkoh Hsay village 6. Naw Troo Taw village 7. Htoh Kee Hpoh Noh village 8. Khaw Htee Law village 9. Pgay Hpoh Klah village 10. Ker Ghaw village 11. K'Leh Kee village, <p>We had established Village and Public Sustainable Development Committee, one person in each village.</p> <p>Committee and Role</p> <ul style="list-style-type: none"> 1. [name censored for security] [position censored for security] Hkler Hpoo village 2. [name censored for security] [position censored for security] Hkaw Paw village 3. [name censored for security] [position censored for security] Wa Hsguh Hkoh village 4. Saw Loo Hpee (Committee) K'Mee village 5. Saw Pah Ha (Committee) Naw Troo Taw village 6. Saw Htoo Baw (Committee) Hkoh Hsay village 7. Saw Wah Wah (Committee) Htoh Hkee Hpoh Noh village 8. Saw Neh Lay (Committee) Khaw Htee Loh village 9. Saw Kyaw Neh (Committee) Hpgay Hpoh Klah 10. Saw Pla Baw (Committee) Ker Ghaw village 11. Saw Aye Ra (Committee) K'Leh Kee village

2	28.4.2011	ITD company workers' shelter (Khaw Htee Law village)	<p>Myitta Township coordinator U Kyaw Shwe and ITD discussing coordinator Master Aw P'Yi Baw asked Kh--- villagers Naw G---, Saw D---, Saw L---, Saw Y--- and Naw H--- whose lands were damaged when the vehicle road was repaired to meet with them and to sign for the list of vegetation which was damaged when people [the company] constructed the vehicle road. We, basic committees gathered ourselves and called out 40 villagers to meet when people were signing. Myitta Township coordinator U Kyaw Shwe ordered people to sign their signatures but the villagers did not want to sign. He said that this damage is not only in Khaw Htee Law [village]. There are also many other places [that] would [be] damaged. And some villagers asked how he would arrange the damages for them and he said, "<i>I'm a governor and I guarantee for you. Why do not you sign signature?</i>" The villagers asked when they would get the money for the damages and how much. And U Kyaw Shwe said that they had not decided on the price yet. Then, the villagers asked "<i>Will you pay us after the road is successful?</i>" So, our Village and Public Sustainable Developments' chairman entered the conversation and told that, Master Aw P'Yi Baw is the representative of ITD company and U Kyaw Shwe is the representative of Township and District and we, (Village and Public Sustainable Development committee) are the representative of the villagers. And we saw that they agreed with our committee reporting for the villagers.</p>
3	2.5.2011	Sa Pgeh Hta (Hkaw Paw village)	<p>On May 2nd 2011, the villagers in K'Moh Thway area met with Ler Doh Soh Township leaders in Sa Pgeh Hta. The Township leader shared knowledge about the Village and Public Sustainable Development Committee to the village leaders and the villagers that we have established [Village and Public Sustainable Development Committee] in the area because the villagers have to gather candidates for the Basic committee. The villagers have to stand and struggle to keep their villages' heritage opportunity and native peoples' opportunities. Because of the entering of the businesses, [the highway] would pass [through] the villages and the main road, west Tavoy mechanicals. Deep sea port businesses will damage forest, animals, vegetation and the villagers' plantation land. This must benefit and not [cause] damage to villagers' opportunities. The Basic committee has to be formed and work collaboratively with the villagers for permanent living and development. Then, we [Village and Public Sustainable Development Committee] selected 11 committees in 11 villages. This committee should have people who help them or people who corporate with them.</p>
4	4.5.2011	Khaw Thee Law	<p>On May 4th 2011, the Basic committee held a meeting in Khaw Htee Law and made sure to keep our committee. We always have meetings and select more committees' representative. In this committee, there are 24 [people] controlling the committee and [they] always have meetings in the 12 villages. We will hold the meeting once a month in each group.</p>
5	4.6.2011	Htoh Kee Hpoh Noh	<p>On June 4th 2012, Basic Committee members met in Htoh Kee Hpoh Noh [village]. There were 12 people in the meeting. In the Basic Committee, we replaced Saw Wah Wah with Hpah Tee Roh Leh. The group leader informed [the</p>

			people in the meeting] of the committee members' names and villages. On May 17 th 2011, if the ITD company got permission from the Karen National Union, they will repair the surface of the vehicle road and it will damage villagers' lands which are near to the road. The group leader will meet with a Mediator who will come and have meeting with Committees and the land owners (local people). We will report the plantations' value when our things are damaged to the upper [authorities].	
6	2.7.2011	Hpway Hpoh Klah Group	<p>On July 2nd 2011, the Basic Committee met with Hpway Hpoh Klah group. There were 52 people in the meeting and we discussed issues about how the committee works.</p> <p>The Basic Committee singed a signature on our complaints letter [including] plantations' price [value] and we submitted [the letter] to Burmese General Governor, Karen ethnic government, township leader, ITD mediator, police and committees [Village and Public Sustainable Development Committee].</p> <p>The ITD representative Master Aw P'Yi Baw asked us to report the list of plantations' price that have been damaged.</p>	
7	6.8.2011	Ler Ghaw group	On July 6 th 2011, We, the Basic Committee met with Ker Ghaw group. There were 17 people who attended the meeting. We discussed about the villages which were crossed by the vehicle road. The list of land owners whose plantations were damaged has been reported to the Basic Committee. We would confirm and report to the upper [Township and District leader].	
8	17.9.2011	Way Ta Eh	On September 17 th 2011, the Basic Committee met in Way Ta Eh village. There were 40 people who attended the meeting. In this meeting of the Village and Public Sustainable Development Committee [everyone can give their] individual views and thoughts. Cases that happen in the village, we [villagers] will submit to Basic Committee and we would think and work together depending on the issue and the villagers also will work in unity with us against civilians' rights being abused and to improve [the situation]. Way Ta Eh Governor, Saw See Lee reported about the Thai company which does metal mining in Hkay Ta [river], and the polluted water that flows to T'Naw Th'Ree River in every season so we had to report to the upper [leaders].	
9	8.10.2011	Naw Troo Taw	<p>On October 8th 2011, the Basic committee met in Naw Troo Taw group [village]. There were 13 people in the meeting.</p> <p>We talked about the dam which ITD obstructed. We listed down names and there are 165 households which were damaged including plantations. On October 1st 2011, [the villagers] reported that the ITD [worker] came to record more betel nut trees in Saw La Yay's lands in Hpway Hpoh Klah (village). They [villagers] asked people who came and surveyed the land how they will take responsibility but they [ITD workers] could not answer. They did not report anything about when they will pay and how much they will pay. We discussed with Thai worker who married with Karen women; <i>"how will they consider and how to participate?"</i></p>	

			Some groups raise the issue of protecting the village's forest. We supported other groups in other villages for defending the village's forest and animals to confirm and defend together.	
10	5.11.2011	Hkoh Hsay group	<p>On November 5th 2011, we, the Basic Committee met with Hkoh Hsay group. There were 26 people attending the meeting. Vice group leader Naw Dah Dah reported that "<i>We open up an opportunity for the women's organisation to work with our Basic Committee.</i>" Khaw Htee Law women's organisation leader also gave knowledge about marriage with Thai workers. In the future, to avoid problems happening in the village, parents, village leaders and women's organisation committees will inform each other. Moreover, all organisations also will combine together and we would give knowledge to our children, grand children and teenagers to defend our dignity, our traditional and the beauty, love and peace of our village. This year, on December 25th 2011, the Karen New Year will be celebrated in Mergui-Tavoy but it is not celebrated once a year. Because this is the first time so our Karen people, we will support and celebrate our Karen New Year in this time.</p>	
11	3.12.2011	Hkler Hpoo	<p>On December 3rd 2011, the Basic Committee met with Hkler Hpoo group. There were 47 people who attended the meeting. In this meeting, Naw Weh Weh gave knowledge to people who attend the meeting about the 'Deep Sea Port' and machine economy. The women's organisation leader Naw Thoo La Er raised concerns about the relationship between the Thai company workers and women that is going to happen in the future. We will submit it in the future. The company workers will have the company rules so, the company workers who has family [is married] will not cause problem for our Burmese women. Our brother Lee Per and our brother Dah Dah suggested that we should not allow the women to work in the companies. The facilitator Saw Aye Shaw gave some speeches about the Karen New Year that will be celebrated in Shway Weh Thee Ree Yay Pyay field. Naw Weh Weh gave us some knowledge about the human rights (human rights for land and development) in Burmese language and our brother interpreted in Karen language. They showed (Meh T'Hpoh) mechanical and community development, improvement and protecting natural environment in Burma and it needs the ethnicities to participate.</p>	

Thandaung Infrastructure Development

Source document/ThandaungInfrastructureDevelopment/2012/1

Project name:	Thandaung infrastructure development
Type of project:	Infrastructure development
Karen District:	Toungoo
Government Region:	Northwest Kayin
Actors:	Tatmadaw LIB #603
Company/Investors:	
Government/Military:	Tatmadaw
Trends:	Lack of consultation; Land confiscation
Consequences:	Impacts on livelihoods
Collective action:	
KHRG Log #:	12-38-P2
Publishing info:	"Toungoo Photo Set: February 2012," KHRG, March 2013 (First Publication)

Testimony:

This Photo Set includes five photographs selected from images taken by KHRG field researchers in February 2012. The photos were taken in the Leik Tho area of Than Daung Township, Toungoo District within locally-defined Karen State. They depict the places where the Tatmadaw Light Infantry Battalion #603 confiscated villagers' cultivation lands in 2004. The soldiers told the villagers that, since the lands belonged to the government, villagers could not access their cultivation areas, which caused significant livelihood problems for the villagers.

Photo Set | Than Daung Township, Toungoo District (February 2012)

The following photos were taken by a villager in Toungoo District who has been trained by KHRG to monitor human rights conditions. They are presented below, censored where necessary for security purposes. The five photos below were received along with other information from Toungoo District, including 204 other photos, four video clips and seven interviews.



The above photos were taken on February 19th 2012, in the Leik Tho area of Daw Hpa Hkoh Township, Toungoo. The photos show the area in which land was confiscated by Tatmadaw Light Infantry Battalion (LIB) #603, which villagers report as beginning in 2004. Prior to confiscation, the land was used for villagers' cardamom plantations and farmland. According to the community member who took the photos, villagers were forbidden from accessing the land.

including visiting their plantations and collecting firewood, on the premise that the land now belongs to the gove
[Photos: KHRG]



The above photos were taken by a community member trained by KHRG, on February 19th 2012 in the LeikTho Daw HpaHkoh Township, Toungoo District. In both photos, Tatmadaw LIB #603 camps can be seen amongst these camps were built upon land confiscated from villagers.[Photos: KHRG]



The photo was taken by a community member trained by KHRG, on February 19th 2012 in the LeikTho area of Daw HpaHkoh Township, Toungoo District. This land was confiscated by the Tatmadaw LIB #603. [Photos: KHRG]

Source document/ThandaungInfrastructureDevelopment/2012/2

Project name:	Thandaung infrastructure development
Type of project:	Infrastructure development
Karen District:	Toungoo
Government Region:	Northwest Kayin
Actors:	Tatmadaw LIB #603
Company/Investors:	Domestic
Government/Military:	Tatmadaw
Trends:	Land confiscation; Disputed or lack of compensation
Consequences:	Impacts on livelihoods
Collective action:	Report to authorities
KHRG Log #:	12-38-P1

Publishing info:	"Toungoo District Photo Set: February to April 2012," KHRG, March 2013 (First Publication)
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Testimony:

This Photo Set presents 11 still photographs selected from images taken by KHRG field researcher between February and April 2012. Photos were taken in Than Daung Township, Toungoo District. According to the community member who took these photos, there were many acres of land that were confiscated in Than Daung Township. The community member also mentions that access to education is an issue for children, due to the lack of teachers, as well as a proposed dam site that has yet to be started.

Photo Set | Than Daung Township, Toungoo District (February-April 2012)

The following photos were taken by a villager in Toungoo District who has been trained by KHRG to monitor human rights conditions. They are presented below, censored where necessary for security purposes. The 11 photos below were received along with other information from Toungoo District, including 198 other photos and 7 interviews.

This photo taken in February 2012, shows a T--- villager, Saw P---, whose lands in M--- village were confiscated by the Burmese government in 2004, including his father's lands. He is originally from M--- but now he lives in T--- village where he was married. [Photo: KHRG]





These photos, taken in February, 2012 in M--- village, Than Daung Township, Toungoo District. Show villagers' land and plantation fields, which were confiscated in 2004 in order for Light Infantry Battalion [LIB] #603 to build an army camp. The villagers who once occupied the land now face many problems after the land confiscation took place, as Disputed or lack of compensation has been offered to villagers for the stolen land. *[Photos: KHRG]*



These photos, taken in February, 2012 in Than Daung Township, Toungoo District. The photo on the left shows the Peh Leh Wah river where a dam is going to be constructed by the government. The photo on the right shows a road from Hsah Soh Hkoh village to M--- village that was built by villagers in order for them to trade freely with each other. *[Photos: KHRG]*



These photos, taken in February 2012, show two schools in Than Daung Township, Toungoo district. These are designated government schools which although once were funded, and built with iron roofs as permanent structures but have since been neglected of support by the government. According to one villager, despite salaries being paid in order for teachers to come and provide an education to the children, they fail to come and provide the service they are paid for. Due to this neglect children in Than

Daung Township are not having access to the right to an education. [Photos: KHRG]



These photos, taken in February 2012 in Than Daung Township, Toungoo district, show children of ages who would normally be engaged in school lessons, passing time as there is no teachers in their village. The schools are recognized as government schools but the government teachers do not come and teach in their village. Therefore, they have to help their parents with the farm work which conflicts with the time they could devote towards education. [Photos: KHRG]

Source document/ThandaungInfrastructureDevelopment/2012/3

Project name:	Thandaung infrastructure development
Type of project:	Infrastructure development
Karen District:	Toungoo
Government Region:	Northwest Kayin
Actors:	Tatmadaw IB #30 Commander AungZawHtun
Company/Investors:	
Government/Military:	Tatmadaw
Trends:	Lack of consultation; Land confiscation; Disputed or lack of compensation; Development-induced displacement and resettlement
Consequences:	Physical security threats; Forced labour and exploitative demands; Impacts on livelihoods; Denial of access to humanitarian goods and services
Collective action:	Non-compliance; Negotiation
KHRG Log #:	12-13-T4-I1
Publishing info:	"Toungoo Interview: Saw H---, December 2011," KHRG, March 2013 (First Publication)
Testimony:	<i>This report contains the full transcript of an interview conducted during December 2011 in Than Daung Township, Toungoo District by a villager trained by KHRG to monitor human rights conditions. The villager interviewed 35-year-old pastor Saw H---, from P--- village, who described instances of land confiscation and forced labour by Tatmadaw Infantry Battalion (IB) #30 in 2008 for the construction of military camps in M--- and C--- villages, resulting in the destruction of villagers' cardamom and coffee plantations. P--- and M--- villagers faced demands of 3,000 to 5,000 kyat (US \$3.67 to \$6.11) per day in lieu of forced labour, and were required to supply bamboo poles and wood. Both IB #30 and IB #603 issued demands for porters. Light Infantry Battalion (LIB) #439 demanded P--- villagers for forced labour every day for several weeks, demanded a villager for messenger duties, and threatened to burn their village for failing to comply with their orders. The theft and looting of pigs, chickens and cardamom were also noted and Saw H--- described an occasion in which Sergeants from IB #75 demanded food and alcohol from his uncle and</i>

violently abused him. Other concerns raised include food shortages, exacerbated by difficulties in travelling to purchase rice due to the roads being in a state of disrepair. Saw H--- also explained how the poor condition of the village school and periodic absences of the schoolteachers are affecting the children's education. Although the P--- village head and monks tried to negotiate with IB #30 to prevent the construction of a base in the communally owned cardamom plantation, villagers were threatened. However, villagers were described as successfully employing strategic displacement to enable them to avoid IB #603 demands for forced labour.

Interview | Saw H---, (male, 35), P--- village, Than Daung Township, Toungoo District (December 2011)

The following interview was conducted by a villager in Toungoo District and is presented below translated exactly as it was received, save for minor edits for clarity and security.⁹⁷ This interview was received along with other information from Toungoo District, including four incident reports, five other interviews, one situation update, and 346 photographs.⁹⁸

Ethnicity: Bweh Karen

Religion: Roman Catholic

Marital Status: Married

Occupation: Hill field farmer

Position: Pastor

What is your name?

My name is Saw W--- or Saw H---.

How old are you?

I'm 35-years-old.

What is your village name?

P--- village.

Which village tract is P--- in?

P--- is in P--- village tract.

Which township is P--- [village] in?

P--- is in Than Daung Township.

What is your religion?

⁹⁷KHRG trains villagers in eastern Burma 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, villagers 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.

⁹⁸In order to increase the transparency of KHRG methodology and more directly communicate the experiences and perspectives of villagers in eastern Burma, 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. As companion to this, a redesigned website will be released in 2012. In the meantime, KHRG's most recently-published field information from Toungoo District can be found in the Report, ““Toungoo Interview Saw H--- April 2011,” KHRG, September 2012.

I'm Roman Catholic.

What is your ethnicity?

I'm Karen.

What is your occupation?

I'm a hill field farmer.

Are you married?

Yes, I am.

How many children do you have?

I have two children.

How old is the eldest child?

He is six-years-old.

How about the youngest child?

My youngest child is three-years-old.

What is your position in the village?

I'm a villager but the village head and village secretary couldn't come [to meet with the researcher], so I have come [to meet with you].

Has the SPDC Army [Tatmadaw]⁹⁹ ever come to your village in previous years, and do they come now?

Yes, they have.

What did the SPDC Army do when they came to the village?

In 2008, they built a camp in M--- village. To do that, they destroyed an entire field of cardamom¹⁰⁰ and coffee trees. Even though the villagers of M--- told them not to destroy it, the SPDC Army told them "*it is in our power, we will do it. We don't need to ask permission from you and these lands are no concern of yours.*" When they were building the camp, they came and

⁹⁹The villager who conducted this interview and the interviewee used the term *Na Ah Pa* (State Peace and Development Council, or SPDC) to refer to Burmese military authorities. Many Karen villagers continue to use the phrase *Na Ah Pa* to refer to military or civilian government officials, despite the official dissolution of the SPDC in March 2011; see: "Mission Accomplished as SPDC 'dissolved,'" *Myanmar Times*, April 4-10th 2011. Similarly, older villagers may still use the phrase *Na Wa Ta* (State Law and Order Restoration Council, or SLORC) to refer to the Burmese government, even though the SLORC has not officially existed since 1997. In order to ensure clarity in KHRG translations, the terms *Na Ah Pa* (SPDC) and *Na Wa Ta* (SLORC) are translated as 'Tatmadaw' when referring to the state military or 'Burma government' when referring to the national government.

¹⁰⁰Cardamom seeds come from a plant belonging to the ginger family, and are recognized by their small seed pod, papery outer shell and small black seeds. Cardamom is typically grown on the jungle floor in South Asian countries.

ordered [forced labour] once a week and divided the villagers into groups to go and build the camp for them. They also demanded 50 or 60 bamboo poles and wood from our villagers. The entire village had to go [for forced labour to build their camp]. They punished the villagers who didn't go for forced labour by demanding money as compensation. Sometimes they demanded 3,000 kyat (US \$3.67)¹⁰¹ for one day from each villager who didn't go for forced labour. Sometimes, they demanded 5,000 kyat (US \$6.11). We had to go without fail. The forced labour took one or two days at a time. They didn't let us come back to our houses if we hadn't finished the forced labour for them. We [the villagers] continued working with them until they had finished building their camp.

After we had finished building it, they took it apart again because they wanted to rebuild it in C--- [village]. It was IB [Infantry Battalion] #30. Their Battalion commander's name is Aung Zaw Htun. They destroyed the entire cardamom tree [plantation] in C---. Because of that the C--- village head asked for compensation on behalf of the entire village. However, the SPDC Army said that they didn't want to give them it, and if the villagers wanted to report it to anyone, they could report it. [They said] "*because the government ordered us to do it, we aren't worried. Even though you have asked for compensation, I will never give you it.*" Later, they ordered us again to cut 10 or 12 cubits (180 inches / 457 cm. or 216 inches/ 548.4 cm.)¹⁰² of bamboo and 40 or 50 bamboo poles from each village. We also had to bring our own food for the forced labour. If [the forced labour was to take] one day, we brought food for one day, and if it was two days, we brought food for two days.

Sometimes, we hadn't even arrived at their camp but they would be waiting for us on the road and ask us to start cutting the bamboo. After a while, we went to their camp to put our food and bags there and after that we came back and cut [the bamboo] again. After that, we went back to the village to have the meal. They [the Tatmadaw] said [on one occasion], "*did you bring food with you? And what will you eat if you haven't brought it [food] with you?*" I couldn't say anything. Some people brought food with them, but some didn't and some had brought only packets of rice with them. They [the Tatmadaw] ordered people [who hadn't brought food with them] to cook rice and eat it. After eating, we worked again until nightfall, unless it was already done. We had to work like that for one month. Later, they came and built a camp at P--- village. The camp was built by IB #30. Once when they were coming from Kler Muh Hkee, there was a battle. That was when we were coming back [to P--- village] from the church consecration in another village. They saw us coming back and arrested all of us. They kept all of us in the same house. They told us that if their soldiers were injured, they would burn our whole village, and if one of their soldiers died, one of the villagers also had to die. At that time I was a pastor, so whenever they called the village head and the pastor, I had to go.

[The pastor told the Tatmadaw], "you should be patient towards A'Ba [me]¹⁰³". [The Burmese soldiers replied], "we can't be tolerant and won't leave right away. We will build a camp and show us the place". [The pastor told them], "this place isn't so good for building the camp". [The Burmese soldiers replied], "it will be built in your village even it isn't good. We will build it beside your houses. If they [KNLA soldiers] come and attack, you will die as well. If we die, you also will die". We couldn't do anything and we couldn't say anything. [The pastor told them], "we will just help you and you can find it [the place for building the camp]". Later, they found the place. They said that they would build it here [in the cardamom plantation]. It is only one furlong wide. The cardamom plantation belongs to the religion [Roman Catholic church] and it's owned by the

¹⁰¹ As of May 8th 2012, all conversion estimates for the kyat in this interview are based on a rate of 818 kyat to US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the kyat, thus replacing the previous fixed rate of 6.5 kyat to US \$1.

¹⁰² A standard measurement of the length of bamboo poles commonly referred to in Karen as the length from one's finger tips to one's elbow, about 18 inches / 45.7 cm.

¹⁰³ 'Father', a Burmese term of respect attributed to an older man; it does not necessarily signify any actual familial ties between the 'Father' and the person using the term.

entire village. [We told them], "the cardamom field isn't owned by one villager but every villager, so don't build your camp in that field [meaning the plantation], please." Even though we begged them not to, it was useless. They said that they would do it. They ordered all of our villagers to cut down the cardamom trees and all of the other trees but we didn't want to. If we didn't do it, we didn't know whether we would be hit, beaten or punched, so we did what we had to. They said, "you have to do it without fail". In the evening, we came back to our homes and had our dinner. [At night time] they came and stayed under our houses They said that if the Ng'Bpway¹⁰⁴ came, we would be tied up and so we couldn't go anywhere.

We couldn't go to the forest and couldn't travel freely. We had to work here day after day. When they were going to build the camp, they called the village tract [leader], the village head and the village monks [to meet with them]. They [Tatmadaw soldiers] told the village head and the monks that they were going to build the camp in the villagers' cardamom field. The monks told them not to build their camp there because it's owned by all of villagers and it is a religious plantation [this plantation is belong to the religion which is Roman Catholic], but the Tatmadaw [soldiers] replied, "*you have no chance to say this to me. I'm powerful so, I'll do as I want.*" We couldn't say anything. If we said something to them, we wouldn't know whether they would punch us or beat us. They talked with the village tract leader, then they called every village head and ordered each village to give them the bamboo poles. They also ordered bamboo poles from Htee Law Soh village tract. We have nine villages in our village tract. There are about seven or eight villages in Htee Law Soh village tract and all of them came with their own food [to build the Tatmadaw camp].

After we had built their camp, they ordered us again to do forced labour and carry their rations. We replied that we couldn't carry [their rations] and they said that we didn't have to carry them only by ourselves; they would also go with us. The rations were rice, oil, sugar and milk. Before that, they also said that after we had carried them they would check the rations again. If there were less rations, we would have to compensate them. We asked whether we could cook some of their rations when we were hungry whilst carrying them, but they said we couldn't. You had to give them one package of rice [if that's what you were carrying] and if you had two packets of rice, [you had to] give them two packages of rice. One village might have to carry four or five packets of rice, or five plastic oil containers, and one village might have to carry two or three dozens of milk. Each village had to carry the rations over two or three trips because they had so many. Each time, we carried milk, oil, sugar and salt. After we finished carrying the rations, we sat down at the camp they told us that if we had eaten something, we should know about them [what will happen to you]. We were afraid of them, so we didn't know what to say. They told us that we could leave. They didn't even give us a cup of water. We went back to each of our houses. As for the other villages, the villagers followed their relatives to [their relatives'] houses such as their younger brothers, older brothers, aunts, and uncle's houses. They came back [to their relatives' houses] and cooked rice to eat. They went back at night.

After a month and a half, IB [Infantry Battalion] #30 rotated to another place and LIB [Light Infantry Battalion] #439 came to be based in our village. I don't know their battalion commander's name. That battalion commander was really bad and harsh. He didn't want us to work on our own jobs and called us every day [for forced labour]. We had to go to them for one or two hours every day. We had to carry water for them. Actually, we have enough water in our village but they didn't dare to come and take a bath themselves so they ordered us to carry water for them [to their base]. One set tha¹⁰⁵ had to stay at the camp, and he had to carry the water. After 12:00 pm, they would tell us [the villager doing set tha] to go back and have our

¹⁰⁴ The Burmese phrase *Ng'Bpway* literally means 'ringworms' and is a derogatory term used to describe KNLA soldiers and their supporters.

¹⁰⁵ *Set tha* is a Burmese term for forced labour duty as a messenger stationed at army camps or bases and serving as a go-between to deliver orders from army officers to village heads, but also involving other menial tasks when no messages are in need of delivery.

lunch at our own houses, but after lunch we had to come back to their camp again and work until 4:00 pm. They asked us whose turn it was the next day and if we had no *sat tha*, we had to go by ourselves.

Water sometimes stopped because the pipe was blocked by *t'la aw lah* [a kind of leaf used for making thatch shingles]. They said that we had to check it without fail, even if we didn't want to, and we had to go because it was our water [pipe], and if we didn't check, they would burn down the entire village. We had to check it reluctantly. We checked it every day and the water was flowing well, but their soldiers and sergeants were careless and they destroyed all the watercontainers. They destroyed at least one or two [water containers] when they came here once. Then, we bought new water containers and kept them there [at their camp]. One or two weeks later, they were broken. It was night, and all the water flowed out the sides. They called us in the early morning. We went and checked them four, five or ten times when LIB # 439 was based here.

They cursed and scolded us once when they ordered us to check the water, and they also ordered us to call village tract leader [to come to them]. We came back after we called a *set tha* to go to them. We told the *set tha* to go back to them [the Tatmadaw] after they had called on the village tract leader. He was afraid and he didn't go back there. He went to Nat Chaw. I was the one who remained there, and a kind soldier asked me if I had gone to meet with A'Ba. I told him that I hadn't gone to meet him. He told me, "*Don't go, I don't know whether he will kill you or hit you. He scolded people and you totally mustn't go*". [I asked him] why? [The soldier said], "*this morning, I ordered the set tha to go and he hasn't come back to me*". I told him right, I told him to come back and meet with A'Ba as well but I didn't know the reason why he didn't come back. That night, he ordered his soldier to call me. He, the battalion commander told me that if I didn't listened to what he said, he would punch me and he would beat me by stick like that. [I told him that] a' ba, I asked him to come back but I didn't know whether he came back or not. He told me to come back and I came back. They called on me again in the very early morning, and asked me, "*where is yesterday's set tha?*" That person [the *set tha*] was afraid, he definitely didn't come back and he can't speak Burmese very well. Early on Sunday morning, they ordered us to get a new *set tha*. He [the battalion commander] asked, "*what time is it?*" It was after we went to church, 8:00 am. He told me that the village tract leader and *set tha* must be at the camp. I replied, "yes, A'Ba".

I asked a *set tha* to go when I went to check the water. The village tract leader and the *set tha* arrived at the camp and they also came back and called me at the stream. I went back [to meet with the battalion commander]. He told us that "*If your friend set tha didn't arrive back, you would be hit*". The village head said, "*this is up to A'Ba [the battalion commander]. We will suffer if you punch us.*" The Battalion Commander said, "*village head and all [the set tha and the village tract leader], sit down.*" That battalion commander was very aggressive. When we arrived there, he bit his hands, he walked back and forth, he touched this and that, and we didn't know what to do or say. When we responded to him a little bit, he replied, "*you feed him [the set tha who didn't come back to meet him] and he is your people. Where will he eat if you don't feed him?*" We told him, "*A'Ba, he isn't our relative and he isn't our brother*". He said, "*why not? You are his relative and you should ask him [for food]*". Saw Myo Htun replied, "*but A'Ba, it isn't right*". One of his soldiers told us, "*he beat soldiers like dogs and pigs, and he has punched and punched us like dogs and pigs as well. If you dare to do [kill] him [the set tha], do it*". Saw Myo Htun told him, "*we daren't do it. Which village do we live?*" Saw Myo replied, "*we live in thevillage*". One soldier said, "*we will give you a gun, shoot him once with one bullet. I don't know whether it will hit him or not, but we won't take any responsibility. We had done this [tried to kill him] but it wasn't successful*". We told him [Saw Myo Htun replied], "*if teacher [a Burmese soldier who talked to villager] couldn't do it, then we daren't do it. We shoot at him with only one bullet, but we don't know whether it will hit him or not. If not, then what can we do? Our entire village will be burnt down*". A soldier said, "*right, we should tell him [the battalion commander] something very soon*". LIB #603 came during

the period when he would tell him this.

A few weeks later, LIB #603 came to our village [to replace LIB #439]. While they were on the way to our village, a battle happened, so they [LIB#439] came and called on the village head and I. At that time there was a funeral in our village, and while we were preparing to go and bury the deceased they came to our village and threatened us with a gun, and ordered us to come quickly. [*inaudible*] ... They called us and asked, “*Which way will you go? Will you go this way or that way*”. We didn’t dare to go [with them]. We had to go without fail even we didn’t dare.

After a while, IB #603 came to the camp with three or four injured people [soldiers], and a couple of people died. LIB #603’s people [soldiers] were killed and injured and he [the battalion commander] got angry. He said, “*call all soldiers and staff [villagers] to carry things in.*”

They then said if we were lying about it [the funeral] he would fire heavy weapons at our village. We told him that we wouldn’t tell a lie to you. After we came back from burying the deceased, they came and called on us again. They called on two village heads and five villagers. They also told me to go because I’m a pastor, but I told them that I couldn’t go because my child was seriously sick, I didn’t know whether he would die or not and I didn’t want to leave him. Then, they told me to find someone to go on my behalf. I couldn’t find someone to go on my behalf. The village head told him that my son was seriously sick. He [the Battalion Commander] said that I must find someone to go and that nothing must happen along the road. I told him that we couldn’t predict that because a battle had just happened yesterday. He didn’t like what we said, so they first went with two guides. The two guides had to carry one basket and one backpack. They didn’t go along the road, but they went through the bushes and arrived at Kler Muh Kee. The guides didn’t want to continue guiding them after they reached Ta Ba Rah [village].

At that time [when the villagers were serving as guides], my eldest son passed away due to the sickness. One of my brother in-laws was involved with them [the Tatmadaw, as one of the guides]. When he found out about it [the interviewee’s eldest child having passed away], he told the battalion commander that his brother in-law’s [son] had died, that something had happened in his village, and he asked to please be released. He said that he wouldn’t release him; and said that he had to go on to the other village, Ta Ba Rah, and ask there for them [Ta Ba Rah villagers] to provide five people. Them, he was released. They [IB #603] also came to call on me on the day that my eldest son passed away, but when they arrived at my house and saw that I was really sad, they didn’t call on me anymore [that day].

After I buried my son, however, they came and called on me again [for forced labour]. I went to meet with them. They called the village head very often, so he didn’t go to the camp anymore. The village head went Toungoo [town] for one or two weeks. If we stayed in our village we wouldn’t be able to do our own work anymore, so I went out and lived in the forest, and cut [the trees in] the hill field farm for one week. Then I came back when I ran out rations. They trapped pigs. When pigs came to the camp, they herded them and they fell down into a channel where they were pierced by spikes. “*Who is the pigs’ owner?*” they asked. The villagers told them that the pigs’ owners were in their hill fields. The pigs didn’t die and they [the villagers] just kept them outside. The owners came back in the evening to take the pigs back to the village. When they heard about it, they came right away. They [the soldiers] didn’t compensate for the pigs. They said that the pigs had come to their camp and fallen down into the channel and been pierced by spikes because there was no food for them to eat, so the villagers had to give half of the pigs [to the soldiers] for them to eat.

The pigs’ owners told them to eat all of them if they wanted to. They caught our chickens beside the fence. They shot chickens with catapults and ate them. They shot and ate them when people weren’t in the village. During that year, there were no more pigs and chickens at all. If they saw only one [chicken or pig], they took it. They harvested and ate our cardamom when we went to

the hill field farms. We didn't know what had happened to the cardamom trees, and there were only the trees left even though they hadn't been ready to harvest. Who harvested them? After one month, they told us about it. It was IB #75. When IB #75 came [to the village] they ordered us [to porter] because their things were heavy. [We had to carry] them to Htee Htar Soh village. It takes four hours to travel the distance between K'Thaw Ploh Kee [and Htee Htar Soh].

We came back at night. They [LIB #75] asked us to go to the camp when we came back [from portering for LIB #75]. When we entered there [the camp], we couldn't see anything and they just asked us, "*have you finished dinner?*" [We replied], "yes, *finished*". We then went back home and slept after having rice. My uncle drankat his house and he camewhen he was drunk. An IB #75 sergeant and a medical officer punched him. One side of his vision went blurry. He was kicked right away when he fell over. That uncle couldn't tell them anything. They ordered him to follow them to the camp. They told him that they would bury him if he died along the road. He told them that they could kill him if they wanted. After that, my uncle came back slowly, slowly to the village. Early the next morning, they called me. They said, "*What did that uncle say? We punched, beat, and kicked him*" They told me about it in front of their officer. Then, the officer ordered the *set tha togo* and get him [the interviewee's uncle]. He called him. My uncle came and he [the officer] questioned him. He replied that he hadn't said anything, that they had ordered him to follow them to the camp and he had followed them well [as ordered] but that they had punched him one by one, and his vision became blurry after being punched. The officer told his soldiers that hit him. The officer is good but his soldiers aren't, especially the sergeant. You could hit him, so you had to cure this uncle. They cured him and stuck a plaster on his eye. They cured only eye. They gave him medicine to take but he didn't recover. After that, he [the officer] said, "*you can go*".

Later, we heard that there had been a battle in Hkaw Thaw Hkaw village. They [Tatmadaw] shot and killed one KNU soldier, and took one machine gun and a walkie talkie. They questioned the whole of Hkaw Thaw Hkaw village but we didn't answer them. Actually, we knew [about the battle]. They ordered us to read their order letters but we couldn't read them. They told the Hkaw Thaw Hkaw villagers that they have to read them. When Hkaw Thaw Hkaw village [villagers] couldn't read them, they [the soldiers] punched and beat *kyaw t'kah* [monk supporter] but he didn't tell them anything. His wife was there. The village head fled. They took the gun with them to the camp. They [the Tatmadaw] disappeared about 3:00 am because they all went back. They told us, "*none of you must go to the camp, things are there, we planted landmines there, don't ruin anything and we will camp back.*" We didn't dare to go [to the camp]. They went back at that night.

They also ordered us not to take any rations, and ordered villagers from Hkaw Thaw Hkaw village tract to carry their rations [to their camp]. They also called the villagers from the lower village. They called four, five or ten villagers from the lower village and four, five or ten villagers from our village, and ordered us to carry big sacks of rice. Some of the villagers who came were very young so they couldn't carry the big packets of rice or do much hard work. They also don't know how to work yet. They [the children] are only 10 and 12 years old. The Tatmadaw had ordered us [the villagers] to carry four or five big packages of rice, so we carried one big packet between two people by separating it into half. We had to carry the packets of rice to Htee Thah Saw village. The KNU [KNLA] came then but they [the KNLA] didn't say anything. When they [the Tatmadaw] left the village, we had to follow them. The next day we had to carry the packets of rice to Htee Thah Saw village again. When they [the KNLA] came to our village they saw the packets of rice in our village but they didn't say anything. They [the KNLA] didn't do anything, and they even said, "*carry what they ordered you to carry and don't worry that we will destroy their [the Tatmadaw's] rice packs because we can't do anything with this*".

Which villagers did they [the Tatmadaw] ordered to re-build the military camp?

They asked us, upper Hoh Thaw P'Loh villagers.

Did anything else happen during 2010 and 2011?

In 2010 and 2011, three Tatmadaw battalions were coming from Thauk Yay Kha village. At the same time, my wife was going to Thauk Yay Kha. She met the battalions on the road and they told her not to leave [to go back to P--- village] yet. They [the soldiers] told her that she had to wait and leave after they left [for P---]. My wife told me about this. There were also some porters with them and they [the Tatmadaw] told them not to go yet, so the porters were travelling after Tatmadaw. They were travelling for a while and they arrived at Htee Thah Saw village. They rested there for a while and didn't give any food to the porters. They [the porters] also didn't have time to cook, so they started running to Kler Muh Hkee village and then to Hkaw Thaw Hkaw village. Later, the Hkaw Thaw Hkaw villagers told us that the battalions had been to check their village.

One Sunday morning, we hadn't even woken up yet when we heard the sound of a gun. The sound of the gun was followed by the sound of heavy weapons. We didn't know what was going on. I didn't know. We thought it happened in Htee Thah Saw village, but ten minutes later a *set tha* arrived at our village and told us about what had happened in Hkaw Thaw Hkaw village. He also asked us whether all of the villagers in our village knew about this or not. The next day, the villagers told us that five or ten houses were damaged because of the heavy weapon fire. They also destroyed the Mother Mary grotto and went inside the church. They destroyed every statue in the church. Everything was destroyed. The Mother Mary grotto, every statue, and the church itself were all destroyed. The zinc roofing sheets and the walls were also damaged by the guns. Two or three pigs were also dead. They [the villagers] also told us that the Tatmadaw took money from some villagers as well.

Do you know which IB or LIB they were?

They [the villagers] said that it was LIB #603. Some villagers who travelled and passed by Hkaw Thaw Hkaw village knew about this and also my wife. They [the villagers] said that they [LIB #603] used to base their camp close to Hkaw Thaw Hkaw village. My wife said that when she passed by the village, the battalion [LIB #603] saw her and asked her where she was going and which village she was from. But my wife can't speak Burmese so she didn't answer them and just kept going. My wife knew about them very well because of that. She said that it was LIB #603.

How many heavy weapons did they [the Tatmadaw] fire?

They fired five mortars. Two of them fell onto the houses, another fell on the Mother Mary Grotto, another behind Mother Mary's Grotto, and the last in front of Mother Mary's Grotto. Altogether there were five mortars, but they also destroyed other things with their guns. They also damaged the cardamom trees. They checked the packages in our houses and if they saw our money they took it. They threw all of our clothes onto the road.

What are most of the villagers' occupation in your village?

Most of the villagers are hill field farmers and they also plant cardamom. The villagers also plant betelnut leaves [betel vines] and betelnut [plants].¹⁰⁶

¹⁰⁶ In Burmese, "betelnut" and "betel leaf" are referred to as "konywet" and "konthih," as if they are from the same plant. The Burmese names are also commonly used by Karen language speakers. "Betel nut" is the seed from an Areca Palm tree, areca catechu; "Betel leaf" is the leaf of the Piper betel vine, belonging to the piperaceae family. See "Attacks on cardamom plantations, detention and forced labour in Toungoo District," KHRG, May 2010.

How many households are there in your village?

There are [censored for security] households.

Is your work going well this year?

No, our work isn't going well because rats have destroyed our cardamom trees and cardamom leaves.

Do you have any livelihood problems?

Yes, we have some problems with livelihoods and also education as well. Regarding education, I want to tell you that we don't have a school. This has been the situation since we arrived in Hoh Thaw P'Loh village and it has already been 13, 14, or even 15 years. When I first arrived, I didn't have any children. At that time, we had teachers. It was a government school and we had teachers. But the school time wasn't regular. The school would stop for two or three months and later there was no school anymore. We didn't know what the teachers were doing and how they were arranging things. Most of the teachers were female. Later, we found out that the teachers had reported to the Tatmadaw that they faced many difficulties living in our village. Sometimes we, the villagers, also met with the KNU [KNLA] but they didn't say anything. They said "*the teachers can live freely, and we won't disturb them or do anything to them, so don't worry*". They [the KNLA] also told the children in our village to listen to the teachers well.

The teachers taught for only one or two months and then they went back to the town, so we had to find out where they were going. If we find them once, it will cost 4 or 5 thousand kyat. We went to the school in the town [a larger town near their village] and asked permission from the teachers in the town to allow the teachers [that had been in Hoh Thaw P'Loh village] to come and teach at our school again. We also had to give them [the teachers in the town] some money to allow the teachers to come back and teach. Later my child was born and when she was four-years-old, I wanted to send her to school. I think it was in 2007 that my daughter was four-years-old. There were two teachers who came to teach in our village. One of them was a man and the other was a woman. The village head called them for a meeting and told them to teach the children as best as they could. The villagers wouldn't disturb them and they could teach freely and live freely in the village without worry. They [the teachers] also agreed to this. They only taught for one or two weeks, and later we heard that the female teacher had already moved to another place again. She went back and stayed at Htee Htah Saw village. Her father is a major in the Tatmadaw, and she said that she was afraid of her father and that that was why she went back to Htee Htah Saw.

After the female teacher left, the male teacher also told us that he would go back to his home town for a couple of days. He left some of his stuff. No one destroyed his stuff and we still have it now. He also didn't come and take his stuff back. Now, he is teaching in the government school in the town. He said that he didn't dare to come to our village anymore and he reported to the headmaster in the town that when he lived in our village, we threatened him many times and we tortured him, so he didn't dare to come back to our village. The headmaster then told him that if he didn't dare to come back and teach at our village, he could teach in the town. Then, the village head and the leaders in our village held a meeting and discussed the children education. We requested that the same teachers come back and teach at our village, but they said that they didn't want to come back, so we didn't have a school in our village for many years. In 2010, we tried again to get a teacher but, we still didn't get one. We still don't have any teachers in our village now. Actually, we were given the name of a teacher who was supposed to come and teach in our village, but we haven't seen any teacher come.

Do you have a school in your village now?

No, we don't have a school in our village right now. From 2008 until now, 2011, already three years that we haven't had a school in our village.

Then, how do you teach the children in your village?

Because we don't have a school, the children in our village can't study. Even if they [the children in the village] are 10-years-old, they won't have even started kindergarten yet.

Why don't the teachers want to come to your village even though you give them a salary?

I don't know about this either. Whenever we got a message from the head master from the town that a teacher would come to teach in our village, we would go to the entrance of the village to greet them, and help them carry their bags, but we haven't seen anyone come. Because of that the head master from the town, and other villagers around our village, also think that we have teachers in our village but actually we don't.

How about health care in your village?

We don't have a hospital or even a clinic. We also don't have anyone with a good understanding about disease and medicine. If we are sick or our children are sick, we have to go to Htee Htah Saw village. If we are seriously sick, we have to go directly to Toungoo [town].

What does the Tatmadaw classify your village as? Is it a black area or a white area?¹⁰⁷

They [the Tatmadaw] always told us that we are in a black area.

Has the government still not sent any teachers to your village?

No, they still haven't sent any teachers to our village. We don't have any teacher yet and our school has almost broken down because it's too old and termites have bitten the floors and the wood. However, we have decided that if we have a teacher we will rebuild our school. The last time that we heard a teacher was going to come we repaired it, but no teacher came and we haven't rebuilt our school since and it's getting old again.

Don't you have any youths in your village that could teach the children?

No, we don't have any youths that are able to teach the children.

So, you don't have any youths that could teach the children?

No, we don't have anyone. The highest grades that the youths in our village have attended are only grade 2 and grade 3, so they don't have ability to teach the children.

Why do think the government won't send any teachers to Hoh Thaw P'Loh village since they recognize the village school as a government school?

¹⁰⁷Tatmadaw insider Maung Aung Myoe explains that Tatmadaw counter-insurgency doctrine views territory as black, brown or white according to the extent of non-state armed group (NSAG) activity. He explains that “black area” denotes “an area controlled by insurgents but where the Tatmadaw operates;” “brown area” denotes “a Tatmadaw-controlled area where insurgents operate;” while a “white area” is territory which has been “cleared” of NSAG activity. See: Maung Aung Myoe, Neither Friend Nor Foe: Myanmar's Relations with Thailand since 1988, Singapore: Institute of Defence and Strategic Studies Nanyang Technological University, 2002, p.71.

In my opinion, I think the government thinks that even though they send teachers to us to teach, after we become educated we would be on the KNU [KNLA] side, so it's no use for them to send a teacher to our village to teach the children.

What problems do you think you will face in the future regarding the livelihoods of the villagers?

We had many problems regarding our livelihoods in the past. We didn't get enough food from our hill farms, so we needed to borrow food from other villagers or exchanged cardamom for rice. Sometimes we went to Htee Htah Saw to exchange cardamom for the rice. If we buy it it'll be 25,000 or 26,000 kyat (US \$ 29.17 or \$30.33) for one rice sack. Because a sack of rice was so expensive, we had many livelihood problems.

How much is a viss¹⁰⁸ of pork or chicken in your village?

A viss of pork is 4,000 kyat (US \$4.67), a viss of buffalo meat is 3,500 kyat (US \$4.08) and a viss of chicken is 4,000 kyat. But if we exchange it with the rice, a viss of chicken is for three big tin.

Have you ever seen the Burmese government come and develop anything in your village?

In the past the Burmese government told us to tell the KNU [KNLA] that they will repair and develop the vehicle roads for us. They did repair the roads, but they asked us for money and it took them two years to do it. They ordered each house to give them 50,000 kyat. We had 30 households in our village, but we couldn't give them the full 50,000 kyat, so we just gave them as much as we could. They got 600,000 or 700,000 kyat from our village, because we also have a widow who couldn't give them any money and some families who really couldn't give much. They also asked for money from other villages. They repaired the road with road building machinery, so they said that they had to buy the petrol for the road building machinery and that's why they had asked for money from us. The road that they built isn't even going to Htee Htah Saw [village].

What do you think of the KNU [KNLA]?

We don't have anything to say about the KNLA because we are like relatives and we treat each other well. Even though the Tatmadaw is in our village, they [KNLA] don't come and cause any problems [with Tatmadaw soldiers]. We also told them not to come because if they come and find the problems, it will hurt our villagers. So, they don't come and disturb us, even though the Tatmadaw is in our village.

Do you have anything else to report?

I want to report that our children really need a school to be able to be educated. We don't have any other hope but to have a school. Our children are already 6 and 7-years-old, but they can't go to school. We also have many other children who are 10 or 12-years-old but can't read or write. They don't have a school to go so, they just work. If they want to go and study in another village, they need a school reference but we don't have any teacher to write it for them. Some children want to go and study in Toungoo but their parents can't afford the fees. So I want to report that we need a couple of teachers to come to our village for our children.

Source document/ThandaungInfrastructureDevelopment/2012/4

¹⁰⁸ A viss is a unit of weight equivalent to 1.6 kg. / 3.52 lb.

Project name:	Thandaung infrastructure development
Type of project:	Infrastructure development
Karen District:	Toungoo
Government Region:	Northwest Kayin
Actors:	Tatmadaw LIB #306 Commanders Saw Nay Myo, AungKaing So, MyoMyo Oo
Company/Investors:	Domestic
Government/Military:	Tatmadaw
Trends:	Land confiscation; Lack of benefit to local community; Development-induced displacement and resettlement
Consequences:	Impacts on livelihoods; Forced labour
Collective action:	
KHRG Log #:	12-13-T2-I1
Publishing info:	"Toungoo Interview Transcript: Saw L---, December 2011", KHRG, April 2012, http://www.khrg.org/khrg2012/khrg12b33.html

Testimony:

This report contains the full transcript of an interview conducted during December 2011 in Day Loh Muh village tract, Daw Pa Ko Township, Toungoo District by a villager trained by KHRG to monitor human rights conditions. The villager interviewed Saw L---, who described the destruction of Y--- villagers' cardamom and coffee fields in 2006 for the construction of a Tatmadaw camp. He also noted the forced portering of building materials and food rations, the forced construction of a food storage building, and demands for bamboo poles in the period between 2006 and 2007. Saw L--- described how in 2010 and 2011, villagers from Y--- and surrounding villages were forced by Light Infantry Battalion (LIB) #306 to clear vegetation from the road between Lay Loh Day village and the military camp. Saw L--- also talked about the torture of A--- village heads for failing to comply with orders for food from LIB #306. He also detailed an incident in which a villager, Saw P--- from B--- village, was killed by Tatmadaw soldiers. Other concerns noted include food shortages, exacerbated by the rising price of food; the cost of medical treatment; and the prohibition on the transportation of medicine. The absence of accessible education beyond grade four, and the omission of the Karen language from the Y--- village school curriculum were also raised.

Interview | Saw L---, (male, 48), Y--- village, Day Loh Muh village tract, Daw Pa Ko Township, Toungoo District (December 2011)

The following interview was conducted by a villager in Toungoo District and is presented below translated exactly as it was received, save for minor edits for clarity and security.¹⁰⁹ This interview was received along with other information from Toungoo District, including four incident reports, five other interviews, one situation update, and 346 photographs.¹¹⁰

How do people address you?

¹⁰⁹KHRG trains villagers in eastern Burma 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, villagers 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.

¹¹⁰In order to increase the transparency of KHRG methodology and more directly communicate the experiences and perspectives of villagers in eastern Burma, 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. As companion to this, a redesigned website will be released in 2012. In the meantime, KHRG's most recently-published field information from Toungoo District can be found in the Report, "Toungoo Interview Transcript: Saw M---, December 2011," KHRG, March 2012.

People call me Saw L---.

How old are you?

I'm 48-years-old.

What is your ethnicity?

I'm Karen.

What is your religion?

I'm Anglican.

What is your job?

I work as a hill field farmer and do agricultural work.

What is the name of your village?

The name of my village is Y---.

Which village tract and township is Y--- village in?

Y--- is in Day Loh Muh village tract, Daw Pa Ko Township.

Do you have any family?

Yes, I have [family].

How old is your eldest child?

My eldest child is 18-years-old.

How about the youngest [child]?

The youngest [child] is eight-years-old.

How many children do you have?

I have five children.

What is your job in the village?

I don't have a specific job, but since we are villagers, we help each other when it is needed.

Can you explain your experiences as a villager living under the control of the SPDC Army [Tatmadaw]¹¹¹, and your experiences being tortured by them?

¹¹¹ The villager who conducted this interview and the interviewee used the term Na Ah Pa (State Peace and Development Council, or SPDC) to refer to Burmese military authorities. Many Karen villagers continue to use the phrase Na Ah Pa to refer to military or civilian government officials, despite the official dissolution of the SPDC in March 2011; see: "Mission Accomplished as SPDC 'dissolved,'" Myanmar Times, April 4-10th 2011. Similarly, older villagers may still use the phrase Na Wa Ta (State Law and Order Restoration Council, or

We have been tortured often. We have been forced to relocate by the SPDC Army. They entered our village and destroyed the villagers' plantations, and then they built their military camp there. They destroyed all of cardamom and coffee fields.

When did it happen?

It happened in 2006. They destroyed two or three cardamom fields.

Did they build their camp in those places [in the cardamom fields]?

Yes, they built their camp there.

How many baskets of cardamom and coffee were destroyed by the SPDC Army, approximately?

They destroyed about 20 or 30 baskets (418 kg. / 921.6 lb. or 627 kg. / 1,382.4 lb., respectively).¹¹²

Were all three fields destroyed?

There weren't three fields; there were four fields. Combining the four fields together, there would have been 20 or 30 baskets of cardamom and coffee.

Do you know how many SPDC Army soldiers were involved in building the military camp in your fields?

Yes, I know. The first battalion had 53 soldiers, the second battalion had six soldiers, the third battalion had 35 soldiers and the fourth battalion had 124 soldiers.

How long did they stay there?

I think one and a half years.

How far was their camp from your village?

I think it was one furlong (.125 miles / .2 kilometres) away. Their camp was on a hill and our village is on flat ground.

What was the military unit that usually stayed in the camp?

Sometimes there was a big military unit and sometimes there was a small unit. The first battalion was a larger military unit, so they split it into two companies.

Do you know their battalion commanders' names?

I know three of their battalion commanders' names.

SLORC) to refer to the Burmese government, even though the SLORC has not officially existed since 1997. In order to ensure clarity in KHRG translations, the terms Na Ah Pa (SPDC) and Na Wa Ta (SLORC) are translated as 'Tatmadaw' when referring to the state military or 'Burma government' when referring to the national government.

¹¹² Although this unit of volume is used primarily with regards milled rice, it has been included to provide an approximate idea of the quantities that the villager is referring to.

Can you tell us?

Yes, I can. The first battalion commander's name was Saw Nay Myo, the second battalion commander's name was Aung Kaing So, and the fourth battalion commander's name was Myo Myo Oo.

While based close to your village, did they [the Tatmadaw] ever loot the villagers' food?

Not often, just sometimes.

Did they ever order the villagers for forced labour?

Yes, sometimes we had to porter their materials. Sometimes, we had to cut bamboo, repair roads, or carry water for them.

What kind of bamboo did they ask you to cut?

They asked us to cut many different kinds of bamboo around our village. Then we also had to construct a building for them to store their food rations.

How many cubits of wood did they order you to cut?

They ordered us to cut many different kinds of wood. For the big bamboo poles, we cut five or six cubits (90 inches / 228.5 cm. or 108 inches / 274.2 cm., respectively)¹¹³, and for the small bamboo poles, we cut 10 or 20 cubits (180 inches / 457 cm. or 360 inches / 914 cm., respectively).

Did they give you food while you were working for them?

No. We ate our own food but did their work.

Did they pay you for that [working for them]?

They didn't give us anything.

Could the villagers who were not healthy ask for a rest or refuse to go?

They didn't order people who were not healthy [for forced labour].

How many households are there in your village?

There are [*censored for security*] households in my village.

What is the population of your village?

Including children, old people and teenagers, there are over [*censored for security*].

Did they ask you to carry water every day?

They asked us to carry water in shifts; one person for one day.

¹¹³ A standard measurement of the length of bamboo poles commonly referred to in Karen as the length from one's finger tips to one's elbow, about 18 inches / 45.7 cm.

What did they [the SPDC Army] plan for villagers whose turn it was to not carry water?

They asked them to send letters to other villages.

Have you ever done forced labour for the SPDC Army?

I have done forced labour three or four times.

When was that?

It was during 2006 and 2007.

Can you remember the date?

No, I can't.

Where did they ask you to start portering and where did you finish?

I started in Lay Loh Day camp and finished at our village.

How far is Y--- village [your village] from Lay Loh Day camp by foot?

Two and a half hours.

What kind of materials did they ask you to carry?

They asked us to carry all kinds of rations, including salt, fish paste and milk.

What was the weight each person had to porter? How many *viss*¹¹⁴ did they have to porter?

Two people had to porter 50 kg. (110.2 lb.) of rice, so for one person it was 25 kg. (55.12 lb.). I don't know about in *viss*.

Did they also call women to porter?

Yes, they did.

Did they order women to porter the same amount as men?

Yes, but our villagers understand one another, so we men porter more than women.

How old was the youngest woman who had to porter?

The youngest woman was 16- or 17-years-old.

How about the eldest?

The eldest woman was 30- or 40-years-old.

How old was the youngest man who had to porter?

¹¹⁴ A *viss* is a unit of weight equivalent to 1.6 kg. / 3.52 lb.

The youngest man was 16- or 17-years-old.

Were other villagers [from other villages] also portering while your villagers were portering?

Yes, the other villages included Lay Loh Hkee, Lay Loh Day and Htee Bu Hkee Der Koh.

How many villagers from each village went to porter?

It was dependent on the number of households in a village. If there were [*censored for security*] households, [*censored for security*] villagers from that village had to go. But because everyone didn't go, sometimes there were only [*censored for security*] villagers.

How many people from each of the other villages went with you for portering?

Usually 17 or 18 villagers from Y--- village went to porter each day. 15 or 16 villagers from Lay Loh Hkee village went to porter each day. More villagers from Lay Loh Day village participated because they have a larger number of households.

When you were portering, did the Tatmadaw guard you?

Sometimes they guarded us, but sometimes they didn't.

How many soldiers guarded you each time when you were portering?

They just guarded us for security, so only one section or two sections [one or two groups of Tatmadaw soldiers].

Could you ask for a rest if you became tired while you were portering?

Yes.

Have you ever seen the Tatmadaw torture the villagers while you were portering?

I have never seen that while I was portering.

Were there any villagers who ran away while portering?

No one. Even if we ran, we couldn't escape.

Were any of the porters convicts?

There were no convict porters, only the villagers.

Can you explain your village situation during 2010 and 2011?

In the past we had [*censored for security*] households in our village, but now we only have [*censored for security*] households. Even though we are not rich, we have enough food to survive each day. When the SPDC Army wants food, they write a letter and order the village head to go and send it to them.

Did the SPDC Army ever come to your village during 2010 and 2011?

They came once or twice.

Did they ever loot the villagers' food and animals when they came?

No, they didn't.

What did they do when they came to the village?

They met with the village head and asked some questions, and if it was too late to go back, they would sleep in the village. If it wasn't too late, they would go back on the same day but a set *tha*¹¹⁵ would have to go with them.

Did the SPDC Army ever ask for porters between 2010 and 2011?

They haven't asked for porters yet this year, although they asked the villagers to cut the bushes that cover the roads.

Can you remember the date when the SPDC Army asked the villagers to go and cut the bushes?

No, I can't remember anymore.

Which season was it?

[It was] after [the villagers] finished harvesting the paddy, so it might have been October [2010]. Another time was in March [2011] during the summer season.

By which road did the SPDC Army ask the villagers to cut the bushes?

The road between Lay Loh Day village and their military camp.

Where is their military camp [now]?

Their military camp is on the hill [near my village and Lay Loh Day village].

Do you know the number of the military unit?

Yes, it is LIB [Light Infantry Battalion] #306.

Do you know [each] battalion commander's name?

No, I don't know.

Don't you know any of the battalion commanders' [names] whose camp is based close to your village?

I only know *Thuh Hkoh* [Major] Hkay Maw Thah.

What is *Thu Hkoh* [Major] Hkay Maw Thah's job?

He is a company commander.

¹¹⁵*Set tha* is a Burmese term for forced labour duty as a messenger stationed at army camps or bases and serving as a go-between to deliver orders from army officers to village heads, but also involving other menial tasks when no messages are in need of delivery.

How many days did it take to cut the bushes alongside the road from Lay Loh Day village to the military camp?

It took a day and a half.

Did the [SPDC] Army give the villagers food while they were working for them?

No, we brought our own food and our own knives.

How many cubits did they ask villagers to cut?

I don't know how many cubits, but we worked for one and a half days and then our turn was finished. Then they asked another village.

How many villages did they ask to cut the bushes?

Y--- village, Hpeh Hpu Hkee village, Lay Loh Day village, Lay Ku Kah village, Lay Loh Way village, and many other [villages]. .

Does the Army (Tatmadaw) still stay in the camp that is close to your village?

Yes, they [still] stay there.

Did they order the villagers for forced labour last month?

No, they didn't.

In your opinion, do you think there have been any changes regarding the forced labour used by the SPDC Army in the past and this year?

If we compare the past with this year, the past was worse than now. They don't ask [for forced labour] very often anymore. However, I still haven't seen them support [provide any general services or assistance for] the villagers in any way yet.

Why do you think they asked the villagers to do forced labour?

We don't know their thoughts, but they told us that they asked us to do forced labour – to cut the bushes – so that we would be able to travel by motorbike.

In your opinion, do you think there are any advantages for the villagers from the SPDC Army's demand to cut the bushes?

I don't think there are any advantages. The only thing is that motorbikes can travel without danger.

Were any plantations destroyed while cutting the bushes [in 2010 and 2011]?

Yes, a lot were destroyed, such as the cardamom fields.

Has the SPDC Army ever come to the village and tortured the villagers?

They don't usually come to our village, but they went to A--- village and tortured and hit the village heads because they asked the villagers to bring them food, but they didn't.

Do you know the names of the A--- village heads?

Yes, but I know only one and I don't know the other two. His name is Saw W----

How old is he?

I think he is 50-years-old because he is older than me.

Did they hit them very hard?

He said his wounds weren't that serious but I don't know about the other two village heads.

Do you know which SPDC Army military unit hit the three village heads?

They are LIB #306. I don't know about their company.

Have you ever heard that the SPDC Army killed villagers before?

They haven't killed anyone in our village, but they killed a villager from B--- village.

Do you know why they killed him?

I don't know the reason. I just know that the SPDC Army killed a villager from that village.

Do you know the name of the villager who was killed?

I think the other villagers said his name was Saw P---

How old was he?

I think he was the same age as me, so between 40- and 50-years-old.

Do you know which military unit killed the villager?

I don't know.

Was he a villager, or someone who has responsibility in the village?

People said that he was a villager. I don't really know because B--- village is far from Y--- village. I just know that he was killed, but I don't have any more information.

Did you know at that time that he had been killed?

We found out after he was killed.

Did the SPDC Army just leave him after they killed him, or did they bury him?

I'm not sure about that, but a pastor saw the dead body and took pictures, so I don't think they buried him.

Did Saw P--- have family?

Yes, he did.

How many children did he have?

I also don't know about that because his village is a little far from our village.

Where did he live again?

He lived in B--- village.

What are the most common occupations of the villagers in your village?

Most of the villagers farm hill fields.

Does everyone get enough food?

Some people get enough food, and some people don't.

Is there anyone who is facing a food shortage?

Yes, one or two people [don't have enough food], but other villagers also work poorly and live poorly like us [only grow enough food to feed themselves and their families].

What kind of crops do the villagers plant in their hill fields?

The main crops are cardamom and coffee.

How much do you sell one *viss* of cardamom for now?

One *viss* (1.6 kg or 3.52 lb.) is sold for 5,000 kyat (US \$6.11)¹¹⁶.

How about coffee?

For coffee, one *viss* is sold for 2,000 kyat (US \$2.44).

Are there any other crops that you plant?

Recently the villagers started to plant betelnut¹¹⁷ trees, betelvines, and dog-fruit. These are not for sale but for ourselves because sometimes we have to go very far from our village [in order] to buy those.'

In what season do you get the best income?

The season when we sell cardamom.

Where do you go to buy your foods?

Mostly, we go to Than Daung Gyi city.

¹¹⁶All conversion estimates for the kyat in this interview are based on the fluctuating informal exchange rate rather than the government's official fixed rate of 6.5 kyat to US \$1. As of April 3rd 2012, this unofficial rate of exchange was US \$1 = 818 kyat. This figure is used for all calculations above.

¹¹⁷In Burmese, "betelnut" and "betel leaf" are referred to as "konywet" and "konthih," as if they are from the same plant. The Burmese names are also commonly used by Karen language speakers. "Betel nut" is the seed from an Areca Palm tree, areca catechu; "Betel leaf" is the leaf of the Piper betel vine, belonging to the piperaceae family. See "Attacks on cardamom plantations, detention and forced labour in Toungoo District," KHRG, May 2010.

How far is Than Daung Gyi from your village?

Around five hours, but if we are carrying heavy materials it takes six or seven hours.

Have you ever been interrupted while travelling to Than Daung Gyi city?

I've never been interrupted because there is no gate [Tatmadaw checkpoint] on the way to Than Daung Gyi city from our village, but sometimes we meet them [Tatmadaw soldiers] coincidentally.

Did they harm you when they saw you?

No, they didn't.

How much do you have to pay for one big tin (16 kg. / 35.2 lb.) of rice?

It depends on the kind of rice. Some are 16,000 (US \$19.56) for one big tin of rice, and some are 20,000 kyat (US \$24.45).

How about the rice that people come to sell in your village?

If people come and sell by themselves it will cost about 30,000 kyat (US \$39.96).

How about the meat?

Most people sell one viss for 5,000 kyat (US \$6.49).

How about fish paste and salt?

Fish paste and salt are also very expensive. One viss of fish paste costs 1,200 kyat (US \$1.47) and salt costs 500 kyat (US \$0.61) per viss.

How about the onion?

One viss of onion costs 1,500 kyat (US \$1.83).

Were products more expensive last year compared to this year?

No, this year products are more expensive. For example, last year, we paid 1,000 kyat (US \$1.22) for one viss of fish paste, but this year it costs 1,200 kyat (US \$1.47) for one viss. So, this year products are more expensive.

In your opinion, do you think there have been any changes comparing the past to nowadays?

In the past, we couldn't even travel out of our village and the SPDC Army always came to our village. However, nowadays we can travel out of our village to buy our food and the SPDC army also doesn't come here often anymore.

How do the villagers respond when the SPDC Army asks [them to do] forced labour?

The village head will negotiate with them to reduce the number of villagers they requested for forced labour. For example, if they asked for ten villagers, the village head will negotiate for five or six villagers.

Do you think there will be any problems in the coming year?

We can't guess what will happen in the next year. Only God knows about this.

Is there a school in your village?

Yes, we have [a school].

What is the highest grade in your villages' school?

Our school is a primary school, so grade four is the highest grade.

How many teachers are there?

Currently, there is only one teacher. Actually, there is also a teacher who was sent by the Burmese government to come and teach at our school, but she never came.

How much is a teacher's monthly salary?

I think the teacher's monthly salary is 60,000 kyat (US \$73.35).

Is this teacher also a government employee?

Yes, she is.

How many students are there?

There are [censored for security] students.

How much does a student have to pay for their enrolment fees?

I think around 2,000 kyat (US \$2.44) for one student.

Does that amount of money include the stationery fee as well?

No, only the enrolment fee. We have to buy stationery by ourselves.

Who do you have to give the 2,000 kyat (US \$2.44) to?

We have to give it to the teacher.

Do the villagers also prepare anything for that teacher?

We don't prepare anything special. We help her by sharing our food, and sometimes we also repair her house, and carry the food for her as well.

Does the government support the students by providing stationery?

No, they don't support them in anything.

Why doesn't the government provide the students with school stationery?

We also don't know about this exactly. We don't know whether they don't have it or they don't

want to give it to us.

How much do you have to pay for a notebook?

I think a notebook costs 100 kyat (US \$0.12).

How about a pen?

There are many different kinds of pens; the lowest price is 50 kyat (US \$0.10).

Does the government allow the teacher to teach the Karen language in the school?

I don't think they allow it.

Why do you think they don't allow it?

In my opinion, I think they really want the Karen language to disappear, and they don't want the Karen language to spread throughout the country. Fortunately, the teacher is Karen and Christian, so she teaches the students the Karen language in Sunday school.

What do the villagers do after their students finish primary school in your village?

Some villagers with many children can't support all of their children's education fees. Therefore, there are many students who finish their education after they complete primary school.

What are the problems?

The problem is that they have many children, and as a result they don't have enough food or enough money to support their children's education as well. If they want their children to continue their education at another place, they will also have to pay for accommodation, food, and education fees. Because they don't have money, they stop their children from continuing their further studies.

Are there any students who aren't able to attend school because of the fees?

Yes.

Is there a hospital in your village?

No, there isn't one.

Where do you go when you are sick?

When the sickness is serious, we go to Than Daung Gyi city hospital. If the sickness is not serious, we just take medicine in our village.

How much do you have to pay for one week of hospital fees when you are sick and stay in the hospital?

If you stay in the hospital, it will cost a lot. If your sickness is serious and hard to cure, it will be more expensive. When my wife was sick and she stayed at the hospital for three days, we had to pay 100,000 kyat (US \$122.25). That was only the cost of the medicine and did not even include the foods costs.

Is there anyone who understands diseases and medicine in the village?

Yes, there are. They were trained for six months about the different types of disease and medicine. I also understand this a little bit, so I also help the villagers, but when I can't cure them I send them to the hospital.

What is the most common disease in your village?

There are many different kinds of disease, but the most common one in our village is malaria.

Does the government allow [the villagers] to transport medicine?

No, they don't. When you go and buy medicine from a different location, you have to hide it on your way back. If they see you carrying medicine, they will take all of it.

What do you think about the SPDC Army?

They want to torture us because we are Karen. They want us to disappear or they want us to be under their control. If we are under their control, maybe they will come and support our villagers.

What do you think of the KNLA [Karen National Liberation Army]?

They help us a lot because we are the same ethnicity. They prevent dangers from coming to us by fighting back against the SPDC Army. If we didn't have the KNLA, the SPDC Army would torture us more than this.

Is there anything that you want to report?

There is nothing special that I want to report. ... *[Censored for security]* ... I also want to say that we always want to stay in our village and we don't want to move anywhere else, so help us to be able to stay in our village.

Anything else?

Nothing else.

C. Logging Projects

Khoo Thoo Hta Logging

Source document/KhooThooHtaLogging/2012

Project name:	Khoo Thoo Hta logging
Type of project:	Logging
Karen District:	Papun
Government Region:	Kayin
Actors:	U Yeh Htun's Company
Company/Investors:	Domestic
Government/Military:	
Trends:	Lack of consultation; Land confiscation; Disputed or lack of compensation
Consequences:	Impacts on livelihoods; Environment impacts; Denial of access to humanitarian goods and services
Collective action:	
KHRG Log #:	12-88-S1
Publishing info:	"Papun Situation Update: Dwe Lo Township, February to June 2012," KHRG September 2012, http://www.khrg.org/khrg2012/khrg12b77.html

Testimony:

This report includes a situation update submitted to KHRG in June 2012 by a community member describing events occurring in Papun District, during the period of February 2012 to June 2012. Specifically discussed are details about land confiscation by several logging and mining companies, attempted land confiscation by the local authorities, difficulties with securing adequately staffed schools, and it includes details about the Tatmadaw sending rations and bullets, which creates concerns amongst the villagers who fear that fighting will resume in their region. The report shows that villagers are able to hold meetings and voice their opinions regarding the entrance of the mining companies, with specific criticisms against local authorities.

Situation Update | Dwe Lo Township, Papun District (February to June 2012)

The following situation update was written by a community member in Papun District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Papun District, including 167 photographs.

Dwe Lo Township location

For Dwe Lo Township's location, it is bordered by Pweh Law Stream in the east, Brigade #3 in the west, Brigade #1 in the north and Lu Thaw Township in the south.

In our Dwe Loh Township, the civilians are living in two stages until now, one is under [Tatmadaw] control and the other is [as] IDP [internally displaced people].

The Burmese Military location

In Dwe Lo Township region, the Burmese Military is based in Meh Way, Hkoo Thoo Hta, Waw

Muh, Kay Kaw, Kwee See, Taung Thon Lon, K'Ter Tee, Maw Law Kloh and K'Ma Moh. These are the places where the Burmese Military camps are based. Beginning in 2011 to now, the military camps which withdrew from our [Dwe Lo Township] region are Htwee Thee Uh, Ma Htaw, Sayar Aung Myint, Maw Thay Tha; [they] are not [in our region] anymore.

The Burmese Military Activity

In our region, from Baw Kyoh Traw to the east of Buh Law stream, LID [Light Infantry Division] #44 and the LIB [Light Infantry Battalion] are active and they rotate themselves every six or four months.

To send bullets, like in the past year, they repaired the old vehicle road in Buh Law Traw and they sent vehicles from Nat Kyi to Hkoo Thoo Hta camp. After that, they sent [the bullets] to Meh Way, by motorboat. Because the Karen soldiers do not do any shooting after the ceasefire, they can send [bullets] safely.

As the Burmese Military [still] sends rations and bullets like in the past year, the civilians consider that they [civilians] cannot be happy about the ceasefire. If there are the [military] activities, like the past year, they [civilians] will face the same problem. Some of the civilians are happy because, since the ceasefire was entered, they can travel and trade freely.

Since the ceasefire was entered, the Burmese Military has many plans to organize the civilians in different ways. On May 2012, the Education Coordinator from the Burmese Military ordered the E--- village leader [to a meeting] and he said that "*Now, there is a school in your region.*" He said that "*if there was no school, [I] would build one and send teachers to manage the school.*" If we look back to that year [when he sent the teacher] at the teachers he sent, they just taught for two or three months, and after that they rotated out. Therefore, our Karen leaders saw that it is not a correct practice, so they told the Burmese leader that if they said like that [promised teachers], they [the teachers] have to teach until the end of the year and they have to teach Karen subject, with Karen teachers to manage [the school]. Now, we have not heard [back] and we do not know anything related to this plan.

As there are gold mines [in the region], the civilians face many difficulties. Their properties are destroyed. Moreover, the civilians who live in the villages that are set up downstream on the Meh Toh Law River, do not have a chance to drink pure water because the water is polluted. The oil from the machines flow down and the civilians have to go and pipe water in from the mountain, and it is not enough for them to drink or to shower. Moreover, because of the polluted water, the animals, cows and buffalos drink the polluted water, shower with the polluted water, and it causes health problems; even the fish died.

On June 10th, 2012, we went to a meeting in Ma Lay Ler Village tract and a villager from D--- said, "Now, the companies came in and work, and the land of the civilians are being destroyed." The villager said, "Why don't the Karen leaders forbid them? Let's not talk about forbidding. Now, there are only the rights for the companies and there are no rights for the villagers. In the past, before the companies came to do gold mining, they [the authorities] didn't ask for any fees when the villagers did gold panning. Now, if the villagers go and pan for gold among the companies, each person has to obtain a recommendation letter for one week. For one recommendation letter, [the villagers] have to give [money] to the village tract authorities, KNDO [Karen National Defence Organization] member and the village tract leader and they ask 10,000 kyat¹¹⁸(US \$11.49) for one recommendation letter. If [the villagers] don't take a recommendation letter, the authorities don't allow [the villagers] to pan gold. If I look at the arrival and gold mining

¹¹⁸ As of September 11, 2012, all conversion estimates for the kyat in this report are based on the official market rate of 870 kyat to the US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the kyat, thus replacing the previous fixed rate of 6.5 kyat to US \$1.

of the companies, if the leaders from the headquarters, from the districts and the townships prohibit them, it will be the best. I hope that the Karen leaders will prohibit [the companies] for us in order not to have the companies' gold mines in the coming years."

On June 15th, 2012, when [they] went and held meeting in Meh Way village tract, the E--- villagers named T---, V---, W--- and S--- heard that the companies will come and do gold mining in Meh Way region, so they shouted in front of the leaders not to allow the companies to come and do gold mining; they asked the leaders to prohibit [the companies] as much as they can. "*If the leaders give permission, our villagers will face many difficulties.*"

Now, in K'Ter Tee village tract, between L--- and M--- [villages], they [Border Guard] developed a plan to build barracks for the Border Guard soldiers' wives. The Peace Council Chairman, U Soe Myint, sent his people to tell the civilians that he had asked permission from KNU leaders for the land from this place, and he said to the villagers, "*You have to agree with me and you have to sign that the land becomes our land, in order to build the place [barracks]*". Some of the villagers believed that the KNU gave permission and, for some of the villagers, they signed because they were afraid of them [the authorities]. Then, [the villagers] accepted a small amount of money and they gave the land [away].

As soon as U Soe Myint had this plan, the current Battalion Commander from LID [Light Infantry Division] #102 firmly forbade them to not to build any buildings. The Battalion Commander explained to the civilians, "*U Soe Myint's people came and told a lie to you, that they went and asked permission from the KNU, but none of them went and met [the KNU leaders].*"

Moreover, in our region, the rich peoples' companies, which are U Mya Hpoo Company and Htun Kye Ta Pwint Company, came and do gold mining in the Baw Paw and Meh Htoh streams, so that many of the civilians' land and their plantations were destroyed. For the land and the plantations that are being destroyed, they [companies] gave 700,000 kyat (US \$804.60) for one acre; some of the villagers did not want to sell but they had to sell.

The companies told the civilians that they have asked permission from the Karen leader and as the leader gave permission, and now they came and mine gold in Meh Toh Kloh [stream].

Beginning on February 5th, 2012 to May 10th, 2012, the company owned by U Yeh Htun came and logged in Hkoo Thoo Hta village tract, in Poh Loh Hta region, and the company built a road to send the wood. The villagers' plantations, dog fruit plantations, betelnut plantations, and rubber plantations, were destroyed because of the road that they built. The prices that they gave for the civilians' destroyed plantations, were not full [value].

Furthermore, the people log, and it affects the source of the stream, which the N--- villagers rely on for their drinking water. When the elephants pull the wood, their urine goes into the stream and the water is polluted so that the N--- villagers dare not, and cannot, drink the water from the stream where they used to drink. Therefore, they have to go and take water from the Meh Hkoo Law stream. They said that, because they can't go and take [water] by themselves, they have to carry [it] with carts. The companies come and do logging, and the N--- villagers face difficulty with insufficient water for drinking and for showering.

For this report, because my education is low, if it is not perfect, I ask the leader to advise me.

Lu Pleh Logging

Source document/LuPlehLogging/2012

Project name:	Lu Pleh logging
Type of project:	Logging
Karen District:	Hpa-an
Government Region:	Central Kayin
Actors:	U Tin Shwe's Company and other unidentified officials
Company/Investors:	Domestic
Government/Military:	
Trends:	
Consequences:	Impacts on livelihoods; Environmental impacts
Collective action:	
KHRG Log #:	12-26-S1
Publishing info:	"Hpa-an Situation Update: January to March 2012," KHRG, March 2013 (First Publication)
Testimony:	
<p><i>This report includes a situation update submitted to KHRG in January 2012 by a villager describing events occurring in Hpa-an District, during 2011, and in the period between January and March 2012. Specifically described is the incidence of forced labour, as villagers were forced to work for the Tatmadaw at a nearby army camp, and for the Border Guard and the DKBA in the clearing of rubber plantations. Fighting between the DKBA and the Border Gurard in February 2011 is also described, as are stone mining and logging activities. Concerns about the impacts of mining, including water pollution and the serious negative impacts of logging on villagers' livelihoods caused by the destruction of betel nut plantations are raised. Further, this report contains information on military activity, villagers selling kher mee tee [taro root] for their livelihoods and the monetary demands placed upon cow traders traveling from Hpa-an to Thailand.</i></p>	
<h3>Situation Update Lu Pleh Township, Hpa-an District (January to March 2012)</h3> <p><i>The following situation update was written by a villager in Hpa-an District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Pa'an District, including two interviews and 181 photographs.</i></p> <p>On January 14th 2012, I went to Lu Pleh Township, as I am a [KHRG] researcher. The things that I heard about took place last year, in 2011, when the Burmese [Tatmadaw]¹¹⁹ soldiers were very active. However, in 2012, although the Burmese soldiers were still present, they were less active. As of February 31st 2012, Burmese army LID [Light Infantry Division] #77 was active in Hpa-an District.</p>	

¹¹⁹ In Karen, the Burmese phrases Na Ah Pa (SPDC) and Na Wa Ta (SLORC) are commonly used to refer to the Burmese government or to Burma's state army, the Tatmadaw. Many older Karen villagers who were accustomed to using the phrase Na Wa Ta (SLORC) before 1997 continue to use that phrase, even though the SLORC has not officially existed since 1997. Similarly, despite the official dissolution of the SPDC in March 2011, many Karen villagers continue to use the phrase Na Ah Pa (SPDC) to refer to the Burmese government or to the Tatmadaw; see: "Mission Accomplished as SPDC 'dissolved,'" Myanmar Times, April 4-10th 2011. The term Na Ah Pa was used by the villager who wrote this conducted this interview and interviewee and "SPDC" is therefore retained in the translation of this interview.

The trip started on January 14th 2012, when I went to Kwee Law Hploh, Daw K'Kya, Hkler Day, Klaw K'Tee and Meh T'moo village tracts. I came back home on March 5th 2012.

Forced labour

On January 15th 2012, the Burmese army gave the Border Guard¹²⁰ soldiers training at the bottom of Htee La Neh mountain. They [Tatmadaw soldiers] ordered the villagers to go to their base and cook rice and to bring them firewood. Villagers from the villages in the area, such as Y---, S---, D--- and B---, had to go [to the Tatmadaw army camp] until the training was finished. The training took two months. Five people from each village had to go for five days [at a time].

Fighting

On February 19th 2011, the Border Guard and the DKBA [Democratic Karen Buddhist Army] were fighting in the Kaw Taw area.¹²¹ The villages there were afraid. One villager died and two villagers were injured. Following the fighting between the Border Guard and the DKBA, Burmese army officers came and solved it [the problem] for them [DKBA and Border Guard]. [Tatmadaw soldiers said] that people who hold guns have to stay three furlongs (0.375 miles / 0.6 kilometres) away from the Kaw Taw area. If they want to visit Kaw Taw, they are not allowed to bring guns. At present, the Border Guard and DKBA have not yet completely resolved the issue. The reason that the Border Guard and DKBA fought was because the Border Guard came and took the DKBA's guns from Wah Klue Koh and T'Hkaw Hpoh Treh [army camps]. As a consequence, fighting occurred. One female villager died, and one young female and one male villager were injured.

Stone mining

On December 1st 2011, at the mouth of the Meh T'Moo River, in Meh K'Moo village tract, Luh Pleh Township, Hpa-an District, the company named Green Life Company saw that, between Meh T'Moo [River] mouth and Ma K'Law River there was one area that had valuable stones that they could sell. So [that same day] on December 1st 2011, they started examining the area and had the stone valued. Then, they started mining the stone in January 2012 and continue mining until now. The company produces cement from the mine and sends it to Hpa-an Town. People whose farms are near [the stone mining area], such as the villagers in Meh K'Moo, worry that their farms will be damaged [due to pollution] if those companies work for many months and many years. Also, the the stone can be found at the end of the Meh T'Moo

¹²⁰ Border Guard battalions of the Tatmadaw were established in 2010, and they are composed mostly of soldiers from former non-state armed groups, such as older constellations of the DKBA, which have formalized ceasefire agreements with the Burmese government and agreed to transform into battalions within the Tatmadaw. Border Guard battalions are assigned four digit battalion numbers, whereas regular Tatmadaw infantry or light infantry battalions are identified by two or three digit battalion numbers. For more information, see "DKBA officially becomes Border Guard Force" Democratic Voice of Burma, August 2010, and, "Exploitation and recruitment under the DKBA in Pa'an District," KHRG, June 2009.

¹²¹This incident was also reported in "Villagers return home four months after DKBA and Border Guard clash, killing one civilian, injuring two in Pa'an," KHRG, June 2012. Note that despite the fact most DKBA units have now been transformed into Border Guard units, the notable exception being DKBA forces commanded by the brigadier general commonly known as Na Kha Mway which have rejected the Border Guard transformation proposals, many Karen villagers continue to refer to current Border Guard configurations as DKBA. The term DKBA has been used in this report/interview by the villager who wrote this report/both the villager who conducted this interview and interviewee to refer to DKBA units and soldiers prior to their incorporation into Border Guard units and to those DKBA units which now form Border Guard forces. "DKBA" is therefore retained as such in the translation of this interview/report. For further background on the formation of Border Guard battalions in Pa'an District, see also "Exploitation and recruitment under the DKBA in Pa'an District," KHRG, June 2009.

River, where it joins with the Ma K'Law River. Because people dig the stone in the Ma K'Law River, the water in the Ma K'Law River is always dirty. The villages that are beside Ma K'Law River, such as Kwee Lay, Th'Bluh Klah and Maw Hploh Klah are downstream of the area in the river where the stone is mined so the water is not as fresh as in past years.

Villagers forced to clear vegetation in rubber plantations

From 1995 until 2012, the DKBA worked with the SPDC, when they transformed into the Border Guard,¹²² and they continued to work with the SPDC; the instances where villagers have to clear the vegetation in rubber plantations have not decreased. They haven't finished clearing the vegetation even now. The rubber plantations that the villagers have to clear belong to DKBA and Border Guard officers. Most of the rubber fields are in Meh Thay, La Nay and Yaw Poh. The villagers in those places can't feed their cows, buffalos and goats [due to the decrease in available grazing land and the villagers' lack of time to feed them because of the increase in forced labour demands]. The villagers who have to go and clear the rubber fields, are [villagers from] the villages that are near [to the rubber plantations]. Villagers from each village [near to the plantations] have to go. [Villagers from] Kwee Law Hploh, Meh T'Moo, Kloo Taw and Meh K'Too village tracts have to go, and each person has to carry five days' worth of food from home.

Logging

Most villagers in Kwee Law Hploh village tract, Lu Pleh Township, Pa'an District farm hill fields, and grow and sell betel leaves and betelnut.¹²³ Since September 11th 2011, logging worker, U Tin Shwe [company owner], has been in [Daw K'Kya village] and has been cutting the trees in Kwee Law Hploh village tract, at Th'may hill and around Daw K'Kya village, in Daw K'Kya village tract, where there are good, big trees, both in Lu Pleh Township. These are the two village tracts where people come and do logging. They are Daw K'Kya village tract and Kwee Law Hploh village tract.

In most villages in Daw K'Kya village tract, people grow betel leaves and betel nut to sell. Over the two years, in which people have been coming and cutting the trees, they have also cut down a lot of the villagers' betelnut trees and betel vine plants in the process. The villagers told me that if people do this [often] for many months or years, the betel nut trees and betel vine plants will all die.

The Th'May hill villagers' occupations involve selling betelnut and selling betel leaves. There are no flat farms because their village is on the mountainside. There also are not any flat farms in Daw K'Kya village tract. There are people who work on hill farms and they can sell a lot of the betel leaves. All the betel leaves, which people who live in Lu Pleh city eat, come from Daw K'Kya and Kwee Law Hploh village tracts. In Thailand, all betel leaves in Meh

¹²² While Tatmadaw and DKBA units had operated together for years, this operational hierarchy became formalised with the DKBA's transformation into a 'Border Guard Force' under control of the Tatmadaw and containing a fixed number quota of Tatmadaw officers. This transformation dates to at least May 2009, when commanding officers stated in high-level meeting of DKBA officers that the DKBA would transform itself into a 'Border Guard Force;' unpublished leaked minutes from the May 2009 meeting are on file with KHRG.

Ceremonies attended by Tatmadaw commanders officially announced the transformation of large portions of the DKBA into Border Guard Forces in September 2010; see, for example: "Border Guard Forces of South-East Command formed in Paingkyon of Kayin State," New Light of Myanmar, August 22nd 2010; and "Border Guard Force formed at Atwinkwinalay region, Myawady Township, Kayin State," New Light of Myanmar.

¹²³ In Burmese, "betelnut" and "betel leaf" are referred to as "konywet" and "konthih," as if they are from the same plant. The Burmese names are also commonly used by Karen language speakers. "Betel nut" is the seed from an Areca Palm tree, areca catechu; "Betel leaf" is the leaf of the Piper betel vine, belonging to the piperaceae family. See "Attacks on cardamom plantations, detention and forced labour in Toungoo District," KHRG, May 2010.

T'Ree [in Thailand] also come from Daw K'Kya and Kwee Law Hploh village tracts.

Villagers sell taro root

Most villagers from villages in Kler Day and Kwee Law Hploh village tracts, Hpa-an District, work on hill farms. In 2011, even in the summer, there was rain, so some villagers could not burn their hill fields well, so they could not clear them [for farming]. The paddy also has more empty husks, so they did not get enough rice. In order to be able to support themselves they dig and sell *kher mee tee* [taro root]. They come and sell *kher mee tee* in the jurisdiction of Meh T'ree, on the bank of the Thoo Mweh [river]; one kilo [of taro root] is sold for 12 baht (US \$0.40) [in Thailand] and sold for 300 kyat (US \$0.35) on the Burma side. So the villagers find the money [to buy] rice, salt and chillies by digging for *kher mee tee* and selling it.

Money demanded from cow traders

Name: E---

Age: 35

Village: M--- [village], Bee Lay village tract, Bilin Township

E--- is a person who herds and sells cows and buffalos. He lives in Bee Lay village tract and he comes and sells cows in Meh T'ree village, Thailand. When he goes on the whole trip [from M--- village to Thailand], his travel costs [in bribes to officials] for the pair of cows are in the below [table].

Table 1: Money demanded for workers

1. Village head (Sa Ah Pa) [kinds of Burmese group] and armies	8,500 kyat
2. Cross the area, Brigade #1 to Brigade #7	2,500 kyat
3. T'Reh Hkee KNU Brigade #1	5,500 kyat
4. Thay La Baw Border Guard	8,000 kyat
5. Kaw Loo Border Guard	6,000 kyat
6. Paw Taw Border Guard	5,000 kyat
7. Kwee Lay Border Guard	10,000 kyat
8. See Hpa Day Hkee DKBA	10,000 kyat
9. Kwee Law Hploh, Brigade #7 KNU soldier	1,000 kyat
10. Kler Day army camp SPDC	10,000 kyat
11. Thoo Mgeh Nee, Border Guard and SPDC	10,000 kyat
12. Cross Thoo Mgeh River, Thai soldiers	500 baht
13. Cross Thailand	3,000 kyat

Name: B---

Age: 40

Village: N--- [village], Kwee Lay village tract, Lu Pleh Township, Hpa-an District

Table 2: Money demanded for workers

1. Kwee Lay Border Guard	10,000 kyat
2. See Hpa Day Hkee DKBA	10,000 kyat
3. Kwee Law Hploh KNU	1,000 kyat
4. Kleh Day army camp, SPDC soldier	10,000 kyat
5. Thoo Mgeh bank Border Guard	10,000 kyat
6. Cross river, Thai soldier	500 baht
7. Cross Thailand	30,000 kyat

Source document/LuPlehLogging/2011

Project name:	Lu Pleh logging
Type of project:	Logging
Karen District:	Hpa-an
Government Region:	Central Kayin
Actors:	
Company/Investors:	Border Guard Battalion #1011 Captain Pah Daw Poe and Officer Pah Ta Gkee
Government/Military:	Border Guard
Trends:	Lack of consultation; Lack of benefit to local community
Consequences:	Forced labour and exploitative demands; Environmental impacts
Collective action:	
KHRG Log #:	11-57-S1
Publishing info:	"Pa'an Situation Update: April 2011," KHRG, September 2011, http://www.khrg.org/khrg2011/khrg11b31.html

Testimony:

This report contains a situation update submitted to KHRG in April 2011 and written by a villager describing events occurring in Lu Pleh and Dta Greh townships in Pa'an District between February and April 2011. It contains information on incidents of forced labour by the Tatmadaw, including the use of villagers to build huts, deliver palm leaves for thatching buildings and provide unpaid forced labour during gold-mining and logging operations. It also documents the forced relocation of villagers from upland areas, and relates an incident in which a Tatmadaw deserter, who was later summarily executed by Tatmadaw troops, shot and injured a 53-year-old woman in Tantabin Township, Toungoo District. In response to human rights and related humanitarian concerns, including access to health care, the researcher reported that villagers travel covertly to seek medical care from cross-border groups, sell betel leaves to supplement incomes and laminate currency in plastic to prevent it from becoming damaged. This situation report also contains updated information on military activity in Pa'an District, specifically the defection of Tatmadaw Border Guard soldiers in February 2011 to a breakaway faction of the DKBA that had previously refused to transform into Border Guard battalions, and to the KNLA.

Situation Update | Pa'an District (April 2011)

The following situation update was written by a villager in Pa'an District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security.¹²⁴ This report was received along with other information from Pa'an District, including 185 photographs.¹²⁵

Introduction

¹²⁴ KHRG trains villagers in eastern Burma 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 writing situation updates, villagers are encouraged to summarise recent events, raise issues that they consider to be important, and present their opinions or perspective on abuse and other local dynamics in their area.

¹²⁵ When these documents have been processed and translated by KHRG and when sufficient information has been compiled and analysed, a full Field Report on the situation in Pa'an District will be available on the KHRG website. Until then, KHRG's most recent analysis of the situation in Pa'an District can be found in the recent Field Report, "Functional Refoulement: Camps in Tha Song Yang District abandoned as refugees bow to pressure," KHRG, April 2010.

There are many groups of the SPDC Army [Tatmadaw]¹²⁶ and [Tatmadaw] Border Guard soldiers operating and they are not stable, because of the fighting that is occurring.¹²⁷ Sometimes, they [Tatmadaw units] rotate after staying only for one month.

SPDC Army [Tatmadaw] operations and locations

Since the beginning of February [2011], the army [unit] operating at Raw Ta in Dta Greh Township is LIB [Light Infantry Battalion] #591 and the Battalion Commander is Thet Lwin Tun. This battalion operates beside the Salween River, on the border between Gka Teh and Bpaw Bpa Htar. This military unit is about to rotate with a new one based in Bpoo Lu Tu.

In Lu Pleh Township, the operating army units are from a column of LIB #547, and column LIB #339 based in Kler Day army camp. IB #81 operates in Gklaw Gka Htee and soldiers under MOC [Military Operations Command]5 #12 operate in the Maw Plo Gkla area. They always rotate quarterly.

[Tatmadaw] Border Guard operations and locations

The Border Guard troops operating in the Htee Bper area of Dta Greh Township are [under the command of] Captain Maw La Wah, who is based in Htee Bper army camp. The amount of soldiers under his command is 15. The ones who patrol are Second Lieutenant Pah Lay Koh along with ten soldiers and Officer Tun Myint Tun along with seven soldiers. The Border Guard unit operating on the border is [under the command of] Officer Sah Gka Leh. The battalion which operates from Meh La Ah Kee to Bpoo Lu Bplaw is from Border Guard Battalion #1016. Border Guard Battalion #1015 operates in Htee Bper.

In Lu Pleh Township, the battalion operating is from Border Guard Battalion #1016 under Captain Kyaw Nyein, based in Wa Kaw Lu. He [Captain Kyaw Nyein] controls all the Border Guard soldiers [between Wa Kaw Lu and] Meh Ta Ree. The total [number of soldiers in Battalion #1016] is about 30. Border Guard Battalion #1011 has around 35 soldiers under the command of Captain Pah Daw Boe and Officer Pah Ta Gkee, and they operate in the Ta Ree Poe Kwee area. They [Border Guard units] operate and rotate as the SPDC Army [Tatmadaw] does. These units are controlled by SPDC officers, as needed.

Border Guard deserters join DKBA and KNLA forces

[This paragraph has been redacted in its entirety for security purposes.]

¹²⁶In Karen, the Burmese phrase *Na Wa Ta* (SLORC) and *Na Ah Pa* (SPDC) are commonly used to refer to the Burmese government or to Burma's state army, the Tatmadaw. Many older Karen villagers who were accustomed to using the phrase *Na Wa Ta* (SLORC) before 1997 continue to use that phrase, even though the SLORC has not officially existed since 1997. Similarly, despite the official dissolution of the SPDC in March 2011, many Karen villagers continue to use the phrase *Na Ah Pa* (SPDC) to refer to the Burmese government or to the Tatmadaw; see: "Mission Accomplished as SPDC 'dissolved,'" Myanmar Times, April 4-10 2011. The term *Na Ah Pa* was used by the interviewer and interviewee, and "SPDC" is therefore retained in the translation of this interview.

¹²⁷For background on instability and conflict in Pa'an and adjacent Dooplaya District, and associated human rights concerns for civilians since November 2010, see: "Displacement Monitoring: Regular updates on protection concerns for villagers in Dooplaya and Pa'an districts and adjacent areas in Thailand," KHRG, August 2011.



These four photos were taken in February 2011 by a villager trained by KHRG to document human rights abuses. According to this villager, a group of Tatmadaw Border Guard soldiers defected to a breakaway faction of the DKBA that had previously refused to transform to Border Guard battalions, and to the KNLA. The photo above left shows two non-uniformed men sitting and smoking with an armed KNLA soldier in the centre. The photo above right shows a DKBA soldier, on the right, putting his arm across the shoulders of a man wearing the uniform of Tatmadaw Border Guard Battalion #1015, on the left. The two photos below, also taken in February 2011, show assorted weapons carried by defecting Tatmadaw Border Guard soldiers. The photo below right shows a deserter wearing the uniform of Tatmadaw Border Guard Battalion #1015 holding an RPG-7 rocket-propelled 40 mm grenade launcher. [Photos: KHRG]



Forced labour

Saw B---, aged 45, from Gk--- village, T--- village tract, Lu Pleh Township, Pa'an District, reported that in the beginning of March 2011, [Tatmadaw] Border Guard Battalion #1011 under Captain Pah Daw Boe logged in the G--- River area and forced villagers, including Saw B---, to go there to work and then carry [porter] things for them. Therefore, he [Saw B---] did not have time to take a rest and hurt his back, but he did not receive any payment and had to work for free as he was ordered. His back got hurt, but he did not receive any payment for medical treatment. He had to find treatment by himself.



The photos above show Saw B---, 35, a resident of Gk--- village in Lu Pleh Township. Saw B--- told the villager who took these photos that his back was injured while performing forced labour, including forced portering, for Tatmadaw Border Guard Battalion #1011 troops under the control of Captain Pah Daw Boe, at a logging site on the G--- River. The villager did not further describe Saw B---'s injury, however the photo above right shows what appears to be scarring on Saw B---'s lower back, suggesting that he may have sustained abrasions while portering. Saw B--- told the KHRG researcher that he received neither payment for his labour nor compensation or medical assistance for the injury he sustained. [Photos: KHRG]

Gk--- villagers have to carry palm leaves to Border Guard Battalion #1011's logging sites in order to build field huts to use as shelters. Every man and woman has to find and collect palm leaves, and has to send them every day to the places where the Border Guard unit is logging. Moreover, they also have to make thatch, build field huts, and roof the huts. They can take a rest only after they have completed building the huts. There are only a few households in Gk--- village, and the villagers often have to work for the SPDC Army [Tatmadaw] and Border Guards and do not have time to relax.



The two photos above show residents of Gk--- village in Lu Pleh Township carrying loads of palm leaves to logging sites operated by Border Guard Battalion #1011. According to the villager who took these photos, Gk--- villagers transport the palm leaves to the logging sites, where they also have to build huts, make thatch shingles using the palm leaves, and roof the huts with the thatch shingles. [Photos: KHRG]

Border Guard Battalion #1011, under Captain Pah Daw Boe and Officer Pah Ta Gkee called Burmese villagers who work in mines to mine for gold in the Meh Gka Taw River. The villagers started doing this [gold mining in the Meh Gka Taw River], and have been doing it since January 2011. Regarding this gold mining project, the Border Guard officers arranged it and Burmese bosses [private businessmen from Burma] arranged [to supply] the machines. For building huts there, Border Guard soldiers ordered villagers in Gk--- and T--- villages to help, but they did not pay them any money. They ordered the

village heads to arrange the villagers for them.





The eight photos above document a small-scale gold-mining operation on the G--- River controlled by Captains Pah Daw Boe and Officer Pah Ta Gkee of Border Guard Battalion #1011. According to the villager who took these photos, the mining equipment depicted in the photos was supplied to the Border Guard captains by private businessmen from Burma.¹²⁸ [Photos: KHRG]

Border Guard Battalion #1011 Captain Pah Daw Poe and Officer Pah Ta Gkee did commercial logging at some places in the forest in Mae Ta Woh. Trucks were used as needed. The villagers had to do all the other work; if something was needed, they always forced and used the villagers to do it. The villagers had to saw the wood, carry the wood to the trucks and put the wood in the trucks to take to the sawmill, but they did not get anything for their daily work. Some SPDC [Tatmadaw] soldiers worked with the Border Guard officers and they shared money evenly until the logging was done.



These two photos show a logging site in the Mae Ta Woh area controlled by Captains Pah Daw Boe and Officer Pah Ta Gkee of Border Guard Battalion #1011. The KHRG researcher who took these photos reported that villagers in the area were forced to provide unpaid labour at this site, performing duties which included sawing wood and transporting it to lumber trucks. [Photos: KHRG]

Tatmadaw Border Guard Battalion #1011 soldiers who did commercial logging around M--- and R--- villages, in P--- village tract, Lu Pleh Township, clear cut the forest. When they looked for trees to cut, they used villagers to help them. The villagers had to work for the Border Guard soldiers for free. If the Border Guard soldiers needed help, they asked a village head to arrange for villagers to cut and carry wood and build shelters as necessary.

¹²⁸For more information on small-scale gold-mining operations operated by armed groups in eastern Burma, see "Papun Situation Update: Dweh Loh Township," KHRG, May 2011; and "Southwestern Papun District: Transitions to DKBA control along the Bilin River," KHRG, August 2011.



The four photos above show more logging operations carried out by Border Guard Battalion #1011 in the area of M--- and R--- villages, P--- village tract, Lu Pleh Township. The researcher who took these photos reported that villagers in this area have been forced to serve as guides to help Border Guard soldiers locate trees suitable for felling, to cut and carry trees, and to construct shelters. [Photos: KHRG]

[2009] Attacks in 7th Brigade [Pa'an District]

In 2009, villagers from B--- village, Kwee Law Plo village tract, Lu Pleh Township in 7th Brigade, had to flee fighting in the area and hide in their rice barns in the forest.¹²⁹ Now, in 2011, a lot of villagers have gone back to their homes. They farm hill fields and go to sell betel leaves, and they work for their livelihoods during the dry season and when the time is good [when there is no military activity].

¹²⁹While the KHRG researcher who wrote this report did not specify when the fighting occurred which prompted villagers in B--- village to flee, villagers across a wide area of Pa'an District fled their homes following heavy fighting in the vicinity of Ler Per Her IDP camp in June 2009. See: "Over 700 villagers flee to Thailand amidst fears of SPDC/DKBA attacks on a KNLA camp and an IDP camp in Pa'an District," KHRG, June 2009. For full background on the fighting in June 2009 which displaced thousands of villagers in Pa'an District, and on the circumstances surrounding their return to Burma, see: "Abuse in Pa'an District, Insecurity in Thailand: The dilemma for new refugees in Tha Song Yang," KHRG, August 2009; "Functional Refoulement: Camps in Tha Song Yang District abandoned as refugees bow to pressure," KHRG, April 2010.



The photo above left shows houses in B--- village, P--- village tract, Lu Pleh Township that were abandoned when villagers fled fighting in the B--- village area in 2009. The villager who took these photos reported that many B--- villagers have now returned to their homes, and supplement their incomes by selling betel leaves. The photo above right shows a villager packing betel leaves that have been steamed, which allows them to be stored for up to a year. [Photos: KHRG]

Attacks on villagers

We received the information that the SPDC [Tatmadaw deserter] shot 53-year-old Naw H---, the wife of 65-year-old *Pa Dtee* [Uncle] C---,¹³⁰ the former head of P--- village, Tantabin Township, Toungoo District, with a gun. An SPDC deserter came [to P--- village] searching for food and asked *Pa Dtee* C--- to cook rice and buy wine for him. After he was drunk, he shot Naw H--- with his gun, and the bullet went through her right thigh. After that [*Pa Dtee* C---] had to send his wife to the hospital in town. He did not get anything for payment. After this, he went and told the SPDC Army [Tatmadaw soldiers] stationed in Camp 73 [where IB #73 is based] and they searched for the deserter. After that, his friend killed him [another Tatmadaw soldier shot the deserter]. The SPDC deserter's unit was MOC #17.¹³¹ Saw G---, 46 years old, a P--- villager from Tantabin Township, Toungoo District provided the information about the SPDC deserter who shot *Pa Dtee* C---'s wife. This incident happened in March 2010.

¹³⁰The Karen term *Pa Dtee* or ‘Uncle’ is a familiar term of respect attributed to an older man; it does not signify any actual familial ties between the researcher who wrote this report and *Pa Dtee* C---.

¹³¹While the villager who wrote this report referred to MOC #17, KHRG’s most recent field report from Toungoo District notes that, on December 26th 2009, Tatmadaw troops from Military Operation Command (MOC) #5 were rotated out of Toungoo District after two years of operations, and replaced by units from MOC #7. See “Attacks on cardamom plantations, detention and forced labour in Toungoo District,” KHRG, May 2010.



The photo above left shows *Pa Dtee* [Uncle] C---, 65, the former head of P--- village, Tantabin Township, Toungoo District. *Pa Dtee* [Uncle] C--- told the villager who took these photos that his wife, Naw H---, 53, had been shot in the leg in March 2010 by a Tatmadaw deserter from MOC #17, who was later captured and summarily executed by Tatmadaw troops from IB #73. Saw G---, a 46-year-old P--- villager, seen in the photo above right, also confirmed this incident to the villager who submitted this report to KHRG. [Photos: KHRG]

New town in T---

There is a big hilltop army camp at T---. On March 7th 2011, before the rotation of SPDC [Tatmadaw] MOC #19, TOC [Tactical Operations Command] #2, under Colonel Zaw Win, they [the Tatmadaw soldiers] called the villagers and told them that they would rebuild T--- as a new town. People who did not have a house in T--- had to pay 300,000 kyat (US \$407)¹³² for a place [land] for a new house. People who already had houses had to pay 150,000 kyat (US \$203). Everybody had to stay within a limited area, and couldnot stay in the mountain [upland] areas. Now the government has started to build a hospital and will also supply it with medics. I do not yet know exactly how many villagers they will include in the new town.



The photo above left shows a Tatmadaw camp situated on an elevated location near T--- village, which is depicted above right. The villager who took these photos reported that on March 7th 2011 Colonel Zaw Win from TOC #2 of Tatmadaw MOC #19 ordered villagers living in upland areas adjacent to the camp to relocate to T--- village. Villagers who did not have land to build a house in T--- village were ordered to pay

¹³²All conversion estimates for the Kyat in this situation update are based on the fluctuating informal exchange rate rather than the government's official fixed rate of 6.5 kyat to US \$1. As of September 12th 2011, this unofficial rate of exchange was US \$1 = 738 kyat. These figures are used for all calculations above.

300,000 kyat (US \$407) while all residents of T--- village were ordered to pay 150,000 kyat (US \$203) for a plot of land on which to build a house in the relocation site. [Photos: KHRG]

Healthcare

When R--- villagers in Kwee Law Plo village tract, Lu Pleh Township face health problems, they have to search for ways to get medicines. They [the villagers] went to see the KNU medics who were active there and they asked them to provide medicines to cure their diseases. They have to go secretly to see the KNU. Furthermore, some people carry betel leaves with them to sell and get money to use. They had to go [travel] secretly by the mountain path to reach the medics' station. That they did this shows that some villagers work for their livelihoods by selling betel leaves, after which they buy rice.



The photo above left shows residents of R--- village, P--- village tract, Lu Pleh Township receiving medicine from KNU medics, with KNLA soldiers providing security. The villager who took these photos explained that these villagers had to travel covertly to access medical assistance provided by the KNU. The photo above right shows villagers who also travelled covertly outside of their village, carrying baskets of betel leaves; they told the villager who took this photo that they intended to sell the betel leaves and purchase rice with the income earned. [Photos: KHRG]

The use of Burmese currency

In Burma, in the villages that I have been, they use the monetary denominations of 200, 500 and 1,000 kyat (US \$0.27, \$0.68 and \$1.36, respectively) and the difference [from previously] is that now they put the money that is torn in plastic film and singe it with fire [to laminate the bills]. People who do this do not need to take the plastic off. They can go and buy things at the market and it is acceptable. You cannot tear the money. If the SPDC [Tatmadaw] soldiers see that you have torn money, they arrest you and put you in jail immediately. The Burmese government does not accept the torn money. Civilians use [laminated] money like this everywhere. For the places that I have not been, I asked people and they said that they use it like this everywhere. It is the truth that nowadays Burmese citizens use torn money covered in plastic.

Conclusion

For the information above, I worked together with Pa Dtee D--- to make the situation report and ensure the information is correctly detailed. I truthfully reported the information as I heard and understood it.

Tavoy Logging

Source document/TavoyLogging/2012

Project name:	Tavoy logging
Type of project:	Logging
Karen District:	Tenasserim (Mergui-Tavoy)
Government Region:	Tanintharyi
Actors:	Malaysian company; unidentified oil palm and logging companies
Company/Investors:	Foreign; Domestic
Government/Military:	
Trends:	Land confiscation; Lack of consultation; Disputed or lack of compensation
Consequences:	Environmental impacts; Impacts on livelihoods
Collective action:	
KHRG Log #:	12-73-T2-I1
Publishing info:	"Mergui/Tavoy Interview: Saw K---, April 2012" KHRG, July 2012, http://www.khrg.org/khrg2012/khrg12b64.html

Testimony:

This report contains the full transcript of an interview conducted during April 2012 in Ler Mu Lah Township, Mergui/Tavoy District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed 40-year-old G--- village head, Saw K---, who described abusive practices perpetrated by the Tatmadaw in his village throughout the previous four year period, including forced labour, arbitrary taxation in the form of both goods and money, and obstructions to humanitarian relief, specifically medical care availability and education support. Saw K--- also discussed development projects and land confiscation that has occurred in the area, including one oil palm company that came to deforest 700 acres of land next to G--- village in order to plant oil palm trees, as well as the arrival of a Malaysian logging company, neither of which provided any compensation to villagers for the land that was confiscated. However, the Malaysian logging company did provide enough wood, iron nails and roofing material for one school in the village, and promised the villagers that it would provide additional support later. Saw K--- raised other concerns regarding the food security, health care and difficulties with providing education for children in the village. In order to address these issues, Saw K--- explained that villagers have met with the Ler Mu Lah Township leaders to solve land confiscation problems, but some G--- villagers have had to give up their land, including a full nursery of betel nut plantations, based on the company's claim that the plantations were illegally maintained.

Interview | Saw K---, (male, 40), G--- village, Ler Mu Lah Township, Mergui/Tavoy District (April 2012)

The following interview was conducted by a community member in Mergui/Tavoy District, and is presented below translated exactly as it was received, save for minor edits for clarity and security.¹³³ This interview was received along with other information from Mergui/Tavoy District, including eight incident reports, and 13 other interviews.¹³⁴

¹³³ KHRG trains community members in eastern Burma 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.

¹³⁴ In order to increase the transparency of KHRG methodology and more directly communicate the experiences and perspectives of villagers in eastern Burma, KHRG aims to make all field information received available on

Ethnicity: Karen
Religion: Christian
Marital Status: Married
Occupation: Village Head and Hill field farmer

How many years ago did you get married?

I got married 28 years ago.

How many children do you have?

I have five children.

How old is your oldest child?

17-years-old.

How old is your youngest child?

Three-years-old.

How many years have you been the village head?

I have been the village head for four years.

What is your responsibility as you are village head?

I have to look after the village and develop the village.

When you became the village head, was it because you were willing, or did the SPDC [Tatmadaw]¹³⁵ select you, or did the KNU [Karen National Union] select you?

About becoming the village head, I didn't want to, and it was not the KNU that selected me; it was because the SPDC selected me.

Did you know the SPDC brigade which selected you?

I don't know.

What about the battalion?

the KHRG website once it has been processed and translated, subject only to security considerations. As companion to this, a redesigned website will be released in 2012. In the meantime, KHRG's most recently published field information from Mergui/Tavoy District can be found in the report, "Tenasserim Situation Update: Te Naw Th'Ri Township," KHRG, April 2011.

¹³⁵In Karen, the Burmese phrases *Na Ah Pa*(SPDC) and *Na Wa Ta*(SLORC) are commonly used to refer to the Burmese government or to Burma's state army, the Tatmadaw. Many older Karen villagers who were accustomed to using the phrase *Na Wa Ta*(SLORC) before 1997 continue to use that phrase, even though the SLORC has not officially existed since 1997. Similarly, despite the official dissolution of the SPDC in March 2011, many Karen villagers continue to use the phrase *Na Ah Pa*(SPDC) to refer to the Burmese government or to the Tatmadaw; see: "Mission Accomplished as SPDC 'dissolved,'" *Myanmar Times*, April 4-10th 2011. The term *Na Ah Paw* as used by the villager who wrote this conducted this interview and interviewee and "SPDC" is therefore retained in the translation of this interview.

I don't know.

Did you know the officer's name who came to select you?

They didn't come to select [villagers] by themselves, but they sent an order. His name is *Bo mu* [Major] Tin Hton, and the villagers agreed with him, so they selected me.

Which month was that?

In 2008.

Can you tell us the brief story of your experience, and your job role since you became the village head, please?

The experience from dealing with the SPDC from 2008, 2009 and 2010, I suffered very badly. But this year [2012] became much better.

Why did you have to suffer?

We suffered because at that time, [because] the KNU [Karen National Liberation Army (KNLA)] came to operate in the area, so the SPDC came to find themout [their whereabouts] and questioned us.

Have you ever been punched or beaten?

I haven't ever been punched or beaten.

Which armed group was that [that came to locate the KNU]?

That armed group was the Burmese soldiers [Tatmadaw], but I don't remember the officer's name.

Did you remember the date when they did that?

I don't remember the date because I didn't notice the date. It already passed one year ago.

Do they still demand money in your village?

Yes, they still demand money.

Why do they demand [it]?

They demand [it from] us because when they ordered us to porter, we didn't go, so they fined us, then we had to pay them.

Did they demand [money] per village or per person?

They demanded it per household; 5,000 Kyat¹³⁶(US\$5.69) perhousehold.

How many households are in your village?

¹³⁶As of July 3, 2012, all conversion estimates for the Kyat in this report are based on the official market rate of 878 Kyat to the US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the Kyat, thus replacing the previous fixed rate of 6.5 Kyat to US \$1.

There are [censored for security] households.

How many villagers do you have?

[Censored for security] villagers.

What are your villagers' occupations?

They just do hill farming. There is no other work.

Do they all have enough food from doing hill farming?

Not all of them have enough. Some have enough but some don't have enough. There are more villagers who don't have enough.

What do the villagers who do not have enough [food] do for their livelihood?

They have to hire themselves [out] and they eat anything they get in a day.

What kind of jobs do they hire [for]?

In the past, the villagers were hiring each other but since the companies entered the village [G--- village], the villagers haven't hired each other. The company entered and hires people so the villagers go to work for the company, but they don't have enough [money] from hiring themselves [out] to the company.

Did you remember the date when the companies entered?

The companies entered in September 2011.

What was their plan when they entered? Will they plant something?

In the beginning, when they entered, they said they would do logging. But later they didn't only log, they deforested lands to plant oil palm [trees]. But in the beginning, they didn't include [in their plan] to plant oil palm. After they started logging and they built the road, they planned to plant oil palm. They deforested 700 acres of land to plant oil palm. They already deforested the land but they haven't planted oil palm yet.

When they deforested [the] land, did it include the villagers' lands?

Yes, it included many villagers' land.

Did they pay compensation?

They haven't paid compensation yet. But later, when we had meeting with the township [Ler Mu Lah] leader, because it relates to the township leader, the township leader met with them, so they said they would pay. They would buy if the villagers sold [land]. But at the beginning, they – the rich people – wholly didn't want to pay.

So now, if they really pay, how will they pay? Will they pay per acre?

Yes, they said they would pay per acre depending on how many acres. If the villagers report ten acres, they will pay for ten acres. They don't pay more than that.

How much they will pay for one acre?

One acre costs 40,000 Kyat (US \$45.56).

How many of the villagers' land in your village are included?

There are five villagers' lands [that] were included. They are Naw P---, Saw B---, Saw H---, Saw D--- and Saw C---.

Do your villagers do business [from] which [they] get incoming money in other ways?

They don't have any extra work. They just hire themselves [out] and they eat what they get. They just do it like that. I haven't seen a villager who created a special business or do their own business.

How long has your village been established?

Since 2008.

Does your village have any problems?

We don't have special problems to face. There is just [that] we have to avoid when the SPDC enters the village. We don't face [anything] like physical injury.

When the SPDC enters the village, do they still take villagers' pigs, chickens, cows or buffalos?

If [there are] buffalos and pigs, they do take like that, but if [they want] chickens, they do ask [permission] from the villagers.

Do they pay the [fair] price?

They don't pay for the price often, but sometimes, if some Battalion Commander is kind, they do pay. But some Battalion Commanders don't pay. They just demand like that.

If they pay, do they pay per viss¹³⁷ or per chicken?

They paid per viss.

How much do they pay per viss?

They pay 2,000 Kyat (US\$2.28) per viss because one viss of chicken costs 2,000 Kyat, but they do give [it] sometimes.

Do you see the SPDC kill any one of the villagers a few days ago?

Over the past one or two years and currently in our area, we haven't seen or heard that they bullied people to death.

Did the SPDC order you to come back to build up the village, or did you come back to build up the village by yourself?

¹³⁷ A viss is a unit of weight equivalent to 1.6 kg. / 3.52 lb.

At the beginning, we escaped. And after that, we came back to stay in Hpgay Plaw, Ta Day Luh Hkoh and K'Waw Hta, but we couldn't suffer [it] because these places were other people's areas, so we asked to set up the village. When we went and asked them [the Tatmadaw], the Operation Commander gave us the opportunity to set up [the village]. It is not like they ordered us, but we asked their permission to live [there].

Did you have to pay money for setting up this village?

No, we didn't have to pay money for the lands. We only had to pay when we went and drank tea with them. We had to spend a little bit when we met with the leaders [Tatmadaw officers].

Have you ever portered for them?

Yes, I had to porter [for] three years. Only this year we haven't had to porter, because we don't have portering duty this year. In the previous three years, we had to porter the whole three years, once or twice per year.

When you had been portering, did they order per village?

Yes, they ordered per village. For our village, they ordered ten people per year because our village is small.

How did they arrange for people who weren't able to go?

For people who weren't able to go, we, the villagers, had to arrange it by ourselves because we had sympathy for them, so we left them [in the village] and also they [the Tatmadaw soldiers] didn't tell us anything. We looked for our villagers who are poor and who are sick, then we leave them.

Did they have to hire someone else because they weren't able to go?

No. We don't have that [practice] in our area, but there is [the practice] in T'Pgoh Hkee and K'Weh villages. Only in our village, we don't force people who aren't able to go. Sometimes, we asked 3,000 (US\$3.42), 4,000 (US\$4.56) or sometimes 5,000 Kyat (US\$5.69) from them as assistance.

Did you pass any village when you portered for Burmese soldiers?

We passed only U Thoo Kloh village.

Did they [Tatmadaw] make trouble for the villagers when they entered the village?

I didn't see them make trouble for the villagers when we went.

Did you see them take villagers' chickens?

No, I didn't see that.

Did they rape female villagers?

No.

Was there any fighting happening when you were portering?

No, there was no fighting happening when we were portering. We could go smoothly.

Is there a school in your village?

Yes, the school opens every year.

How many standards [are taught] in the school?

We extend to three standards.

How many students are there in the school?

There are only 20 students in [the school] this year. Most students are in kindergarten, and there are 2 or 3 students in Grade 1, amongst 20 students.

Did the villagers, or the SPDC, or the KNU build up this school?

The SPDC ordered us to build up the school, then we built [it] up. It looks nice if there is school in the village so we built [it] up by our self.

How many teachers are there in the school?

There have been three teachers; one [new] teacher per year.

How much do the villagers have to pay for teacher's salary, per year?

For the teacher's salary, the SPDC government doesn't hire for us. We, the villagers, have to hire [them] by ourselves. We have to provide 40 baskets of paddy¹³⁸ (836 kg. / 2,816 lb.) to only one teacher per a year.

Are you able to provide [paddy] every year?

For some teachers, we can provide every year, but for some we can't.

Is there any help from other [groups of] people?

No, only the villagers have to provide [paddy]. For the 40 baskets of paddy [they] are just paddy seeds. We also have to provide one big tin of paddy grain (10.45 kg. / 23.04 lb) and a half viss (0.8 kg. / 1.76 lb) of shrimp paste and one viss of salt per household. We have to help them by our selves. It means we hire a person who is worth hiring.

How much is the school fee per student?

For the school fee, we have to give 2,000 Kyat (US\$2.28) per student.

Who do you have to give [it] to?

We have to give to a female schoolteacher. We give her money and send students to her.

¹³⁸ Unit of volume used to measure paddy, milled rice and seeds. One basket is equivalent to 20.9 kg./ 46.08 lb. of paddy.

How does she use it?

She uses it for to buy books for the students, and provides them to the students.

Can your school run peacefully?

Yes, the school can run peacefully if the female schoolteacher is nice. There is no difficulty in studying.

Is there any opportunity in your school to teach the Karen language?

We have not done that before. I did it [taught in Karen] in 2001 and I prepared for [teaching in] Karen language, but the SPDC hasn't allowed us since. They said, they don't want to hear [about teaching the Karen language]. But in 2002, I didn't hear any information about that. We didn't hear anything from them.

Does the SPDC or KNU [KNLA] ever come to make trouble, or bother your school?

No, that never happens. The KNU never come to make trouble for us; they come to encourage us to develop the school¹³⁹.

Do your students receive any special help from the Burmese government, SPDC, someone, or any rich people?

No, that never happens. The parents have to struggle by themselves. There is no outside help.

Is there a hospital in your village?

No, there is no hospital.

Where do you go to heal the villagers who are sick, if there is no hospital in the village?

We look after each other in the village but if [an illness] becomes worse, then we go to the HteeHpohHta [village].

What kind of disease most occurs in your village?

Mostly, malaria and hypertension.

Can the villagers work peacefully?

I think they can do hill farming peacefully, but flat farms we don't even do. Since the village was built they have been able to do hill farming peacefully. It depends on the person who tries to work.

Do they have enough food?

No, they don't have enough food. Most people don't have enough food. There are fewer people who have enough food, but more people who don't have enough food. For example,

¹³⁹While the villager said Karen National Union, in this context it is likely he is referring to the political party's armed forces, the Karen National Liberation Army (KNLA).

if there are 20 households then, [there will be] only five households which have enough food. There are no more than ten households that have enough food.

How much do you have buy for one big tin of rice?

One big tin costs [between] 4,500 Kyat (US\$5.13) to 5,000 Kyat (US\$5.69), but I haven't bought any yet; I saw other people buy one big tin for 5,000 Kyat.

How much does one viss of meat cost?

One viss of meat costs 2,500 Kyat (US\$2.85).

Since you became the village head, have the villagers provided you with food or have you had to work by yourself?

There is no way for the villagers to provide you [with food] as you become a village head. We have to work by our self. We [village heads] have to do [work] even when we aren't available. The villagers don't look after us, but sometimes they help us with extra work one time per a day. The villagers don't [provide] support for food or paddies. We have to think of the way, and do it by our self.

Have you seen the SPDC come to develop the village?

That never happens. They give orders only, but they don't come to do [anything] by themselves. They order [us] to build up the school and clean the village. They never come to develop it by themselves.

How do you see the attitude of the KNU?

For the KNU, when they come, they don't act badly towards us. Everything goes smoothly. They don't ever say something bad to us.

Do they come to demand villager's things in the village like SPDC?

No, they don't ever demand anything by force. They do eat when we provide [food] for them, but they don't eat if we don't provide [food] for them.

Do you want to tell more information about your experience, or your feelings about the SPDC, KNU, or problems with your livelihood?

I don't have any special problem to report; we suffered in the past, but now we don't have to suffer anymore. Now, they [Tatmadaw] don't come and treat us badly, [such] as scold us. I don't know about the other villages, but in my village they don't come and scold us. I haven't seen the SPDC come to our village and scold us, so I can't report anything that is special. We do say the truth. We never say things wrong. I haven't seen the SPDC come [to my village] in 2012. I haven't heard them scold us. I even went to their place [an army camp near G--- village], but they didn't tell me anything. I also met with their Operation Commander, but he didn't say anything special or bad to us. He said the time now is peaceful; they don't have to fight anymore.¹⁴⁰

¹⁴⁰ It is likely the Tatmadaw Operations Commander was referring to the ceasefire agreement signed between the KNU and RUM officials on January 12th 2011 in Pa'an Town, which was an agreement in principle on '11 key points', to be followed by more in-depth talks after 45 days. Senior KNU officials have since announced that the deadline of 45 days is unlikely to be met; see: "KNU ceasefire meeting with government behind schedule," Karen News, February 23rd 2012. Meanwhile, as-yet-unpublished KHRG information received on

What about the company? Is there any support for the village when they come to the village?

We don't get any support from the oil palm company. But from the logging company, which is a Malaysian company, they support us with wood for the school. They said, "these trees are growing here, so while we enter your places we will help you as we should." And this year, they would give enough wood to build a school, and also roof. We don't have to buy iron nails, and they provided everything. We only have to build. In the next year, they planned that if the school is built, they would support us with money. Currently, they said they would [provide] support for only one school. If there is anything needed, they would support when it is needed.

When the company and rich people enter your village, do they confiscate villagers' lands ruthlessly, including lands where villagers have sown seeds?

That does not include sown-seed land, but it does include two villagers' [individual] land, where they already planted nursery betel nut¹⁴¹ plantations, approximately 100 to 200 betel nut plants. It does not include plantations that can produce fruits.

How many acres of land do you think there were, including nursery betel nut plantations?

I think there were six acres of land, which include nursery betel nut plantations, with two owners.

Do you think they will pay?

No, they won't pay. They said that they won't pay. And also, vegetation in the nursery plantations has not been cleared yet; they [the plantations] are in the bushes, so they [company] said it is illegal. When they said it was illegal, the villagers didn't say anything.

Do they demand villagers' pigs or chickens for free when they enter the village?

No, they never demand [those] for free. If the rich people come, they buy by [those] themselves. The chickens become fewer because they buy [them] often.

How much do they pay for one viss?

They pay 4,000 Kyat per viss (US\$4.56). Now, the chickens' price increased, so they pay 4,000 Kyat per viss.

February 19th 2012, suggests that there have been clashes between government forces and non-state armed groups in Pa'an District in February 2012 and that recent re-supply operations carried out by Tatmadaw forces in Nyaunglebin District exceeded the amount of supplies usually sent, and included heavy artillery. Local media sources have also reported ongoing fighting in Pa'an and Nyaunglebin Districts since January 12th 2012; see: "Killings and attacks between DKBA and BGF drives villagers from their homes," Karen News, February 24th 2012; "Ceasefires, Continued Attacks and a Friendly Encounter Between Enemies," Free Burma Rangers, February 3rd 2012.

¹⁴¹In Burmese, "betelnut" and "betel leaf" are referred to as "konywet" and "kontih," as if they are from the same plant. The Burmese names are also commonly used by Karen language speakers. "Betel nut" is the seed from an Areca Palm tree, areca catechu; "Betel leaf" is the leaf of the Piper betel vine, belonging to the piperaceae family. See "Attacks on cardamom plantations, detention and forced labour in Toungoo District," KHRG, May 2010.

Is there anything else you want to report?

I don't have anything else to report because this relates to the rich people and their own jobs.

Thank you for telling me information from your experience and suffering.

Thaton Bilin River Logging

Source document/ThatonBilinRiverLogging/2012

Project name:	Thaton Bilin River logging
Type of project:	Logging
Karen District:	Thaton
Government Region:	Mon
Actors:	KNU and unidentified companies
Company/Investors:	Domestic
Government/Military:	KNU
Trends:	Disputed or lack of compensation; Lack of consultation
Consequences:	Impacts on livelihoods
Collective action:	
KHRG Log #:	12-80-S1
Publishing info:	"Thaton Situation Update: Pa'an, Bilin, Thaton and Kyaikto townships, June 2012," KHRG, March 2013 (First Publication)
Testimony:	<p><i>This report includes a situation update submitted to KHRG in June 2012 by a community member describing events occurring in Thaton District, during the month of June. Specifically raised are villagers' ongoing concerns after the January 2012 preliminary ceasefire agreement, and the expression of serious doubts as to whether the ceasefire will mean real improvement in the safety of villagers or in reducing abuse such as set tha¹⁴² duties. Villagers concerns about the negative</i></p>

¹⁴²*Set tha* is a Burmese term for forced labour duty as a messenger stationed at army camps or bases and serving as a go-between to deliver orders from army officers to village heads, but also involving other menial tasks when no messages are in need of delivery.

impacts of development projects are also raised, including the destructive consequences of logging and mining projects: some of which have already destroyed the agricultural land and livelihoods of villagers. Further, the report details how the development projects discussed are going ahead, with the permission of the KNU but without consultation with local villagers or any compensation for damage to villagers' agricultural lands. The report also includes information about the activities of armed groups and villagers' concerns about Denial of access food supply due to weather conditions, as well as having to supply military troops and religious leaders with rice. Health problems, including specific conditions prevalent in certain villages and the activities of the Back Pack Health Worker Team (BPHWT) in the area are also detailed.

Situation Update | Thaton District (June 2012)

The following situation update was written by a community member in Thaton District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Thaton District, including 151 photographs.

Introduction

In Thaton District, there is logging, gold mining, stone mining, rubber plantation, forced labour and the recruiting of militias¹⁴³ [from amongst villagers].

Thaton District includes four townships, which are Hpa-an Township, Bilin Township, Thaton Township and Kyaikto Township. The events [described] have occurred mostly in Hpa-an Township, Thaton Township and Kyaikto Township.

Military activities

The KNU [Karen Nation Union] and the KNLA [Karen National Liberation Army] have based their military as [detailed] below. Battalion #1 is based in Hpa-an Township and the Battalion commander is Commander Saw Mya Htway. Battalion #2 is based in Thaton Township and the Battalion Commander is Chit Thu. Local Force Battalion #2 is based in Kyeikto Township and the Battalion Commander is Kha Thein. Tha Kay [military] office, Kaw Ree office and Defence Company are active in Bilin Township. There are [Burma] Government military camps in Bilin Township and they are Na Kyee, Yoh Klah, Lay Kay, LID [Light Infantry Division] #44 and LIB [Light Infantry Battalion] #216 and [they] are active along the main road. For the villages from Kyeikto Township, [the Tatmadaw] founded militia in every village.

The situation of the civilians from Thaton District after the ceasefire

Thaton District is a district that has a lot of plain [flat] land and it is also surrounded by flat land area and near to towns. Therefore, most of the civilians are farmers; some do cultivation and some do trading. Since the ceasefire,¹⁴⁴ there have been no changes for the

¹⁴³Pyi thu sit, or ‘people’s militia’, are local militia groups composed of civilians recruited and trained by the Tatmadaw.

¹⁴⁴The ceasefire agreement signed between the KNU and RUM officials on January 12th 2011 in Pa'an Town, was an agreement in principle on ‘11 key points’, to be followed by more in-depth talks after 45 days. Senior KNU officials had since announced that the deadline of 45 days was unlikely to be met; see: “KNU ceasefire meeting with government behind schedule,” Karen News, February 23rd 2012. Meanwhile, as-yet-unpublished KHRG information received on February 19th 2012, suggests that there have been clashes between government forces and non-state armed groups in Pa'an District in February 2012 and that recent re-supply operations carried out by Tatmadaw forces in Nyaunglebin District exceeded the amount of supplies usually sent, and included heavy artillery. Local media sources have also reported ongoing fighting in Pa'an and Nyaunglebin Districts since January 12th 2012; see: “Killings and attacks between DKBA and BGF drives villagers from

civilians' lives and their livelihoods; it is the same as in the past. There are still many concerns and fears because the armed groups such as the DKBA [Democratic Karen Buddhist Army], the Border Guard, the Burmese Government militia, *Tha Ka Hsa Hpa* [anti-insurgency group],¹⁴⁵ the Burmese police, the KNU and KNLA are still active as they were in the past.

Some civilians are in trouble with their food because their paddy is not good since there has been no rain and the animals have destroyed their paddy. They are asked to provide rice grain to supply military groups during travel and they also have to give money to the religious leaders, such as the monks or the Christian leaders because they are trying to build places of worship.

For some civilians, as companies come in and do logging, gold mining, stone mining and plant rubber, their [villagers in Thaton District] farm fields and their plantations are destroyed. In the below side [western area] of Thaton District, the civilians rely on farming and trading. In M--- [village], they [the civilians] plant crops and mostly they plant betel leaf.¹⁴⁶ The civilians from M--- mountains today face [challenges] as their durian and betel plants have died, as there is a small amount of water in the summer.

Now, the villagers have to struggle to buy rice [because the price is high], one basket of rice is 15,000 kyat (US \$16.72),¹⁴⁷ one viss¹⁴⁸ of oil is 2,500 kyat (US \$2.79), one viss of salt is 1,000 kyat (US \$1.11), but the betel that they sell is [worth] only 500 kyat (US \$.57) for one viss. As their income and outgoings do not match, some of the villagers have no choice but to eat porridge.

Some of the villagers are really worried that the company will come and confiscate their small pieces of land. They heard that if there is no fighting, the rich people will come and work there, so it creates concerns for the villagers.

Some of the villagers do not believe in the ceasefire. They said that if the ceasefire is a real one, the military [Tatmadaw] of President Thein Sein would be reduced and taken out from the front-line, they would not build new military camps, and they would also not send many [army] rations. They also said that there is no difference for the military of the President Thein Sein. As in the past, when they [Tatmadaw soldiers] asked for *set tha*, [the villagers] have to send messages to their [Tatmadaw] camp by going to and from [the camp and their village].

Civilians' health

their homes," Karen News, February 24th 2012; "Ceasefires, Continued Attacks and a Friendly Encounter Between Enemies," Free Burma Rangers, February 3rd 2012.

¹⁴⁵ According to an unpublished report received by KHRG in June 2012 from the same area, the 'anti-insurgency group' that the villager refers to is associated with former DKBA leader Moe Nyo refused to comply with the government's transformation of the DKBA into the Border Guard in 2010. Reportedly, he returned to his villager and subsequently attempted to recruit villagers, often forcibly, into an 'anti-insurgency group.' The report details the return of Moe Nyo to the Border Guard, but suggests that he also continues to form people's militias.

¹⁴⁶ In Burmese, "betelnut" and "betel leaf" are referred to as "konywet" and "kontihih," as if they are from the same plant. The Burmese names are also commonly used by Karen language speakers. "Betelnut" is the seed from an Areca Palm tree, areca catechu; "Betel leaf" is the leaf of the Piper betel vine, belonging to the piperaceae family. See "Attacks on cardamom plantations, detention and forced labour in Toungoo District," KHRG, May 2010.

¹⁴⁷ As of July 19th 2012, all conversion estimates for the Kyat in this report are based on the official market rate of 897 Kyat to the US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the Kyat, thus replacing the previous fixed rate of 6.5 Kyat to US \$1.

¹⁴⁸ A viss is a unit of weight equivalent to 1.6 kg.or 3.52 lb.

For the civilians' health situation in 2011 and 2012, the civilians mostly face stomach problems, arthritis, headache, fever, and especially in Aye Soo Hkee village tract, Bilin Township, we can see elephantiasis [Filariasis]. In Lee Tee Hkee village tract, Bilin Township, the Backpack medics¹⁴⁹ tested one hundred people and according to the medic, 65 people have elephantiasis. Now, related to the elephantiasis, the medics [from BPHWT] came and gave medicines [to the people who have the disease]. For the Burmese President's side, we haven't seen any activities yet. In our Thaton District, we have two clinics and one Christian clinic. For the Christian clinic, we have to give payment, but for the charity clinic, [we] don't need to give payment.

The rich people activities

In our District [Thaton], individual people and companies have come in to find out about mining; do logging; do plantations; do development [projects] such as building schools and hospitals; and have distributed medicines and mosquito nets, but I didn't find out by myself so I can't report about it exactly. The ones who have caused difficulties came through the responsible persons in the KNU because they asked permission from [the leaders], and they [are able to] do [these things] when they get permission. They did not have a proper discussion with the villagers and we also know that they did not give any payment for the villagers' possessions and their crops. We can see logging in P-- as an example.

Villagers concerns

The things that I have mentioned are true information, but I would like to let you know that I will find out [more] about the situation one-by-one and send them next time. For these situations, some are in testing stage, some have already been completed and some are in the stage of finding [initial investigation]. The villagers are worried that in the future, these things will be increased and they will cause difficulties. It is a great difficulty for them that their plantations, farms, pastures for their cows and buffalos and the place for cultivation will be confiscated and used by the rich people and the Military groups.

Source document/ThatonBilinRiverLogging/2011

Project name:	Thaton Bilin River logging
Type of project:	Logging
Karen District:	Thaton
Government Region:	Mon
Actors:	KNU Thaton District Chairperson and Secretary; Forest Officer Bp' Doh Min Thein; Maung Hla Aye's logging company
Company/Investors:	Domestic
Government/Military:	KNU
Trends:	Lack of consultation; Land confiscation; Disputed or lack of compensation
Consequences:	Physical security threats; Environmental impacts
Collective action:	Forming a committee; Non-compliance; Reporting to authorities

¹⁴⁹ 'Backpack' refers to the Backpack Health Worker Teams; cross-border mobile medics who provide humanitarian assistance to displaced populations in eastern Burma.

KHRG Log #:	11-146-I1
Publishing info:	"Incident Report: KNU sells land to logging company in Thaton District, August 2011," KHRG, March 2012 (First Publication)

Testimony:

This report includes information about the situation in Billin Township, Thaton District in August 2011. The community member reports that the Thaton District Chair person, Thaton District Secretary and Forest Officer Bp' Doh Min Thein negotiated in the sale of Htee Law Bpoh forest to a logging company for 27,000,000 kyat (US \$31,337), without informing local villagers. The report describes how S--- villagers went and gathered in Thaton Office in Kwee Lay village and requested the District Chairperson to stop logging activity in the forest. The report explains how the District Chairperson ordered the distribution of 30,000 kyat (US \$34.86) per household to villagers to appease them, and villagers were pressured to accept the money. The community member describes that some villagers accepted the money out of fear, while others who refused to accept the money, and a sum of 1,200,000 kyat (US \$1394.54) was sent back to the District Chairperson. Villagers who refused to accept the money were required by the authorities to report their names on a list.

Incident report| Bilin Township, Thaton District (Received by KHRG in November 2011)

Information for the following incident report was gathered by a villager in Thaton District who has been trained by KHRG to monitor human rights conditions. This report was received along with other information from Thaton District, including a general update on the situation in Thaton District, one other incident reports and twelve interviews.

On 15th August 2011, villagers from S--- village, Not Bay Baw village tract, Bilin Township, Thaton District, reported that Forest Officer [head of District forest department] Bp' Doh Min Thein sold Htee Law Bpoh forest for 27,000,000 kyat¹⁵⁰ (US \$31,337) to the logging company owner named Maung Hla Aye without informing villagers and without villagers' desire. To avoid disturbance amongst S--- villagers, Bp' Doh Min Thein paid 30,000 kyat (US \$34.86) for each household [in compensation]. Villagers were threatened and persuaded to take the money as bribery, so they took the money in fear. Whatever Bp' Doh Min Thein carried out, these were the plans and the order from the District Chairperson or District Secretary. He [Forest Officer Bp' Doh Min Thein] had to follow the order from Thaton District Chairperson and Thaton District Secretary because both of them stayed behind him and controlled him by pulling the strings. Bp' Doh Min Thein paid money to get profit and be successful but villagers did not want money without their desire. Authorized leaders from Thaton District have done the logging by their own decision. Therefore, to protect deforestation, S--- villagers went and gathered in Thaton Office in Kwee Lay village and requested District Chairperson to stop logging the forest. The logging was not stopped. The District Chairperson ordered Bp' Doh Min Thein to distribute 30,000 kyat (US \$34.86) to each household in S--- village. After they [villagers] said that stopping deforestation and logging was what they needed [rather than monetary compensation], they [villagers] sent back 1,200,000 kyat (US \$1394.54) to the District Chairperson with the list of villagers' names who did not want to take money. After villagers reported the list of villagers' names, the money was distributed to the villagers again. After that, if you don't take money, you have to report your name on the list. Villagers who did not understand well about this, they took 30,000 kyat (US \$34.86) fearfully. But, S--- villagers had to take 30,000 kyat (US \$34.86) as they understand [and are under] strict control and threatened by the District authorized people.

¹⁵⁰As of February 27th2013, all conversion estimates for the kyat in this report are based on the official market rate of 860 kyat to the US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the kyat, thus replacing the previous fixed rate of 6.5 kyat to US \$1.

D. Mining

Ler Doh Mining

Source document/LerDohMining/2012/1

Project name:	Ler Doh mining
Type of project:	Mining
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	U Paing Company, led by U Nay Win; Myanmar government; Than M' Nee factory
Company/Investors:	Domestic
Government/Military:	Myanmar government
Trends:	Lack of consultation; Lack of benefit to local community; Impacts on livelihoods
Consequences:	Environmental impacts
Collective action:	
KHRG Log #:	12-111-S2
Publishing info:	"Nyaunglebin Situation Update: Kyauk Kyi Township, July 2012," KHRG, September 2012, http://www.khrg.org/khrg2012/khrg12b74.html
Testimony:	
<p><i>This report includes a situation update submitted to KHRG in July 2012 by a community member describing events occurring in Nyaunglebin District, during July 2012. It describes the Norwegian government's plans for a development project in Kheh Der village tract, which is to support the villagers with their livelihood needs. In addition, the legislator of Kyauk Kyi Township, U Nyan Shwe, reported that he was going to undertake a stone-mining development project in the township, which led the Myanmar government to order a company, U Paing, to go and test the stone in Maw Day village on July 1st 2012. U Paing had left the area by July 8th due to safety concerns after a landmine explosion occurred in the near vicinity. Also described are villagers' fears to do with such projects, particularly in regards to environmental damage which result from mining.</i></p>	
<h3>Situation Update Kyauk Kyi Township, Nyaunglebin District (July 2012)</h3> <p><i>The following situation update was written by a community member in Nyaunglebin District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security.¹⁵¹ This report was received along with other information from Nyaunglebin District, including six interviews, one other situation update, 277 photographs.¹⁵²</i></p>	

¹⁵¹ KHRG trains community members in eastern Burma 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 writing situation updates, community members are encouraged to summarise recent events, raise issues that they consider to be important, and present their opinions or perspective on abuse and other local dynamics in their area.

¹⁵² In order to increase the transparency of KHRG methodology and more directly communicate the experiences and perspectives of villagers in eastern Burma, 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. As companion to this, a redesigned website will be released in 2013. In the meantime, KHRG's most recently-published field information from Nyaunglebin District can be found in the report, "Nyaunglebin Situation Update: Moo Township, June to November 2012," KHRG (December 2012).

Introduction

There are some projects that are happening in our area, which are: 1) Norway will help pilot a project which is in Kheh Der village tract, 2) The Burmese government plan to mine stone in Maw Day village tract, and 3) the provision of Identity cards for villagers by the [Burmese] Government. The Norwegian government started the activity with the purpose of helping the villagers in Kheh Der village tract.



These photos , taken on May 2012 in Kheh Der village tract, Kyauk Kyi Township, Nyaunglebin District, show (left) the operation commander, Ye Htut and the supreme legislative body, U Nyan Shwe Win from Kyauk Kyi. He met with the Kheh Der villagers before the arrival of the Norwegian ambassador. The photo (right) shows a gathering of Kheh Der villagers while they were waiting for the Norwegian ambassador to arrive.

On July 1st 2012, the villagers in Kheh Der village tract started to build a rice barn and stores to keep their materials in. There are 16 villages, 260 households and 1,437 people in Kheh Der village tract. The rice barn was built in Muu Theh and they will keep the rations there, where the villagers will have to transport it. The materials that they are going to support the villagers with haven't been delivered yet, because the vehicle roads are broken and they [Tatmadaw] are repairing the vehicle roads. The things that they are going to support the villagers with are: 1) household materials, 2) different kinds of major food [such as fish paste and rice], 3) school stationary for the students, 4) different kinds of medical supplies, 5) different kinds of clothes, and 6) equipment for farming.



These photos above, taken in May 2012 in Kheh Der village tract, Kyauk Kyi Township, Nyaunglebin district, show the Norwegian Ambassador, Mr. Charles Petrie, KNU leaders, and the Burma governors who are based in Muu Theh village, having the meeting in the IDP area.

On July 11, 2012, the agents from Norway and the people in charge from CIDKP

[Committee for Internally Displaced Karen People] and KORD [Karen office of Relief and Development], came to Muh Theh and met with the villagers, the KNU leaders and the Burmese governors. The project that the agents from Norway are going to do isn't a country development project, it is a project for village development and solving problems in order to fulfill the villagers' needs. But the villagers are not sure about this project yet. The villagers are relying on the planning of the leaders from CIDKP and KORD; this plan will be a test.



These photos above, taken in May, 2012, show the Norwegian ambassador and the representatives of the Burma government and the KNU leaders engaged in the meeting and discussing the IDP's issue.

The District Governor U Nyan Shwe [Legislature of Kyauk Kyi Township,] reported in the legislators meeting that he is going to make a development project with the purpose of mining [precious] stones in Maw Day village, so the Burmese government ordered U Paing Company to come and test the stones in Maw Day. On July 1st 2012, the people in charge from Than M'Ni factory and eight staff members from U Paing Company, led by U Nay Win, came to Muh Theh village to test the stones in Maw Day. The villagers are really worried; they are worried that the Burmese government will use all of the country's natural resources, like trees and bamboo and other natural resources. If the U Paing Company starts their activity, the villagers will face many problems, and they also don't know what exactly will happen to them. The people who came and tested the stones left by July 8th, 2012 because the KNU [Karen National Union] had not given them permission to test the stones, so they did not dare to test the stone carefully. Moreover, a landmine exploded in the area where they were testing the stones, so, as they were afraid, they left.

Lu Pleh Mining

Source document/LuPlehMining/2012/1

Project name:	Lu Pleh mining
Type of project:	Mining
Karen District:	Hpa-an
Government Region:	Central Kayin
Actors:	A'Mya Ma Ni Comapany
Company/Investors:	Domestic
Government/Military:	
Trends:	Disputed or lack of compensation
Consequences:	Impacts on livelihoods
Collective action:	Reporting to authorities; Negotiation
KHRG Log #:	12-157-D3
Publishing info:	"Hpa-an Situation Update; Lu Pleh Township, April 2012," KHRG, March 2013 (First publication)

Testimony:

This report includes a situation update submitted to KHRG in November 2012 by a community member describing stone mining activities in Hpa-an District, beginning in April 2012. The mines affected Meh T'Moo Hta and Klaw Kyaw Hta villages, and caused the destruction of three community flat farms. Villagers from Klaw Kyaw Hta approached the company and received compensation of 350,000 kyat (US \$) for each of two large flat farms, and 150,000 kyat (US \$) for the third, smaller flat farm. The community member also describes the selling of betel nut and the trading of panglions, frogs and fish as a means of livelihood by villagers who fled to Kray Hta, on the Thai border, from Meh T'Ree village in a 2008 Tatmadaw offensive.

Situation Update | Lu Pleh Township, Hpa-an District (April 2012)

The following situation update was written by a community member in Pa'an District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Pa'an District, including 28 photographs.¹⁵³

In Hpa-an District, Lu Pleh Township, Meh T'Moo village tract, Meh T'Moo village, [the area where] the Meh T'Moo *klo* [river] connects to Ma K'Law*klois* called Meh T'Moo Hta. In April 2012, acompany came and mined stones [lime stone] in Meh T'MooHta; it took over two months because the Ma K'Law *klo* swelled and they could not mine it anymore so they stopped doing it for awhile. In 2013, if the water goes down, they will mine again. Meh T'Moo Hta is near Kwee Lay village; the Kwee Lay villagers have plantations [nearby]. If they continue mining, the villagers' plantations will be destroyed.

In Hpa-an District, Lu Pleh Township, Naw Ter village tract, Klaw Kyaw village, [the area where] the Klaw Kyaw River connects to Naw Ter River is called Klaw Kyaw Hta. In April

¹⁵³In order to increase the transparency of KHRG methodology and more directly communicate the experiences and perspectives of villagers in eastern Burma, 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. As companion to this, a redesigned website will be released in 2012. In the meantime, KHRG's most recently-published field information from Pa'an District can be found in the report, "Rape and killing incident in Pa'an Township, October 2012" KHRG, November 2012.

2012, a company came and mined stone in Klaw Kyaw Hta. In Klaw Kyaw Hta, there are three flat farms that belong to Klaw Kyaw villagers. Two flat farms are large, but another one is small. The large two flat farms produce 200 big tins¹⁵⁴ of rice (3,200 kg / 7,040 lb). The small flat farm produces 30 or 40 big tins of rice (480 kg / 1,056 lb or 640 kg / 1,408 lb). The company came to mine near the three flat farms, so the villagers cannot work on their farms anymore. They [villagers] asked for compensation from the company, for the reason that their farms were destroyed by the company. The company gave them compensation. They paid 350,000 kyat (US \$408.40) for each of the two large flat farms. For the small flat farm, the company paid 150,000 kyat (US \$175.03). After two months of mining, it started to rain and the river swelled. They cannot mine stones anymore, so they stopped; in 2013, if the river shrinks, they will do it again.

Saw C--- is a 55 year old resident of Htee Baw Day village, Kwee Law Ploh village tract, Lu Pleh Township. In 2008, the DKBA¹⁵⁵[Democratic Karen Buddhist Army] and SPDC¹⁵⁶[Tatmadaw] attacked Brigade 7, [Karen National Liberation Army (KNLA)] Battalion #21 site in Meh T'Ree and they [the villagers] fled to the border with Thailand, in Kray Hta. For their livelihood, they send betelnut leaves and they also searched for animals to sell such as frog, fish and pangolin. Thais buy pangolin at 3,200 [baht/kyat] (US \$103.22/US \$3.76) for one kilo, and if there are many kilos, they can get more money. The biggest pangolin is ten kilos. The pangolin helps Uncle HkaHsoo for rice expenses. Uncle HkaHsoo does his livelihood by selling betelnut leaves, pangolin, frogs and fish.

Source document/LuPlehMining/2012/2

Project name:	Lu Pleh mining
Type of project:	Mining
Karen District:	Hpa-an
Government Region:	Central Kayin
Actors:	Green Life Company Limited
Company/Investors:	Domestic
Government/Military:	
Trends:	No consultation; No compensation; No local benefit
Consequences:	Environmental impacts; Impacts on livelihoods
Collective action:	
KHRG Log #:	12-26-S1
Publishing info:	"Hpa-an Situation Update: January to March 2012," KHRG, March 2013 (First Publication)
Testimony:	

¹⁵⁴A big tin is a unit of volume used to measure paddy, milled rice and seeds. One big tin is equivalent to 10.45 kg. or 23.04 lb. of paddy, and 16 kg. or 35.2 lb. of milled rice.

¹⁵⁵The DKBA was formed in December 1994, led by monk U Thuzana with the help and support of the State Law and Order Restoration Council (SLORC), which was the name of the military government in Burma at that time. For more information on the formation of the DKBA, see "Inside the DKBA," KHRG, 1996.

¹⁵⁶In Karen, the Burmese phrases Na Ah Pa (SPDC) and Na Wa Ta (SLORC) are commonly used to refer to the Burmese government or to Burma's state army, the Tatmadaw. Many older Karen villagers who were accustomed to using the phrase Na Wa Ta (SLORC) before 1997 continue to use that phrase, even though the SLORC has not officially existed since 1997. Similarly, despite the official dissolution of the SPDC in March 2011, many Karen villagers continue to use the phrase Na Ah Pa (SPDC) to refer to the Burmese government or to the Tatmadaw; see: "Mission Accomplished as SPDC 'dissolved,'" Myanmar Times, April 4-10th 2011. The term Na Ah Pawas used by the community member who wrote this Situation update, and "SPDC" is therefore retained in the translation.

This report includes a situation update submitted to KHRG in January 2012 by a villager describing events occurring in Hpa-an District, during 2011, and in the period between January and March 2012. Specifically described is the incidence of forced labour, as villagers were forced to work for the Tatmadaw at a nearby army camp, and for the Border Guard and the DKBA in the clearing of rubber plantations. Fighting between the DKBA and the Border Gurard in February 2011 is also described, as are stone mining and logging activities. Concerns about the impacts of mining, including water pollution and the serious negative impacts of logging on villagers' livelihoods caused by the destruction of betel nut plantations are raised. Further, this report contains information on military activity, villagers selling kher mee [taro root] for their livelihoods and the monetary demands placed upon cow traders traveling from Hpa-an to Thailand.

Situation Update | Lu Pleh Township, Hpa-an District (January to March 2012)

The following situation update was written by a villager in Pa'an District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security.¹⁵⁷ This report was received along with other information from Pa'an District, including two interviews and 181 photographs.¹⁵⁸

On January 14th 2012, I went to Lu Pleh Township, as I am a [KHRG] researcher. The things that I heard about took place last year, in 2011, when the Burmese [Tatmadaw]¹⁵⁹ soldiers were very active. However, in 2012, although the Burmese soldiers were still present, they were less active. As of February 31st 2012, Burmese army LID [Light Infantry Division] #77 was active in Hpa-an District.

The trip started on January 14th 2012, when I went to Kwee Law Hploh, Daw K'kyu, Hkler Day, Klaw K'tee and Meh T'moo village tracts. I came back home on March 5th 2012.

Forced labour

On January 15th 2012, the Burmese army gave the Border Guard¹⁶⁰ soldiers training at the bottom of Htee La Neh mountain. They [Tatmadaw soldiers] ordered the villagers to go to

¹⁵⁷ KHRG trains villagers in eastern Burma 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 writing situation updates, villagers are encouraged to summarise recent events, raise issues that they consider to be important, and present their opinions or perspective on abuse and other local dynamics in their area.

¹⁵⁸ In order to increase the transparency of KHRG methodology and more directly communicate the experiences and perspectives of villagers in eastern Burma, 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. As companion to this, a redesigned website will be released in 2013. In the meantime, KHRG's most recently-published field information from Hpa'an District can be found in the Report, "Landmine death and injuries, old mines continue to make travel unsafe in Pa'an District," KHRG, December 2012.

¹⁵⁹ In Karen, the Burmese phrases Na Ah Pa (SPDC) and Na Wa Ta (SLORC) are commonly used to refer to the Burmese government or to Burma's state army, the Tatmadaw. Many older Karen villagers who were accustomed to using the phrase Na Wa Ta (SLORC) before 1997 continue to use that phrase, even though the SLORC has not officially existed since 1997. Similarly, despite the official dissolution of the SPDC in March 2011, many Karen villagers continue to use the phrase Na Ah Pa (SPDC) to refer to the Burmese government or to the Tatmadaw; see: "Mission Accomplished as SPDC 'dissolved,'" Myanmar Times, April 4-10th 2011. The term Na Ah Pa was used by the villager who wrote this conducted this interview and interviewee and "SPDC" is therefore retained in the translation of this interview.

¹⁶⁰ Border Guard battalions of the Tatmadaw were established in 2010, and they are composed mostly of soldiers from former non-state armed groups, such as older constellations of the DKBA, which have formalized ceasefire agreements with the Burmese government and agreed to transform into battalions within the Tatmadaw. Border Guard battalions are assigned four digit battalion numbers, whereas regular Tatmadaw infantry or light infantry battalions are identified by two or three digit battalion numbers. For more information,

their base and cook rice and to bring them firewood. Villagers from the villages in the area, such as Y---, S---, D--- and B---, had to go [to the Tatmadaw army camp] until the training was finished. The training took two months. Five people from each village had to go for five days [at a time].

Fighting

On February 19th 2011, the Border Guard and the DKBA [Democratic Karen Buddhist Army] were fighting in the Kaw Taw area. The villages there were afraid. One villager died and two villagers were injured. Following the fighting between the Border Guard and the DKBA, Burmese army officers came and solved it [the problem] for them [DKBA and Border Guard]. [Tatmadaw soldiers said] that people who hold guns have to stay three furlongs (0.375 miles / 0.6 kilometres) away from the Kaw Taw area. If they want to visit Kaw Taw, they are not allowed to bring guns. At present, the Border Guard and DKBA have not yet completely resolved the issue. The reason that the Border Guard and DKBA fought was because the Border Guard came and took the DKBA's guns from Wah Kluh Koh and T'Hkaw Hpoh Treh [army camps]. As a consequence, fighting occurred. One female villager died, and one young female and one male villager were injured.

Stone mining

On December 1st 2011, at the mouth of the Meh T'moo River, in Meh K'moo village tract, Luh Pleh Township, Hpa-an District, the company named Green Life Company saw that, between Meh T'Moo [River] mouth and Ma K'law River there was one area that had valuable stones that they could sell. So [that same day] on December 1st 2011, they started examining the area and had the stone valued. Then, they started mining the stone in January 2012 and continue mining until now. The company produces cement from the mine and sends it to Hpa-an Town. People whose farms are near [the stone mining area], such as the villagers in Meh K'moo, worry that their farms will be damaged [due to pollution] if those companies work for many months and many years. Also, the the stone can be found at the end of the Meh T'moo River, where it joins with the Ma K'law River. Because people dig the stone in the Ma K'law River, the water in the Ma K'law River is always dirty. The villages that are beside Ma K'law River, such as Kwee Lay, Th'bluh Klah and Maw Hploh Klah are downstream of the area in the river where the stone is mined so the water is not as fresh as in past years.

Villagers forced to clear vegetation in rubber plantations

From 1995 until 2012, the DKBA worked with the SPDC, when they transformed into the Border Guard,¹⁶¹ and they continued to work with the SPDC; the instances where villagers have to clear the vegetation in rubber plantations have not decreased. They haven't finished clearing the vegetation even now. The rubber plantations that the villagers have to clear belong to DKBA and Border Guard officers. Most of the rubber fields are in Meh Thay, La

see "DKBA officially becomes Border Guard Force" Democratic Voice of Burma, August 2010, and, "Exploitation and recruitment under the DKBA in Pa'an District," KHRG, June 2009.

¹⁶¹ While Tatmadaw and DKBA units had operated together for years, this operational hierarchy became formalised with the DKBA's transformation into a 'Border Guard Force' under control of the Tatmadaw and containing a fixed number quota of Tatmadaw officers. This transformation dates to at least May 2009, when commanding officers stated in high-level meeting of DKBA officers that the DKBA would transform itself into a 'Border Guard Force;' unpublished leaked minutes from the May 2009 meeting are on file with KHRG. Ceremonies attended by Tatmadaw commanders officially announced the transformation of large portions of the DKBA into Border Guard Forces in September 2010; see, for example: "Border Guard Forces of South-East Command formed in Paingkyon of Kayin State," New Light of Myanmar, August 22nd2010; and "Border Guard Force formed at Atwinkwinkalay region, Myawady Township, Kayin State," New Light of Myanmar.

Nay and Yaw Poh. The villagers in those places can't feed their cows, buffalos and goats [due to the decrease in available grazing land and the villagers' lack of time to feed them because of the increase in forced labour demands]. The villagers who have to go and clear the rubber fields, are [villagers from] the villages that are near [to the rubber plantations]. Villagers from each village [near to the plantations] have to go. [Villagers from] Kwee Law Hploh, Meh T'moo, Kloo Taw and Meh K'too village tracts have to go, and each person has to carry five days' worth of food from home.

Logging

Most villagers in Kwee Law Hploh village tract, Lu Pleh Township, Pa'an District farm hill fields, and grow and sell betel leaves and betelnut.¹⁶² Since September 11th 2011, logging worker, U Tin Shwe [company owner], has been in [Daw K'kyä village] and has been cutting the trees in Kwee Law Hploh village tract, at Th'May hill and around Daw K'Kya village, in Daw K'Kya village tract, where there are good, big trees, both in Lu Pleh Township. These are the two village tracts where people come and do logging. They are Daw K'Kya village tract and Kwee Law Hploh village tract.

In most villages in Daw K'Kya village tract, people grow betel leaves and betelnut to sell. Over the two years, in which people have been coming and cutting the trees, they have also cut down a lot of the villagers' betelnut trees and betel vine plants in the process. The villagers told me that if people do this [often] for many months or years, the betelnut trees and betel vine plants will all die.

The Th'may hill villagers' occupations involve selling betelnut and selling betel leaves. There are no flat farms because their village is on the mountainside. There also are not any flat farms in Daw K'Kya village tract. There are people who work on hill farms and they can sell a lot of the betel leaves. All the betel leaves, which people who live in Lu Pleh city eat, come from Daw K'Kya and Kwee Law Hploh village tracts. In Thailand, all betel leaves in Meh T'ree [in Thailand] also come from Daw K'kyä and Kwee Law Hploh village tracts.

Villagers sell taro root

Most villagers from villages in Kler Day and Kwee Law Hploh village tracts, Hpa-an District, work on hill farms. In 2011, even in the summer, there was rain, so some villagers could not burn their hill fields well, so they could not clear them [for farming]. The paddy also has more empty husks, so they did not get enough rice. In order to be able to support themselves they dig and sell *kher mee tee* [taro root]. They come and sell *kher mee tee* in the jurisdiction of Meh T'Ree, on the bank of the Thoo Mweh [river]; one kilo [of taro root] is sold for 12 baht (US \$0.40) [in Thailand] and sold for 300 kyat (US \$0.35) on the Burma side. So the villagers find the money [to buy] rice, salt and chillies by digging for *kher mee tee* and selling it.

Money demanded from cow traders

Name: E---

Age: 35

Village: M--- [village], Bee Lay village tract, Bilin Township

¹⁶² In Burmese, "betelnut" and "betel leaf" are referred to as "konywet" and "konthih," as if they are from the same plant. The Burmese names are also commonly used by Karen language speakers. "Betel nut" is the seed from an Areca Palm tree, areca catechu; "Betel leaf" is the leaf of the Piper betel vine, belonging to the piperaceae family. See "Attacks on cardamom plantations, detention and forced labour in Toungoo District," KHRG, May 2010.

E--- is a person who herds and sells cows and buffalos. He lives in Bee Lay village tract and he comes and sells cows in Meh T'Ree village, Thailand. When he goes on the whole trip [from M--- village to Thailand], his travel costs [in bribes to officials] for the pair of cows are in the below [table].

Table 1: Money demanded for workers

1. Village head (Sa Ah Pa) [kinds of Burmese group] and armies	8,500 kyat
2. Cross the area, Brigade #1 to Brigade #7	2,500 kyat
3. T'Reh Hkee KNU Brigade #1	5,500 kyat
4. Thay La Baw Border Guard	8,000 kyat
5. Kaw Loo Border Guard	6,000 kyat
6. Paw Paw Border Guard	5,000 kyat
7. Kwee Lay Border Guard	10,000 kyat
8. See Hpa Day Hkee DKBA	10,000 kyat
9. Kwee Law Hplo, Brigade #7 KNU soldier	1,000 kyat
10. Kler Day army camp SPDC	10,000 kyat
11. Thoo Mgeh Nee, Border Guard and SPDC	10,000 kyat
12. Cross Thoo Mgeh River, Thai soldiers	500 baht
13. Cross Thailand	3,000 kyat

Name: B---

Age: 40

Village: N--- [village], Kwee Lay village tract, Lu Pleh Township, Hpa-an District

Table 2: Money demanded for workers

1. Kwee Lay Border Guard	10,000 kyat
2. See Hpa Day Hkee DKBA	10,000 kyat
3. Kwee Law Hplo KNU	1,000 kyat
4. Kleh Day army camp, SPDC soldier	10,000 kyat
5. Thoo Mgeh bank Border Guard	10,000 kyat
6. Cross river, Thai soldier	500 baht
7. Cross Thailand	30,000 kyat

Source document/LuhPlehMining/2011

Project name:	Lu Pleh mining
Type of project:	Mining
Karen District:	Hpa-an
Government Region:	Central Kayin
Actors:	Border Guard Battalion #1011 Captain PahDawBoe and Officer Pah Ta Gkee
Company/Investors:	
Government/Military:	Border Guard
Trends:	
Consequences:	Forced labour and exploitative demands
Collective action:	
KHRG Log #:	11-57-S1
Publishing info:	"Pa'an Situation Update: April 2011", KHRG, September 2011 http://www.khrg.org/khrg2011/khrg11b31.html
Testimony:	

This report contains a situation update submitted to KHRG in April 2011 and written by a villager describing events occurring in Lu Pleh and Dta Greh townships in Pa'an District between February and April 2011. It contains information on incidents of forced labour by the Tatmadaw, including the use of villagers to build huts, deliver palm leaves for thatching buildings and provide unpaid forced labour during gold-mining and logging operations. It also documents the forced relocation of villagers from upland areas, and relates an incident in which a Tatmadaw deserter, who was later summarily executed by Tatmadaw troops, shot and injured a 53-year-old woman in Tantabin Township, Toungoo District. In response to human rights and related humanitarian concerns, including access to health care, the researcher reported that villagers travel covertly to seek medical care from cross-border groups, sell betel leaves to supplement incomes and laminate currency in plastic to prevent it from becoming damaged. This situation report also contains updated information on military activity in Pa'an District, specifically the defection of Tatmadaw Border Guard soldiers in February 2011 to a breakaway faction of the DKBA that had previously refused to transform into Border Guard battalions, and to the KNLA.

Situation Update | Pa'an District (April 2011)

The following situation update was written by a villager in Pa'an District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security.¹⁶³ This report was received along with other information from Pa'an District, including 185 photographs.¹⁶⁴

Introduction

There are many groups of the SPDC Army [Tatmadaw]¹⁶⁵ and [Tatmadaw] Border Guard soldiers operating and they are not stable, because of the fighting that is occurring.¹⁶⁶ Sometimes, they [Tatmadaw units] rotate after staying only for one month.

SPDC Army [Tatmadaw] operations and locations

Since the beginning of February [2011], the army [unit] operating at Raw Ta in Dta Greh Township is LIB [Light Infantry Battalion] #591 and the Battalion Commander is Thet Lwin Tun. This battalion operates beside the Salween River, on the border between Gka Teh and Bpaw Bpa Htar. This military unit is about to rotate with a new one based in Bpoo Lu Tu.

¹⁶³ KHRG trains villagers in eastern Burma 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 writing situation updates, villagers are encouraged to summarise recent events, raise issues that they consider to be important, and present their opinions or perspective on abuse and other local dynamics in their area.

¹⁶⁴When these documents have been processed and translated by KHRG and when sufficient information has been compiled and analysed, a full Field Report on the situation in Pa'an District will be available on the KHRG website. Until then, KHRG's most recent analysis of the situation in Pa'an District can be found in the recent Field Report, "Functional Refoulement: Camps in Tha Song Yang District abandoned as refugees bow to pressure," KHRG, April 2010.

¹⁶⁵In Karen, the Burmese phrase *Na Wa Ta* (SLORC) and *Na Ah Pa* (SPDC) are commonly used to refer to the Burmese government or to Burma's state army, the Tatmadaw. Many older Karen villagers who were accustomed to using the phrase *Na Wa Ta* (SLORC) before 1997 continue to use that phrase, even though the SLORC has not officially existed since 1997. Similarly, despite the official dissolution of the SPDC in March 2011, many Karen villagers continue to use the phrase *Na Ah Pa* (SPDC) to refer to the Burmese government or to the Tatmadaw; see: "Mission Accomplished as SPDC 'dissolved,'" Myanmar Times, April 4-10 2011. The term *Na Ah Pa* was used by the interviewer and interviewee, and "SPDC" is therefore retained in the translation of this interview.

¹⁶⁶For background on instability and conflict in Pa'an and adjacent Dooplaya District, and associated human rights concerns for civilians since November 2010, see: "Displacement Monitoring: Regular updates on protection concerns for villagers in Dooplaya and Pa'an districts and adjacent areas in Thailand," KHRG, August 2011.

In Lu Pleh Township, the operating army units are from a column of LIB #547, and column LIB #339 based in Kler Day army camp. IB #81 operates in Gklaw Gka Htee and soldiers under MOC [Military Operations Command]5 #12 operate in the Maw Plo Gkla area. They always rotate quarterly.

[Tatmadaw] Border Guard operations and locations

The Border Guard troops operating in the Htee Bper area of Dta Greh Township are [under the command of] Captain Maw La Wah, who is based in Htee Bper army camp. The amount of soldiers under his command is 15. The ones who patrol are Second Lieutenant Pah Lay Koh along with ten soldiers and Officer Tun Myint Tun along with seven soldiers. The Border Guard unit operating on the border is [under the command of] Officer Sah Gka Leh. The battalion which operates from Meh La Ah Kee to Bpoo Lu Bplaw is from Border Guard Battalion #1016. Border Guard Battalion #1015 operates in Htee Bper.

In Lu Pleh Township, the battalion operating is from Border Guard Battalion #1016 under Captain Kyaw Nyein, based in Wa Kaw Lu. He [Captain Kyaw Nyein] controls all the Border Guard soldiers [between Wa Kaw Lu and] Meh Ta Ree. The total [number of soldiers in Battalion #1016] is about 30. Border Guard Battalion #1011 has around 35 soldiers under the command of Captain Pah Daw Boe and Officer Pah Ta Gkee, and they operate in the Ta Ree Poe Kwee area. They [Border Guard units] operate and rotate as the SPDC Army [Tatmadaw] does. These units are controlled by SPDC officers, as needed.

Border Guard deserters join DKBA and KNLA forces

[This paragraph has been redacted in its entirety for security purposes.]



These four photos were taken in February 2011 by a villager trained by KHRG to document human rights abuses. According to this villager, a group of Tatmadaw Border Guard soldiers defected to a breakaway faction of the DKBA that had previously refused to transform to Border Guard battalions, and to the KNLA. The photo above left shows two non-uniformed men sitting and smoking with an armed KNLA soldier in the centre. The photo above right shows a DKBA soldier, on the right, putting his arm across the shoulders of a man wearing the uniform of Tatmadaw Border Guard Battalion #1015, on the left. The two photos below, also taken in February 2011, show assorted weapons carried by defecting Tatmadaw Border Guard soldiers. The photo below right shows a deserter wearing the uniform of Tatmadaw Border Guard Battalion #1015 holding an RPG-7 rocket-propelled 40 mm grenade launcher. *[Photos: KHRG]*



Forced labour

Saw B---, aged 45, from Gk--- village, T--- village tract, Lu Pleh Township, Pa'an District, reported that in the beginning of March 2011, [Tatmadaw] Border Guard Battalion #1011 under Captain Pah Daw Boe logged in the G--- River area and forced villagers, including Saw B---, to go there to work and then carry [porter] things for them. Therefore, he [Saw B---] did not have time to take a rest and hurt his back, but he did not receive any payment and had to work for free as he was ordered. His back got hurt, but he did not receive any payment for medical treatment. He had to find treatment by himself.



The photos above show Saw B---, 35, a resident of Gk--- village in Lu Pleh Township. Saw B--- told the villager who took these photos that his back was injured while performing forced labour, including forced portering, for Tatmadaw Border Guard Battalion #1011 troops under the control of Captain Pah Daw Boe, at a logging site on the G--- River. The villager did not further describe Saw B---'s injury, however the photo above right shows what appears to be scarring on Saw B---'s lower back, suggesting that he may have sustained abrasions while portering. Saw B--- told the KHRG researcher that he received neither payment for his labour nor compensation or medical assistance for the injury he sustained. *[Photos: KHRG]*

Gk--- villagers have to carry palm leaves to Border Guard Battalion #1011's logging sites in order to build field huts to use as shelters. Every man and woman has to find and collect palm leaves, and has to send them every day to the places where the Border Guard unit is logging. Moreover, they also have to make thatch, build field huts, and roof the huts. They can take a rest only after they have completed building the huts. There are only a few households in Gk--- village, and the villagers often have to work for the SPDC Army [Tatmadaw] and Border Guards and do not have time to relax.



The two photos above show residents of Gk--- village in Lu Pleh Township carrying loads of palm leaves to logging sites operated by Border Guard Battalion #1011. According to the villager who took these photos, Gk--- villagers transport the palm leaves to the logging sites, where they also have to build huts, make thatch shingles using the palm leaves, and roof the huts with the thatch shingles. [Photos: KHRG]

Border Guard Battalion #1011, under Captain Pah Daw Boe and Officer Pah Ta Gkee called Burmese villagers who work in mines to mine for gold in the Meh Gka Taw River. The villagers started doing this [gold mining in the Meh Gka Taw River], and have been doing it since January 2011. Regarding this gold mining project, the Border Guard officers arranged it and Burmese bosses [private businessmen from Burma] arranged [to supply] the machines. For building huts there, Border Guard soldiers ordered villagers in Gk--- and T--- villages to help, but they did not pay them any money. They ordered the village heads to arrange the villagers for them.





The eight photos above document a small-scale gold-mining operation on the G--- River controlled by Captains Pah Daw Boe and Officer Pah Ta Gkee of Border Guard Battalion #1011. According to the villager who took these photos, the mining equipment depicted in the photos was supplied to the Border Guard captains by private businessmen from Burma.¹⁶⁷ [Photos: KHRG]

Border Guard Battalion #1011 Captain Pah Daw Poe and Officer Pah Ta Gkee did commercial logging at some places in the forest in Mae Ta Woh. Trucks were used as needed. The villagers had to do all the other work; if something was needed, they always forced and used the villagers to do it. The villagers had to saw the wood, carry the wood to the trucks and put the wood in the trucks to take to the sawmill, but they did not get anything for their daily work. Some SPDC [Tatmadaw] soldiers worked with the Border Guard officers and they shared money evenly until the logging was done.

¹⁶⁷For more information on small-scale gold-mining operations operated by armed groups in eastern Burma, see "Papun Situation Update: Dweh Loh Township," KHRG, May 2011; and "Southwestern Papun District: Transitions to DKBA control along the Bilin River," KHRG, August 2011.



These two photos show a logging site in the Mae Ta Woh area controlled by Captains Pah Daw Boe and Officer Pah Ta Gkee of Border Guard Battalion #1011. The KHRG researcher who took these photos reported that villagers in the area were forced to provide unpaid labour at this site, performing duties which included sawing wood and transporting it to lumber trucks. [Photos: KHRG]

Tatmadaw Border Guard Battalion #1011 soldiers who did commercial logging around M--- and R--- villages, in P--- village tract, Lu Pleh Township, clear cut the forest. When they looked for trees to cut, they used villagers to help them. The villagers had to work for the Border Guard soldiers for free. If the Border Guard soldiers needed help, they asked a village head to arrange for villagers to cut and carry wood and build shelters as necessary.



The four photos above show more logging operations carried out by Border Guard Battalion #1011 in the area of M--- and R--- villages, P--- village tract, Lu Pleh Township. The researcher who took these photos

reported that villagers in this area have been forced to serve as guides to help Border Guard soldiers locate trees suitable for felling, to cut and carry trees, and to construct shelters. [Photos: KHRG]

[2009] Attacks in 7th Brigade [Pa'an District]

In 2009, villagers from B--- village, Kwee Law Plo village tract, Lu Pleh Township in 7th Brigade, had to flee fighting in the area and hide in their rice barns in the forest.¹⁶⁸ Now, in 2011, a lot of villagers have gone back to their homes. They farm hill fields and go to sell betel leaves, and they work for their livelihoods during the dry season and when the time is good [when there is no military activity].



The photo above left shows houses in B--- village, P--- village tract, Lu Pleh Township that were abandoned when villagers fled fighting in the B--- village area in 2009. The villager who took these photos reported that many B--- villagers have now returned to their homes, and supplement their incomes by selling betel leaves. The photo above right shows a villager packing betel leaves that have been steamed, which allows them to be stored for up to a year. [Photos: KHRG]

Attacks on villagers

We received the information that the SPDC [Tatmadaw deserter] shot 53-year-old Naw H---, the wife of 65-year-old *Pa Dtee* [Uncle] C---,¹⁶⁹ the former head of P--- village, Tantabin Township, Toungoo District, with a gun. An SPDC deserter came [to P--- village] searching for food and asked *Pa Dtee* C--- to cook rice and buy wine for him. After he was drunk, he shot Naw H--- with his gun, and the bullet went through her right thigh. After that [*Pa Dtee* C---] had to send his wife to the hospital in town. He did not get anything for payment. After this, he went and told the SPDC Army [Tatmadaw soldiers] stationed in Camp 73 [where IB #73 is based] and they searched for the deserter. After that, his friend killed him [another Tatmadaw soldier shot the deserter]. The SPDC deserter's unit was MOC #17.¹⁷⁰ Saw G---, 46 years old, a P--- villager from Tantabin

¹⁶⁸While the KHRG researcher who wrote this report did not specify when the fighting occurred which prompted villagers in B--- village to flee, villagers across a wide area of Pa'an District fled their homes following heavy fighting in the vicinity of Ler Per Her IDP camp in June 2009. See: "Over 700 villagers flee to Thailand amidst fears of SPDC/DKBA attacks on a KNLA camp and an IDP camp in Pa'an District," KHRG, June 2009. For full background on the fighting in June 2009 which displaced thousands of villagers in Pa'an District, and on the circumstances surrounding their return to Burma, see: "Abuse in Pa'an District, Insecurity in Thailand: The dilemma for new refugees in Tha Song Yang," KHRG, August 2009; "Functional Refoulement: Camps in Tha Song Yang District abandoned as refugees bow to pressure," KHRG, April 2010.

¹⁶⁹The Karen term *Pa Dtee* or 'Uncle' is a familiar term of respect attributed to an older man; it does not signify any actual familial ties between the researcher who wrote this report and *Pa Dtee* C---.

¹⁷⁰While the villager who wrote this report referred to MOC #17, KHRG's most recent field report from

Township, Toungoo District provided the information about the SPDC deserter who shot *Pa Dtee C---*'s wife. This incident happened in March 2010.



The photo above left shows *Pa Dtee* [Uncle] C---, 65, the former head of P--- village, Tantabin Township, Toungoo District. *Pa Dtee* [Uncle] C--- told the villager who took these photos that his wife, Naw H---, 53, had been shot in the leg in March 2010 by a Tatmadaw deserter from MOC #17, who was later captured and summarily executed by Tatmadaw troops from IB #73. Saw G---, a 46-year-old P--- villager, seen in the photo above right, also confirmed this incident to the villager who submitted this report to KHRG. [Photos: KHRG]

New town in T---

There is a big hilltop army camp at T---. On March 7th 2011, before the rotation of SPDC [Tatmadaw] MOC #19, TOC [Tactical Operations Command] #2, under Colonel Zaw Win, they [the Tatmadaw soldiers] called the villagers and told them that they would rebuild T--- as a new town. People who did not have a house in T--- had to pay 300,000 kyat (US \$407)¹⁷¹ for a place [land] for a new house. People who already had houses had to pay 150,000 kyat (US \$203). Everybody had to stay within a limited area, and could not stay in the mountain [upland] areas. Now the government has started to build a hospital and will also supply it with medics. I do not yet know exactly how many villagers they will include in the new town.

Toungoo District notes that, on December 26th 2009, Tatmadaw troops from Military Operation Command (MOC) #5 were rotated out of Toungoo District after two years of operations, and replaced by units from MOC #7. See "Attacks on cardamom plantations, detention and forced labour in Toungoo District," KHRG, May 2010.

¹⁷¹All conversion estimates for the Kyat in this situation update are based on the fluctuating informal exchange rate rather than the government's official fixed rate of 6.5 kyat to US \$1. As of September 12th 2011, this unofficial rate of exchange was US \$1 = 738 kyat. These figures are used for all calculations above.



The photo above left shows a Tatmadaw camp situated on an elevated location near T--- village, which is depicted above right. The villager who took these photos reported that on March 7th 2011 Colonel Zaw Win from TOC #2 of Tatmadaw MOC #19 ordered villagers living in upland areas adjacent to the camp to relocate to T--- village. Villagers who did not have land to build a house in T--- village were ordered to pay 300,000 kyat (US \$407) while all residents of T--- village were ordered to pay 150,000 kyat (US \$203) for a plot of land on which to build a house in the relocation site. [Photos: KHRG]

Healthcare

When R--- villagers in Kwee Law Plo village tract, Lu Pleh Township face health problems, they have to search for ways to get medicines. They [the villagers] went to see the KNU medics who were active there and they asked them to provide medicines to cure their diseases. They have to go secretly to see the KNU. Furthermore, some people carry betel leaves with them to sell and get money to use. They had to go [travel] secretly by the mountain path to reach the medics' station. That they did this shows that some villagers work for their livelihoods by selling betel leaves, after which they buy rice.



The photo above left shows residents of R--- village, P--- village tract, Lu Pleh Township receiving medicine from KNU medics, with KNLA soldiers providing security. The villager who took these photos explained that these villagers had to travel covertly to access medical assistance provided by the KNU. The photo above right shows villagers who also travelled covertly outside of their village, carrying baskets of betel leaves; they told the villager who took this photo that they intended to sell the betel leaves and purchase rice with the income earned. [Photos: KHRG]

The use of Burmese currency

In Burma, in the villages that I have been, they use the monetary denominations of 200, 500 and 1,000 kyat (US \$0.27, \$0.68 and \$1.36, respectively) and the difference [from

previously] is that now they put the money that is torn in plastic film and singe it with fire [to laminate the bills]. People who do this do not need to take the plastic off. They can go and buy things at the market and it is acceptable. You cannot tear the money. If the SPDC [Tatmadaw] soldiers see that you have torn money, they arrest you and put you in jail immediately. The Burmese government does not accept the torn money. Civilians use [laminated] money like this everywhere. For the places that I have not been, I asked people and they said that they use it like this everywhere. It is the truth that nowadays Burmese citizens use torn money covered in plastic.

Conclusion

For the information above, I worked together with *Pa Dtee D---* to make the situation report and ensure the information is correctly detailed. I truthfully reported the information as I heard and understood it.

Papun Bilin River Mining

Source document/PapunBilinRiverMining/2012

Project name:	Papun Bilin River mining
Type of project:	Mining
Karen District:	Papun
Government Region:	North Kayin
Actors:	U Mya Hpoo and Htun Kye Ta Twint companies; KNU
Company/Investors:	Domestic
Government/Military:	KNU
Trends:	Lack of consultation; Disputed or lack of compensation
Consequences:	Impacts on livelihoods; Environmental impacts; Denial of access to humanitarian goods and services
Collective action:	Negotiation; Reporting to authorities
KHRG Log #:	12-88-S1
Publishing info:	"Papun Situation Update: Dwe Lo Township, February to June 2012," KHRG, September 2012, http://www.khrg.org/khrg2012/khrg12b77.html

Testimony:

This report includes a situation update submitted to KHRG in June 2012 by a community member describing events occurring in Papun District, during the period of February 2012 to June 2012. Specifically discussed are details about land confiscation by several logging and mining companies, attempted land confiscation by the local authorities, difficulties with securing adequately staffed schools, and it includes details about the Tatmadaw sending rations and bullets, which creates concerns amongst the villagers who fear that fighting will resume in their region. The report shows that villagers are able to hold meetings and voice their opinions regarding the entrance of the mining companies, with specific criticisms against local authorities.

Situation Update | Dwe Lo Township, Papun District (February to June 2012)

The following situation update was written by a community member¹⁷² in Papun District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Papun District, including 167 photographs.¹⁷³

Situation Report

Dwe Lo Township location

For Dwe Lo Township's location, it is bordered by Pweh Law Stream in the east, Brigade #3

¹⁷² KHRG trains community members in eastern Burma 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 writing situation updates, community members are encouraged to summarise recent events, raise issues that they consider to be important, and present their opinions or perspective on abuse and other local dynamics in their area.

¹⁷³ In order to increase the transparency of KHRG methodology and more directly communicate the experiences and perspectives of villagers in eastern Burma, 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. As companion to this, a redesigned website will be released in 2012. In the meantime, KHRG's most recently-published field information from Papun District can be found in the report, "Papun Situation Update: Northern Lu Thaw Township, March to June 2012," KHRG September 2012.

in the west, Brigade #1 in the north and Lu Thaw Township in the south.

In our Dwe Loh Township, the civilians are living in two stages until now, one is under [Tatmadaw] control and the other is [for] IDP [internally displaced people].

The Burmese Military location

In Dwe Lo Township region, the Burmese Military is based in Meh Way, Hkoo Thoo Hta, Waw Muh, Kay Kaw, Kwee See, Taung Thon Lon, K'Ter Tee, Maw Law Kloh and K'Ma Moh. These are the places where the Burmese Military camps are based. Beginning in 2011, to now, the military camps which withdrew from our [Dwe Lo Township] region are Htwee Thee Uh, Ma Htaw, Sayar Aung Myint, Maw Thay Tha; [they] are not [in our region] anymore.

The Burmese Military Activity

In our region, from Baw Kyoh Traw to the East of Buh Law stream, LID [Light Infantry Division] #44 and the LIB [Light Infantry Battalion] are active and they rotate themselves every six or four months.

To send bullets, like in the past year, they repaired the old vehicle road in Buh Law Traw, and they sent vehicles from Nat Kyi to Hkoo Thoo Hta camp. After that, they sent [the bullets] to Meh Way, by motorboat. Because the Karen soldiers do not do any shooting after the ceasefire, they can send [bullets] safely.

As the Burmese Military [still] sends rations and bullets, like in the past year, the civilians consider that they [civilians] cannot be happy about the ceasefire. If there are the [military] activities, like the past year, they [civilians] will face the same problem. Some of the civilians are happy because, since the ceasefire was entered, they can travel and trade freely.

Since the ceasefire was entered, the Burmese Military has many plans to organize the civilians in different ways. In May 2012, the Education Coordinator from the Burmese Military ordered the E--- village leader [to a meeting] and he said that "*Now, there is a school in your region.*" He said that "*if there was no school, [I] would build one and send teachers to manage the school.*" If we look back to that year [when he sent the teacher] at the teachers he sent, they just taught for two or three months, and after that they rotated out. Therefore, our Karen leaders saw that it is not a correct practice, so they told the Burmese leader that if they said like that [promised teachers], they [the teachers] have to teach until the end of the year and they have to teach Karen subject, with Karen teachers to manage [the school]. Now, we have not heard [back] and we do not know anything related to this plan.

Because there are gold mines [in the region], the civilians face many difficulties. Their properties are destroyed. Moreover, the civilians who live in the villages that are set up downstream on the Meh Toh Law River, do not have a chance to drink pure water because the water is polluted. The oil from the machines flow down and the civilians have to go and pipe water in from the mountain, and it is not [good] enough for them to drink or to shower. Moreover, because of the polluted water, the animals, cows and buffalos drink the polluted water, shower with the polluted water, and it causes health problems; even the fish died.

On June --th, 2012, we went to a meeting in Gr--- Village tract and a villager from D--- said, "*Now, the companies came in and work, and the land of the civilians are being destroyed.*" The villager said, "*Why don't the Karen leaders forbid them? Let's not talk about forbidding. Now, there are only the rights for the companies and there are no rights for the villagers. In the past, before the companies came to do gold mining, they [the authorities] didn't ask for*

any fees when the villagers did gold panning. Now, if the villagers go and pan for gold among the companies, each person has to obtain a recommendation letter for one week. For one recommendation letter, [the villagers] have to give [money] to the village tract authorities, KNDO [Karen National Defence Organization] member and the village tract leader and they ask 10,000 kyat (US \$11.49) for one recommendation letter. If [the villagers] don't take a recommendation letter, the authorities don't allow [the villagers] to pan gold. If I look at the arrival and gold mining of the companies, if the leaders from the headquarters, from the districts and the townships prohibit them, it will be the best. I hope that the Karen leaders will prohibit [the companies] for us in order not to have the companies' gold mines in the coming years."

On June 15th, 2012, when [they] went and held meeting in Meh Way village tract, the E--- villagers named T---, V---, W--- and S--- heard that the companies will come and do gold mining in Meh Way region, so they shouted in front of the leaders not to allow the companies to come and do gold mining; they asked the leaders to prohibit [the companies] as much as they can. *"If the leaders give permission, our villagers will face many difficulties."*

Now, in K'Ter Tee village tract, between L--- and M--- [villages], they [Border Guard] developed a plan to build barracks for the Border Guard soldiers' wives. The Peace Council Chairman, U Soe Myint, sent his people to tell the civilians that he had asked permission from KNU leaders for the land from this place, and he said to the villagers, *"You have to agree with me and you have to sign that the land becomes our land, in order to build the place [barracks]"*. Some of the villagers believed that the KNU gave permission and, for some of the villagers, they signed because they were afraid of them [the authorities]. Then, [the villagers] accepted a small amount of money and they gave the land [away].

As soon as U Soe Myint had this plan, the current Battalion Commander from LID [Light Infantry Division] #102 firmly forbade them to not to build any buildings. The Battalion Commander explained to the civilians, *"U Soe Myint's people came and told a lie to you, that they went and asked permission from the KNU, but none of them went and met [the KNU leaders]."*

Moreover, in our region, the rich peoples' companies, which are U Mya Hpoo Company and Htun Kye Ta Pwint Company, came and do gold mining in the Baw Paw and Meh Htoh streams, so that many of the civilians' land and their plantations were destroyed. For the land and the plantations that are being destroyed, they [companies] gave 700,000 kyat (US \$804.60) for one acre; some of the villagers did not want to sell but they had to sell.

The companies told the civilians that they have asked permission from the Karen leader and as the leader gave permission, and now they came and mine gold in Meh Toh Kloh [stream].

Beginning on February 5th, 2012 to May 10th, 2012, the company owned by U Yeh Htun came and logged in Hkoo Thoo Hta village tract, in Poh Loh Hta region, and the company built a road to send the wood. The villagers' plantations, dog fruit plantations, betelnut plantations, and rubber plantations, were destroyed because of the road that they built. The prices that they gave for the civilians' destroyed plantations, were not full [value].

Furthermore, the people log, and it affects the source of the stream, which the N--- villagers rely on for their drinking water. When the elephants pull the wood, their urine goes into the stream and the water is polluted so that the N--- villagers dare not, and cannot, drink the water from the stream where they used to drink. Therefore, they have to go and take water from the Meh Hkoo Law stream. They said that, because they can't go and take [water] by themselves, they have to carry [it] with carts. The companies come and do logging, and the N--- villagers face difficulty with insufficient water for drinking and for showering.

Source document/PapunBilinRiverMining/2011/1

Project name:	Papun Bilin River mining
Type of project:	Mining
Karen District:	Papun
Government Region:	North Kayin
Actors:	Kyit Lay Myeh Company; DKBA
Company/Investors:	Domestic
Government/Military:	DKBA
Trends:	Disputed or lack of compensation
Consequences:	Physical security threats; Impacts on livelihoods; Environmental impacts
Collective action:	
KHRG Log #:	11-60-A1-I1
Publishing info:	"Papun Interview: Saw Th---, April 2011," KHRG, March 2013 (First Publication)

Testimony:

This report contains the full transcript of an interview conducted during April 2011 in Dwe Lo Township, Papun District, by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Saw Th---, a 26 year-old villager from B--- village, who described abuses that occur in his area, including land confiscation, threats to physical security due to landmines, forced labor, and damage to local agricultural infrastructure caused by heavy trucks. He also described how an unidentified company approached villagers to advise them that a dam is to be constructed between B--- and Wah Mu village, and that it is possible for 37 villages be displaced. The company employees remain close to a Tatmadaw military camp. Saw Th--- also discussed that because of the dam, many plantations were destroyed and the land owners were not compensated, which has caused the villagers to be short on food. Saw Th--- describes how the DKBA planted the landmines in western B---, which restricts the villagers from finding food in those areas, and how the DKBA also damaged a farming tunnel in order to build a road. Saw Th--- also describes how the Tatmadaw forced villagers to porter rations, without any compensation, and instituted a periodic shoot-on-sight practice where villagers cannot safely be outside the village at night. In response to some of these abuses, the villagers attempted to negotiate for compensation and for their tunnel to be repaired, but were denied and were also prevented from repairing the road themselves.

Interview | Saw Th---, (male, 26), B---village, Dwe Lo Township, Papun District (April 2011)

The following interview was conducted by a community member in Papun District, and is presented below translated exactly as it was received, save for minor edits for clarity and security.

Now, we heard that a dam will be built in Bu Loh Kloh [river] which is in B--- [village], so do you know about the project?

About the dam, [where it] will be built is not exactly in the centre of B--- village, but it's going to be built in the lower part of B---, which is in 1st brigade near Mon state. For the KNU map, it belongs to 1st brigade; the project was started in 1st brigade. As far as I know, they said they started building the dam since [19]93 to [19]94, but they still continue it until now.

So, it means that the dam is in 1st brigade?

The river flows in B---, which is in 5th brigade. It continues flowing into Waw Muh village,

which is in 1st brigade, so it is also connected to 1st brigade.

It is connected to 1st brigade and 5th brigade?

Yes, it includes 1st brigade and 5th brigade, because it also flows in 5th brigade.

What village tract is B--- village in?

B--- village is in Waw Muh village tract.

How about Township?

Dwe Lo Township.

Do you know who is included in the dam project, like [the] company or others?

The project is related to a company.

Do you know which company?

I can't tell which company's name.

Have they already started the project?

They haven't started the project yet, but they have a plan for the project.

Do they give any hint that makes us say that they will build it?

For building the dam, they haven't sent the materials that will build it. They just tell [us] and warn us.

Did they tell the villagers?

They didn't tell the villagers but some people could guess it; but they [do] really have a plan to build the dam. They can't keep it a secret, and some citizens talk about it, so other people know [about] it.

Did they tell villagers something about the dam?

No, they didn't.

How did the villagers know that the dam would be built?

They heard other people say [something] like, a gold company tells them, so I believe that people who will build the dam must be a company because [*unidentified*] company says this.

When the villagers heard that the dam would be built, did they have any plan, like they would move or report it to someone?

About this plan, they don't have chance to report, because they stay close to an SPDC Army camp [Tatmadaw] and can't tell this [information]. Not only our villagers know about the dam but also the township government knows about this [project].

How do the villagers feel about the dam?

For the dam, some villagers only heard about it, but they are afraid already. Some people bought posts to build their houses to live in, but they are waiting to hear the information about the dam and dare not build their house yet. They were worried that if they built their house, it will be useless.

For example, if the villagers think that the dam will give them problems, and if things are going to happen as they think, like they will get trouble and [lose] their land, what do you think should happen to them?

The thing that should happen to them is I think they will stand stable in their place. Because whatever [happens], our heart shouldn't move. In the area, there is not only our village; other villages are also included in the Bu Loh *Kloh* area. They can guess it. Some people, their heart moved but some were not. But for me I want to say that our heart shouldn't move because [of some] company that came and mined gold. Maybe some company tricked us to sell a lot of our land and orchards, so they tell us about the dam to make us afraid. They say that they will build the dam in Bu Loh *Kloh*, and if villagers who have their land close to Bu Loh *Kloh* were afraid, they would sell all of their properties and go to mine gold. They have a plan like this, and now they are mining gold beside the Bu Loh *Kloh*.

If the dam is really built, do you think the villagers who lost their land should get any compensation to help them?

If their lands, houses and their places are really going to be destroyed, I think they should get [help]. If they don't get help, all villagers' life will be destroyed. Nowadays, we can't find places to stay and our food also become less and less. If we look to the past, like last year, Kyit Lay Myeh company came and mined gold and destroyed a lot of peoples' dogfruit orchards. They didn't give anything for this. So the villagers get in trouble, their dogfruit and betel nut orchards, and their farms are all destroyed.

Can the villagers try to protest the dam to not be built?

If the citizens really try, I think they can. If they are in fear, like there are lots of soldiers to confront them, they won't have enough energy to protest them.

Which soldiers?

SPDC soldiers.

Did the company that came and mined gold use soldiers?

In 2009-2010, Kyit Lay Myeh company would come and mine gold in M'Ker La *Kloh*, and they asked permission from the KNU government, but they didn't give [it to] them, so they went back and arranged another way by hiring DKBA [Democratic Karen Buddhist Army] soldiers to come and be their security on the road so that they could come and mine gold.

If the villagers don't allow them to build the dam, do you think they will use soldiers like in the past?

If we look at other dams, we tried to protect [ourselves], but they didn't listen to the villagers' voice; they didn't respect the villagers' voice. I believe that if they really want to build the dam, they will really build it. Even if they can't build the dam, they will send soldiers to come and be their security.

You said we don't have any hint for the dam, so do they have buildings for workers?

They don't have buildings for workers. In my point of view, to build the building, I think they don't have soldiers to be their security, so it is difficult for them to build it. Another way is if they are really going to build the dam, and even if they don't want to build the buildings for workers, they can.

Which armed group is active in B--- area?

SPDC soldiers and KNU soldiers.

How about the BGF [Border Guard Force]?

Last year, the BGF stayed here but now they were moved to Paw Baw Ta village. They all moved into 1st brigade.

About the human rights, what are the human rights abuses that the villagers have to face?

About the human rights abuses in our village, sometimes we can't travel at night time. It is our area, but we can't travel because it is under military control. Currently, we also have human [rights] abuses like we have to go to the place that we dare not go. For example, we carry food for the SPDC, and ammunition. Even though we dare not to go, they forced us to go.

What time doesn't the SPDC allow you to travel at night?

They didn't mention the time, but if they saw people in the dark, and if they don't believe them, they shoot without thinking.

Did this always happen?

When the summer comes, I saw and heard [it] many times, because in the summer, villagers are out at night to find frogs and fish. Some people go and find frogs and fish in the river, and if they [Tatmadaw] see them, and if they look a little strange and they don't believe them, they will shoot them.

When was that summer¹⁷⁴?

In this year, 2011.

When was the month?

In March.

They shot the villagers when they went and found frogs and fish, so did the villagers die?

Yes, the villagers were shot when they went to find frogs and fish, but they didn't kill them; they just make them be afraid.

¹⁷⁴ Although this interview was conducted in April, the summer for this region refers to the hot season between March and June, before the monsoon rains fall from about June to the end of September.

Do you have to forcibly carry?

One thing that we have for forced carrying is we have to carry food for the SPDC Army.

Do you always have to go?

We have to go only once a year. They send all their food for one year, so if we have to carry one time, it takes 7 or 8 days.

How many people have to go?

All villagers, because they limited that one house has to carry 4 sacks¹⁷⁵ of rice. If family can't carry all four sacks of rice at the same time they will have to go continuously and carry it until it's gone.

How many households are there in B--- village?

I can't tell exactly, but it might be over [censored for security] households.

Is it a big village?

Yes, it is a big village.

Do you have any other abuses that the villagers have to face?

We don't have other abuses.

Do you see any changes about the human rights?

About the human rights, it changes. I'm saying this because in the past, especially last year, there were lots of soldiers and it included DKBA and they ordered us to go sentry a lot, and sometimes we had to go 10 times per day. Now, we mostly have to go sentry only two times.

Did the DKBA or the SPDC order it?

The DKBA ordered it. Sometimes, the SPDC soldiers ordered us to carry their injured soldiers.

Do any human rights abuses happen to the villagers that scare them, regarding building the dam?

About this, as I have already told you, they really said that in order to build the dam, 37 villages have to move.

In your opinion, what kind of consequences will the villagers have to face if the dam is really built?

If the dam is really built, there will be hunger and more people will die, because our villagers and people in the area can't access health care every time [they need it]. The hospital is not close to us, so we could face starvation and health care problems. They will lose their properties and they will become IDPs [internally displaced persons] and will die.

¹⁷⁵ A sack is a unit of volume used to measure paddy, milled rice and seeds. One sack is equivalent to 31.35 kg. or 69.12 lb. of paddy, and 48 kg. or 105.6 lb. of milled rice. A sack is also equivalent to three big tins.

Where will the 37 villages have to move, if the dam is really built?

They don't have a place to go. If they can go anywhere, they would go, and if they can't go, they won't go. They don't have a certain place to go.

Do you want to report more about human rights abuses?

I also don't know a lot about human rights, so I don't have anything to report.

What are the problems that the villagers have to face in their life and their work?

It relates to human rights because, for us to survive, we have to work. In the work, some people farm hill fields and some people do flat field farming. To do hill field [farming], they are not allowed to go and do hill field [farming] in western B---. They only go and do hill field [farming] in eastern B---, so the place is small for villagers and some get problems for doing hill field [farming].

Why were they not allowed to go and do hill field in western B---?

In western [B---], they are not allowed since the DKBA came and planted landmines in the ground.

Did you know which DKBA group, and their battalion number?

Last year, in 2010, they combined two groups; they were #333 and #999.

Where did they put landmines? Did they put them in villagers' farms?

They didn't put them in villagers' farm but they told us to not go in the western part, so we dare not go. Sometimes, if dogs go and find food, they step on landmines, so our villagers dare not go.

Didn't they tell the villagers where they put the landmines?

They also had difficulty to tell the villagers where they put the landmines, because even their group didn't know. For example, one group came and they put the landmines. If they went back, they didn't take it out and they also didn't tell their new friends who replaced their area. They didn't know all the places and they sometimes stepped on their own landmines.

Do you know the number of the farms where villagers can't work?

In our area, there are a few people who have their own farm and some will go and farm with other people. But they have problems because now our Bu Loh *Kloh* was destroyed, and the farms that were around B---, the tunnel destroyed [them], so our planted paddy becomes less. Our paddy [plants] become fewer, so some people do hill field farming. We can't go to the western [area] so our place is small and increases in population.

Why can't we work on the farms?

Last year, the DKBA came and mined gold. They built a vehicle road to transport food and oil for the company to use. Their vehicle road crosses beside a tunnel, so the tunnel was destroyed.

How many farms were destroyed?

I can't mention how many farms, but in B--- area, over 20 farms were destroyed.

Didn't they pay anything?

Even though they didn't pay us anything, if they repaired our tunnel for us, we can be satisfied. One time, regarding this, one of our villager went and asked them to repair our tunnel, but the armed group [DKBA] didn't do. So, they [villagers] discussed and suggested to each other that they would repair it by themselves, but they went and asked the armed group. The armed group said if we repaired the tunnel, their road would be destroyed. The armed group didn't allow [the repairs], so for farming, we were waiting for rain. So, when the rain came, we planted the paddy and it's a little late, so we got less grain than previous years.

Now in B---, have the villagers started to face a food shortage?

Yes.

So if the dam is built, will the villagers face more problems?

Yes.

Source document/PapunBilinRiverMining/2011/2

Project name:	Papun Bilin River mining
Type of project:	Mining
Karen District:	Papun
Government Region:	North Kayin
Actors:	Tatmadaw, DKBA and unidentified companies; KNU and YehTun, Mya Poo and Ko Cho companies
Company/Investors:	Domestic
Government/Military:	DKBA, Tatmadaw, KNU
Trends:	Lack of benefit to local community; Disputed or lack of compensation;
Consequences:	Physical security threats; Impacts on livelihoods; Environmental impacts; Denial of access to humanitarian goods and services;
Collective action:	Reporting to authorities
KHRG Log #:	11-21-S1
Publishing info:	"Papun Situation Update: Dwe Loh Township, February 2011," KHRG, March 2013 (First Publication)

Testimony:

This report includes a situation update submitted to KHRG in February 2011 by a community member describing events occurring in Papun District. Specifically described are the activities of Tatmadaw, and Border Guard troops, they are reported to have planted landmines, limited villagers movements, made forced demands, and caused problems for villagers' livelihoods. Additionally, villagers have been forced to assist with military resupply efforts and in the repairing of a bridge, during which two villagers were injured by a landmine. Gold mining in the area, initially administered by the DKBA, has resulted in the planting of landmines and as well as health and livelihood problems for villagers as their agricultural land has been destroyed and water sources polluted. While mining operations have now been taken over by private companies with the permission of the KNU; the same problems faced by villagers persist. The report also contains information regarding a prospective plan of the Burma government to build a dam on the Buh Loh Kloh river. The report also

details how one village head refused to comply with Tatmadaw demands to send villagers for forced labor, though his villagers were later captured by the Tatmadaw.

Situation Update | Dwe Loh Township, Papun District (February 2011)

The following situation update was written by a community member in Papun District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Papun District, including four incident reports, ten interviews and 37 photographs.

Dweh Loh Township area Report

Introduction

In our Dweh Loh Township area, civilians are facing troubles because the SPDC¹⁷⁶ and the Border Guard¹⁷⁷ entered [the region] and are active. Civilians face mostly forced labor, forced demands, capture, movement restrictions and landmines. Due to [an unidentified] company coming and mining gold, civilians face with destroyed land, and have no fresh water to drink. More than this, in 2011, the SPDC and the company planned to construct a dam on Buh Loh Kloh [river] (Bee Lin Chaung). If the dam is constructed successfully, civilians will have to leave [their] homeland, their villages, and flee to another place; there will be a lot of famine.

SPDC and Border Guard bases

In our Dweh Loh Township area, on the Baw Kyoh Traw side, the SPDC military is based in Kwee Shee, Ma Htaw, Za Yat Aung Myin, L---, Htee Shaw Meh, X---, Maw Law Kloh and Wa Thoh Koh. For the Border Guard, they base in Baw Kyoh Leh. The Border Guard called the place Main M' Leh. They will occupy Tha Aung Pyay in Wa T' Moh area, and in Buh Law Traw, the SPDC occupies Koh Shaw Meh Way, Kay Kaw, Koo Thoo Hta and Wa Muh. The Border Guard occupies Wa Muh, Pyoo Ha Koh, T' Way Day, Wa Thoh Klah, Htee Baw Kaw and Kleh Muh Hta.

SPDC and Border Guard activity

On the Baw Kyoh Traw side, the SPDC [groups] that are active, are MOC [Military Operations Command] #4 and LIB [Light Infantry Battalion] #702-703. These soldiers do not always remain. They change every six months, and they are small and active column. For the Border Guard, they are based in Baw Kyoh Leh, and they remain there forever. Sometimes, when there is something needed, they become active. On the Buh Loh Traw side, the SPDC military, which are active, are LIB# 707 and LIB #96 and they always

¹⁷⁶ State Peace & Development Council of the military junta ruling Burma at the time, which was officially dissolved March 30, 2011 by Senior General Than Shwe following the election of a quasi-civilian government in Burma in November 2010.

¹⁷⁷ Border Guard battalions of the Tatmadaw were established in 2010, and they are composed mostly of soldiers from former non-state armed groups, such as older constellations of the DKBA, which have formalized ceasefire agreements with the Burmese government and agreed to transform into battalions within the Tatmadaw. Border Guard battalions are assigned four digit battalion numbers, whereas regular Tatmadaw infantry or light infantry battalions are identified by two or three digit battalion numbers. For more information, see “DKBA officially becomes Border Guard Force” Democratic Voice of Burma, August 2010, and, “Exploitation and recruitment under the DKBA in Pa'an District,” KHRG, June 2009 see Border Guard transformation footnote above.

change every 6 months. For the Border Guard, the active group is #999.

Landmines

In our Dweh Loh Township area, since October 25th 2009 to the end of 2010, the SPDC, the DKBA¹⁷⁸ and [an unidentified] company cooperate together and came in for mining gold in Baw Paw Kloh [river], Meh Kleh Kloh. The DKBA, which is lead by officer Chit Thu¹⁷⁹, have 4 brigades, which are (999, 333, 777, 555) with 600 people [soldiers]. [They] divided their soldiers to increase security, and planted landmines close to civilians' work places on their way to travel [in the] mountains, hills, and valleys. In 2010, the civilians dared not to travel, to go to work, to do hill farming, or to cut trees or bamboos anymore. Civilians faced problems with their livelihoods [such as] not having enough rice or different kinds of food. Moreover, animals, cattle, buffalos, pigs, goats and humans were hit by landmines a lot. Because cattle and buffalo were hit by landmines a lot, [they] could not go and find food to eat any more, so the owners had to take their animals to another place to find food. On November 30th 2010, the DKBA finished mining gold and they went back. Because they planted landmines, but didn't take them out, the civilians from Waw Muh, Meh Choh and Ma Lay Ler village tracts¹⁸⁰ dare not do farming, cut trees, or cut bamboo. [With the] coming of 2011, civilians always face [problems] with their livelihoods. Because civilians face problems like this, and in order not to [have] famine and to be alive, they go and hire themselves out to the companies and do logging for their livelihood. The DKBA planted landmines and they did not take them out [even] until now. Starting from the beginning of 2011 until now, because the landmines were planted, humans, cattle, buffalos, pigs and goats, dare not travel anymore, so that right now no landmines have hit the things [animals] or humans.

Forced Demands, Forced arrest

Since October 1st 2010 until now, in our Dweh Loh Township area, [on the] Baw Kyoh Traw side, the SPDC sends rations once a year by truck, on the road [along] Ka Ma Moh and Papun. They always demand and force villagers in Baw Kyoh Traw to go and build bridges, carry loads, bring thatch and [make other] demands [on] villagers, until now.

On 16th November 2010, LIB #702 leader Officer Tun Tun Myint, who lives in K'Ser Ther Pleh (L--) army camp ordered Htee Saw Meh army camp commander to forcibly arrest [villagers] and forced [villagers from the] villages, which are B--- and C---, to go and build a bridge for the vehicle road in Nya Paw Nee place. [They] went and arrested 20 people

¹⁷⁸ Democratic Karen Buddhist Army; originally a 1995 breakaway group from the KNU/KNLA which signed a ceasefire agreement with the SPDC government and directly cooperated at times with Tatmadaw forces, but now referring to a splinter group from those DKBA forces reformed as Tatmadaw Border Guard forces, but independent of KNLA; see Border Guard transformation and Klo Htoo Baw footnotes above.

¹⁷⁹ Maung Chit Thu was the operations commander of Democratic Karen Buddhist Army (DKBA) Battalion #999 prior to the DKBA transformation into the Tatmadaw Border Guard, which began in September 2010. Although he accepted this transformation, his current position in the Border Guard remains unclear, and he has been variously described as a high-level advisor and an operations commander. Other abuses committed by Maung Chit Thu have been cited in previous KHRG reports, including ordering the forcible relocation of villagers from eight villages in Lu Pleh Township in July 2011, while acting as a Border Guard commander, see, "Pa'an Situation Update: June to August 2011", KHRG October 2011. For more information on the DKBA / Border Guard transformation, see, for example: "Border Guard Forces of South-East Command formed in Paingkyon of Kayin State," New Light of Myanmar, August 22nd 2010; and "Border Guard Force formed at Atwinkwinkalay region, Myawaddy Township, Kayin State," New Light of Myanmar, August 25th 2010.

¹⁸⁰ A village tract is an administrative unit of between 5-20 villages in a local area, often centred on a large village

[including] males and females. Among them, two people rode a bicycle, and when they arrived at Nya Paw Bridge, this bicycle was hit by a Karen soldiers' [KNLA]¹⁸¹ landmine. The two people who rode the bicycle were struck by stones [because of the landmine], so they were injured badly.

As soon as the landmine exploded, all 20 of the arrested villagers who were going to build the bridge dared not go anymore, so they ran back to the villages. The villagers who were injured were (1) Saw E---, 36 years old, and (2) G---, 40 years old, who live in M--- village. After that, LIB #702 Battalion Commander Tun Tun Myint again ordered to arrest villagers from F---, C--- and B--- to go and build a bridge for them.

On November 17th 2011, the Htee Saw Meh camp commander gathered 20 soldiers to go and arrest C---, B--- and F--- villagers again. [There were] 40 villagers in total, including male and female, and they [SPDC] brought them to Nya Paw Nee to build a bridge.

Some villagers heard that the Burmese army [Tatmadaw] would come to arrest people, so some of them fled. The battalion commander Tun Tun Myit [made his] demand from the village head, but the village head asked villagers to flee and he did not give anyone [of his villagers] to the soldiers, so they [soldiers] came and arrested the villagers by themselves when people were not expecting [it]. About this information, the B--- SPDC head village, K'Ter Tee village tract, reported [to me] when he met with me on 1st January 2011 in H--- village.

On January 5th 2011, in Htee Tha Bloo Hta village tract, the J--- SPDC village head Saw P--- met with me in K---, and reported that on November 15th 2010, Karen soldiers went and shot L--- army camp. So on November 16th 2010, [Battalion] #702 Battalion Commander Tun Tun Myit ordered his SPDC soldiers who live in L--- to go and arrest his [the village head] villager called Saw R---, 41 years old, where he lives in his farm hut. His soldiers arrested [R---] directly without asking any questions, and they accused him of holding hands [collaborating] with Karen soldiers. Officer Tun Tun Myit's soldiers punched Saw R---'s face 3 times and hit him 2 times in his chest with the butt [of their rifles]. They punched and hit him, and then called him to stay in L--- army [camp] and Saw R--- [was] afraid that they would kill him, so he fled and hid in peoples' huts near Hpway Htaw village tract. He still has to suffer from health problems until now, and moreover, he dares not go back and live in the village anymore.

On January 6th 2010, I met with N--- SPDC village secretary Saw S---, K'Ter Tee village tract, and he reported that the Border Guard came and forced villagers to go and carry food for them to Meh Pa.

On December 26th 2010, the Border Guard Company Commander Maw Soe Myint and 3 of them [soldiers] came to O--- village and came to N--- village when the villagers were not aware, and they arrested villagers, who are:

1. Saw Bp---, 27 years old
2. Saw St---, 28 years old
3. Maw Sh---, 30 years old
4. Hsa Ht---, 28 years old
5. Saw Ts---, 30 years old
6. Saw Fr---, 30 years old
7. Se---, 40 years old

¹⁸¹ Karen National Liberation Army, which is the armed wing of the KNU.

8. Ny---, 46 years old
9. Le---, 43 years old
10. Ng---, 48 years old and
11. Hs---, 38 years old.

After they [the Border Guard] arrested them, they tied them and brought them to X---. On the next morning, they asked them to carry rice bags and bullets from X--- to Meh Pa Khoh Nee Hkoh [Salween river], and untilnow they haven't come back [to the village] yet and we don't know whether they are already dead or are still alive.

On January 19th 2011, the Border Guard in K'Ter Tee called [summoned] the SPDC village heads who live in the villages in K'Ter Tee village tract. When the village heads arrived there, the Border Guard officer Maung Soe Myint gave an order: "*Now, you have to get thatches and bamboo for me in order to repair the camp, and you also have to give me villagers to go and carry food for me to Meh Pa.*"

1. Dt--- village [has to give] 6000 thatches and 3 people.
2. Lh--- [has to give] 6000 thatches and 3 people.
3. Li--- village [has to give] 4500 thatches and 2 people.
4. Mh--- village [has to give] 7000 thatches and 3 people.
5. Th--- [has to give] 2000 thatches and 1 person.
6. Rh--- [has to give] 3900 thatches and 3 people.
7. Wh--- [has to give] 14000 thatches and 4 people.
8. Td--- [has to give] 3900 thatches and 3 people.
9. Xe--- [has to give] 14000 thatches and 6 people.
10. Ad--- [has to give] 3000 thatches and 2 people.
11. J--- [has to give] 6000 thatches and 23 people.

The [thatches] need to be sent to O--- village by February 10th 2011. For their demand on people, if the villagers didn't go, they have to give money 150,000 kyat (US \$175.03) for one person. For the Border Guard demand of thatches and people, because now the time is not up, we do not go or send them yet. When the time is up and if we do not go or give, we don't know what kind of problems we will face. For this information, it was reported after the village heads came back from meeting [where demands made].

On December 27th 2010, the SPDC based in Ma Htaw, LIB #701 Battalion Commander Pyo Win Aung forced Sn--- villagers. He demanded four villagers each day, and he asked them to guard the road, two villagers in the East and two villagers in the West. They demand villagers [to do sentry duty] until now.

Restriction

On October 25th 2010, the SPDC sent rations on the road along Ka Ma Moh to Papun. LIB #702 Battalion Commander Tun Tun Myint gathered village heads in L--- camp, and gave an order that started from October 25th 2010. After [they] finished sending rations, any villagers who live near the road, far or close to road, he does not want to see [them] on the road, on the roadside or crossing road. "*If I see any one, I will shoot with gun,*" [he said].

Since the SPDC Commander Tun Tun Myit gave the order, civilians who live in Kr---, and villagers who have to go to work in Pyeh Nee Hkoh (Salwee river side), who have to cross the road, could not go anymore; for this year, they cannot do plantation anymore.

Problem for food and livelihood

Since October 25th 2009, till now, civilians have to face with different kinds of livelihood problems. On October 25th 2009, the DKBA came and were active in Waw Muh village tract, Ma Lay Ler village tract and Meh Hkyoh village tract, for mining gold, They were led by officer Chit Thu, and he had over 600 soldiers. He ordered his soldiers to plant landmines on mountains, valleys, and around the villages. Villagers dare not go to work, [and] villagers' hill fields were not being done, plantations were not being done and civilians have to face with a rice problem. Moreover, DKBA and [an unidentified] company cooperated together to mine gold and [they] built a road, so that many of civilians' lands were destroyed. More than that, when they were mining gold, there was mud and land [that] fell into rivers; into Baw Hpaw Kloh and Meh Kleh Kloh [rivers]. Humans and animals cannot drink the water in the rivers anymore, and even fish [and] frogs in the rivers died.

On December 4th 2010, the DKBA military group left the gold mining and all went back, so the civilians were very happy about this. The DKBA military group disappeared, but again other companies called, U Ye Tun, Mya Poo, and Ko Cho came and met with Karen leaders and asked [permission] to do mining gold in Baw Paw Kloh, Meh Kleh Kloh, Meh Toh Kloh. The Karen leaders gave them permission, so now they are starting the gold mining in the three rivers, and civilians have to face [the problem of] polluted water again. They could not drink fresh water, and the rivers smell only of petrol; some people drink it and there are many diseases [that] occurred.

Much more than this, companies' workers defecated and urinated into the rivers, and civilians who live downstream face with [the problem that] they cannot drink fresh water and diseases occurred.

A woman from Ye--- village reported that the Karen leaders from Headquarters, District [Office], and Township [Office] should not give companies [permission] to mine gold anymore, and that will be the best. If I look at the mining gold, [the people] are in Karen leaders' hands. In the future, if the leaders love civilians, leaders need to protect us and if they don't give any opportunity to the companies to mine gold, it would be the best.

For my report, I worry that leaders won't accept it, and won't believe me. I hope that leaders will come to us, and will see and believe our suffering. [I also hope that] there is no gold mining anymore. Now, civilians have no fresh water to drink, because of the gold mining, so each of the villages combine together and dig wells from a little stream. Now, they drink that water and shower without cares.

From this gold mining, civilians face with problems for water, land, property and lots of plantations [that] were destroyed. For the gold mining, there is no benefit for civilians; only civilians will get diseases, and starvation will happen.

Dam

In our Dweh Loh Township, in December 2010, Burmese government had a meeting in Yangon, and they have a plan of constructing a dam in Buh Law Kloh, Bilin Chaung [Bee Lin River] in Waw Muh area; they have already had a complete plan. They have not decided the date to build the dam yet, but they have a complete plan. If the Burmese government really builds the dam, the civilians will face many problems with their livelihood. Furthermore, many of civilians' lands will be destroyed and we [would have to] move our village; our village will be destroyed. More than that, the living places of the animals, cows and buffalos will be destroyed too.

Conclusion

In my report, [it includes] about human rights abuses, such as force labor, forced demands, landmines, dam [construction], forced arrest, and restriction [on movement].

Source document/PapunBilinRiverMining/2011/3

Project name:	Thaton Bilin River mining
Type of project:	Mining
Karen District:	Thaton
Government Region:	Northern Mon State
Actors:	DKBA
Company/Investors:	
Government/Military:	DKBA
Trends:	Lack of consultation; Lack of benefit to local community; Disputed or lack of compensation
Consequences:	Physical security threats; Impacts on livelihoods; Denial of access to humanitarian goods and services; Environmental impacts
Collective action:	
KHRG Log #:	11-21-I4
Publishing info:	"Incident Report: Gold mining and forced labor in Papun District 1, October 2009 to January 2011," KHRG, March 2013 (First Publication)

Testimony:

The following incident report was written by a community member who has been trained by KHRG to monitor human rights abuses. The community member describes events that occurred between October 2009 and January 2011. This incident report includes information about forced labor and demands made by the Tatmadaw while they were transporting rations, as well as information about the environmental damage, water pollution and destruction of livelihoods caused by gold mining. This incident report also details that when 30 villagers were demanded for forced labor, 20 were sent by the village head; subsequently however, the Tatmadaw came to capture the remaining 10 villagers.

Incident report | Dweh Loh Township, Papun District (October 2009 to January 2011)

The following incident report is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Papun District, including three other incident reports, six interviews, one situation update and 53 photographs.

Part 1 – Incident(s) detail

Type of Incident	Loss of Livelihood, forced labor, forced demands, environmental destruction
Date of Incident(s)	25 th Oct 2009 until now
Incident Location (Village, Township and District)	M--- village, Woh Mu village tract, Dweh Loh township, Papun district

Victim(s) Details									
Name	Age	Sex	Nationality	Family	Occupation	Religion	Responsible	Member of Organizations	Village

Naw S---	53	F	Karen	married	N/A	Buddhist	SPDC village leader	N/A	M---
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Perpetrator				
Name(s)	Rank	Company/Battalion/Division	Based at	Commander's Name
Kyaw Ban	Company Commander	Border Guard Battalion #1013	Woh Mu	Hla Kyain
Kin Lway	Operation Commander	Light Infantry Division #11 Light Infantry Battalion #709	Mae Pray Kee	N/A

Part 2 - Information Quality

2. Explain how the source verified information accuracy.

The one who report about this information is Naw S--- and she is the victim who had to suffer the situation by herself.

PART 3 – Incident Details

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 attach if needed.

Now, because we are villagers, we have to face with the SPDC army [Tatmadaw]¹⁸² and the Border Guard¹⁸³ forcing [us to do] labor, forced demands, and [we have to be] afraid of landmines and we dare not go to work. From October 25th 2009 until now, because there are still gold mines, we have to face [with problems] like drinking dirty water, causing cows and buffaloes to get a lot of diseases.

My name is Naw S---, 53 years old, and I live in M--- [village]. I'm an SPDC village leader. I became an SPDC village leader eight years ago, and my civilians, my villagers, and I always have to face with forced labor and we cannot work [for ourselves].

For villagers, they always have to face problems like forced labor, and demands for thatch and bamboo. In the dry season, when the SPDC army transports food, a lot of villagers have been forced [to do labour] and have been captured many times.

From January 13th 2011, until now, LID [Light Infantry Division] #11 and LIB [Light Infantry Battalion] #709 send food for the rainy season. Operation Commander Khin Lwin demanded 30 of our villagers to carry food, starting from L--- village to H---. They asked for villagers, but I didn't give them as they asked. They asked for 30 villagers, but I gave only 20 villagers. I didn't give them as they asked, so they came and captured my villagers by themselves on that day, and asked them to carry food for them. The villagers whom they asked were from L---, M---, and D--- villages. Now these villagers always have to porter [for them].

After the SPDC army finished sending food to H---, they will send again P---, R---, and S--- [villages]. The villagers who stay near their camp will face the same thing like our villagers.

During 2009-2010, [in the] villages located near Buh Loh Kloh [river], villagers have to face two branches: the SPDC army and the DKBA army. At that time, the villagers had to carry food for the DKBA and could not take a rest. They dared not to farm [because they were] afraid of landmines. The DKBA gold mining destroyed the land, and after that, because the water tunnel was destroyed, [villagers] could not do farming. Villagers have to face a lot of problems.

On December 4th 2010, the DKBA army stopped mining gold, so the villagers were very happy. But because the companies [now] mine gold, the villagers have to face the same problems.

Now a company mines gold in the Baw Paw Klo, Meh Kleh, and Meh Toh [rivers], and the water became polluted [so that] we dare not drink. Even cows and buffaloes drink it and get diseases. In rainy season, we cannot farm because there is a lot of sand that flew into our farm.

¹⁸² In Karen, the Burmese phrases Na Ah Pa (SPDC) and Na Wa Ta (SLORC) are commonly used to refer to the Burmese government or to Burma's state army, the Tatmadaw. Many older Karen villagers who were accustomed to using the phrase Na Wa Ta (SLORC) before 1997 continue to use that phrase, even though the SLORC has not officially existed since 1997. Similarly, despite the official dissolution of the SPDC in March 2011, many Karen villagers continue to use the phrase Na Ah Pa (SPDC) to refer to the Burmese government or to the Tatmadaw; see: "Mission Accomplished as SPDC 'dissolved,'" Myanmar Times, April 4-10th 2011. The term Na Ah Pawas used by the villager who wrote this conducted this interview and interviewee and "SPDC" is therefore retained in the translation of this interview.

¹⁸³ Border Guard battalions of the Tatmadaw were established in 2010, and they are composed mostly of soldiers from former non-state armed groups, such as older constellations of the DKBA, which have formalized ceasefire agreements with the Burmese government and agreed to transform into battalions within the Tatmadaw. Border Guard battalions are assigned four digit battalion numbers, whereas regular Tatmadaw infantry or light infantry battalions are identified by two or three digit battalion numbers. For more information, see "DKBA officially becomes Border Guard Force" Democratic Voice of Burma, August 2010, and, "Exploitation and recruitment under the DKBA in Pa'an District," KHRG, June 2009 see Border Guard transformation footnote above.

Now I will tell something: other people said that our villagers have become thieves. Dogs bark at us [when we] become Karen soldiers and [we] dare not to shoot SPDC soldiers. [When we] become SPDC soldiers [we] shoot our villagers, [order them] to cut wood and bamboo, and for working with the Border Guard, [we] dare not. For this gold mining, we hope our leaders will stop it and it will be better.

Source document/PapunBilinRiverMining/2011/4

Project name:	Thaton Bilin River mining
Type of project:	Mining
Karen District:	Thaton
Government Region:	Northern Mon State
Actors:	DKBA Battalions #999, #333 and #777 led by Officer Chit Thu; Myanmar government; unidentified mining company; Border Guard Battalion #1013 Officer Kyaw Beh
Company/Investors:	Domestic
Government/Military:	DKBA; Myanmar government; Border Guard
Trends:	Lack of consultation; Disputed or lack of compensation
Consequences:	Physical security threats; Forced labour and exploitative demands; Impacts on livelihoods; Environmental impacts; Denial of access to humanitarian goods and services
Collective action:	
KHRG Log #:	11-21-I3
Publishing info:	"Incident Report: Gold mining and forced labor in Papun District 2, October 2009 to January 2011," KHRG, March 2013 (First Publication)

Testimony:

The following incident report was written by a community member who has been trained by KHRG to monitor human rights abuses. The community member described events that occurred during 2009 to 2011, when the DKBA mined gold and planted landmines in Dwe Loh Township, Papun District. This report describes the problems that villagers faced because of the gold mining, including forced labour, Impacts on livelihoods, contaminated water and related health problems. The report details that after the DKBA transformed into the Border Guard in 2010, they stopped mining gold, though mining was continued by companies who came to the region and took over mining operations.

Incident report | Dweh Loh Township, Papun District (2009-2010)

The following incident report is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Papun District, including three other incident reports, six interviews, one situation update and 53 photographs.

Part 1 – Incident(s) detail

Type of Incident	Forced Labor, Land Confiscation, Destruction of Environment, and Loss of Livelihood.
Date of Incident(s)	2009-2011
Incident Location (Village, Township and District)	M--- village, Woh Mu village tract, Dweh Loh Township, Papun District

Victim(s) Details									
Name	Age	Sex	Nationality	Family	Occupation	Religion	Responsible	Member of Organizations	Village
T---	52	M	Karen	married	Farmer	Buddhist		-	M---

Perpetrator				
Name(s)	Rank	Company/Battalion/Division	Based at	Commander's Name
Kyaw Beh	Company Major	Border Guard Battalion #1013	Woh Mu tract	Hla Kyain
Unknown Company	N/A	N/A	Yangon	N/A

Part 2 - Information Quality

2. Explain how the source verified information accuracy.

The person who reported is T--- and he suffered [the incident] by himself.

PART 3 – Incident Details

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 attach if needed.

Starting from 2009 to 2011, [the problems that] we have to face [include that we] dare not to go to work because we are afraid of landmines, and because the gold mining destroyed land; [it caused] drought. [We] cannot work on the farms. We cannot drink pure water, and [we] get many diseases.

My name is T---, 52 years old, and I live in M---, Waw Muh village tract. Starting from when I grown up, until now, I have never lived peacefully.

Starting from October 25th 2009, DKBA¹⁸⁴ [battalion] #999, 333, and 777, led by officer Chit Thu¹⁸⁵, worked with the Burmese government when [an unidentified] company came and mined gold in the Baw Paw Klo [river] and the Meh Kyeh Klo [river]. When [they] mined gold, we, M---, L--- and N--- villagers, had to carry food and worked for them, and no one could take a rest.

When [they] mined gold, [they] built a car road. Mining gold harmed not only my farm, but also harmed a lot of my friends' farms, until the tunnel was destroyed, so we cannot farm anymore.

After that, some of the villagers who would do hill agriculture and who would go to cut trees and bamboo, dare not to travel because the DKBA planted landmines. Because we dare not to go, we will face with hunger this year.

After that, on December 5th 2010, the DKBA went back and I thought they will all go back, but the DKBA changed their name into the Border Guard¹⁸⁶ [led by] officer Kyaw Beh, who lives in the Waw Muh village tract area, and [the Border Guard] always asks villagers to work for them.

After that, starting from November 2010 until now, the DKBA has stopped mining gold, but there are a lot of companies that came in and mine gold in Baw Paw Klo [river], Meh Kleh Klo, and Meh Htoh Klo. Dirty water comes down [now] more than when DKBA did [mining], and all the villages located downstream from the gold mines have to drink dirty water, water polluted by machines, earthy water, and they got diseases.

Furthermore, cows and buffaloes drank that water, causing a kind of disease. For the company workers who lived in the upper part of the river, they defecated and urinated [into the river], and villagers who lived downstream drank that water, [contaminated with] faeces and urine.

If we look to the gold mining, villagers face a lot of problems. Some land was destroyed, plants were destroyed and water became scarce so [the villages] cannot farm very well.

For this gold mining [activity], if we look [to] the Karen leaders, they should stop it until there is no more gold mining; it would be good.

¹⁸⁴ The DKBA was formed in December 1994, led by monk U Thuzana with the help and support of the State Law and Order Restoration Council (SLORC), which was the name of the military government in Burma at that time. For more information on the formation of the DKBA, see "Inside the DKBA," KHRG, 1996.

¹⁸⁵ Maung Chit Thu was the operations commander of Democratic Karen Buddhist Army (DKBA) Battalion #999 prior to the DKBA transformation into the Tatmadaw Border Guard, which began in September 2010. Although he accepted this transformation, his current position in the Border Guard remains unclear, and he has been variously described as a high-level advisor and an operations commander. Other abuses committed by Maung Chit Thu have been cited in previous KHRG reports, including ordering the forcible relocation of villagers from eight villages in Lu Pleh Township in July 2011, while acting as a Border Guard commander, see, "Pa'an Situation Update: June to August 2011," KHRG October 2011. For more information on the DKBA / Border Guard transformation, see, for example: "Border Guard Forces of South-East Command formed in Paingkyon of Kayin State," New Light of Myanmar, August 22nd 2010; and "Border Guard Force formed at Atwinkwinkalay region, Myawaddy Township, Kayin State," New Light of Myanmar, August 25th 2010.

¹⁸⁶ Border Guard battalions of the Tatmadaw were established in 2010, and they are composed mostly of soldiers from former non-state armed groups, such as older constellations of the DKBA, which have formalized ceasefire agreements with the Burmese government and agreed to transform into battalions within the Tatmadaw. Border Guard battalions are assigned four digit battalion numbers, whereas regular Tatmadaw infantry or light infantry battalions are identified by two or three digit battalion numbers. For more information, see "DKBA officially becomes Border Guard Force" Democratic Voice of Burma, August 2010, and, "Exploitation and recruitment under the DKBA in Pa'an District," KHRG, June 2009 see Border Guard transformation footnote above.

If the gold mining still occurs in our new generation's era, they will really face hunger and poverty.	
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Papun Yuzalin River Mining

Source document/PapunYuzalinRiverMining/2010

Project name:	Papun Yunzalin River mining
Type of project:	Mining
Karen District:	Papun
Government Region:	North Kayin
Actors:	DKBA, Companies, Some villagers
Company/Investors:	Domestic
Government/Military:	DKBA
Trends:	Lack of consultation; Land confiscation
Consequences:	Physical security threats; Impacts on livelihoods; Environmental impacts; Denial of access to humanitarian goods and services
Collective action:	Negotiation; Reporting to authorities
KHRG Log #:	10-41-A1
Publishing info:	"Papun Interview: Saw O---, December 2010," KHRG, March 2013 (First Publication)

Testimony:

This report contains the full transcript of an interview conducted during December 2010 in Lu Thaw Township, Papun District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Saw O---, who described gold mining operations, started by the DKBA and later carried out by companies, leading to problems for villagers including water pollution and Impacts on livelihoods, as agricultural land is destroyed. The interviewee also explains that some villagers support the work of gold mining companies in order to earn profits, while others report their problems with gold mining operations to the KNU, requesting its prohibition.

Interview | Saw O---, (male, 42), Y--- village, Lu Thaw Township, Papun District (November 2010)

The following interview was conducted by a community member in Papun District, and is presented below translated exactly as it was received, save for minor edits for clarity and security.

When was this vehicle road closed?

It was closed since October [2010].

What is their [the villagers'] aim of closing the vehicle road?

Their aim is [to stop] the enemy [who] comes every year when it is the time to harvest. They come up to the mountains and disturb villagers doing their livelihoods. The villagers face many difficulties to do farming. During this time, they [Tatmadaw] have a lack of rations and start transporting their rations. For us, we block the vehicle road in order to prevent them transporting their rations and being able to do their operations and disturb the villagers. Therefore, we block the road first. For the villagers, we give them the opportunity to travel along Pweh Loh Klo River [Yusalin river] by boats. For the land route, we block it to prevent the enemy [Tatmadaw] transporting rations in order to be able to do their operations and disturb villagers harvesting their paddy and destroying the villagers' paddy when the paddy is old enough to harvest. This is our aim for closing the vehicle road.

For the river road, can villagers travel?

We give them permission to travel through the river. However, the enemy faced difficulties when we closed the road and they restricted the villagers to put pressure on KNU/KNLA [Karen National Union/ Karen National Liberation Army] again. If KNU/KNLA does not open the road, they will also close travelling through the river. Therefore, the villagers are in a difficult situation.

What is the current situation with closing the road?

Currently, the villagers living in mountainous areas have already harvested their paddy so we opened the road again. As usual, the villagers start travelling through the road after we opened it again.

Has KNU/KNLA already announced to villagers that they opened the road again?

Yes, they already announced about it. The telegraph from above [Brigade headquarter] was sent to the soldiers in the front and ordered them to clear the materials that will cause the problems over a week ago. As usual, they have to clear the materials that they have to and we believe they have already done it and the villagers can start travelling now again.

What is your opinion on mining gold?

In the past, KNU did not allow anyone to do gold mining. There are some villagers who came and asked permission to do mining gold, but the district did not give them permission to do [it]. Then, the villagers contacted with DKBA¹⁸⁷ army. At that time, the DKBA army did not transform into the BGF¹⁸⁸ [Border Guard], yet. They contacted with DKBA army and asked those working with DKBA army to come and check the areas [to see] whether it has gold or not. These people came and checked the areas and found that the areas did have gold. Therefore, the DKBA army called a company to come and do gold mining. Since 2009, there have been many DKBA soldiers [who] came and based [themselves]. For us, we could not take security [feel secure] anymore because a lot of the DKBA troops came. They along with the company started mining gold there. Due to the gold mining, it caused many problems and destroyed villagers' working places. There are 80 fields that have been destroyed and the villagers cannot work in these fields anymore because it also damaged a canal [water trench that carries water to the field] when they did gold mining. Therefore, there is no water reaching the fields and they cannot do farming anymore. Moreover, the gold mining, it pollutes water. The villagers become itchy and face skin diseases. Additionally, many animals fell down the holes which had been dug by the truck in order to find gold and had not been filled with the soil and died when they were grazing. There are many animals that died by drinking the polluted water because it contains sand and mud in the water. Therefore, the villagers have reported problems that they have faced since the

¹⁸⁷Democratic Karen Buddhist Army; originally a 1995 breakaway group from the KNU/KNLA which signed a ceasefire agreement with the SPDC government and directly cooperated at times with Tatmadaw forces, but now referring to a splinter group from those DKBA forces reformed as Tatmadaw Border Guard forces, but independent of KNLA; see Border Guard transformation and Klo Htoo Baw footnotes above.

¹⁸⁸While Tatmadaw and DKBA units had operated together for years, this operational hierarchy became formalised with the DKBA's transformation into a 'Border Guard Force' under control of the Tatmadaw and containing a fixed number quota of Tatmadaw officers. This transformation dates to at least May 2009, when commanding officers stated in high-level meeting of DKBA officers that the DKBA would transform itself into a 'Border Guard Force;' unpublished leaked minutes from the May 2009 meeting are on file with KHRG. Ceremonies attended by Tatmadaw commanders officially announced the transformation of large portions of the DKBA into Border Guard Forces in September 2010; see, for example: "Border Guard Forces of South-East Command formed in Paingkyon of Kayin State," New Light of Myanmar, August 22nd 2010; and "Border Guard Force formed at Atwinkwinkalay region, Myawady Township, Kayin State," New Light of Myanmar, August 25th 2010

DKBA army came to do mining. The information was sent and reached to the above. However, we cannot prevent the DKBA army from [mining gold]. Later, the DKBA army transformed into the BGF and the SPDC army¹⁸⁹ [Tatmadaw] did not allow them to do mining gold anymore. So, the villagers who worked together with the company approached us again. They came and asked permission from the district and brigade and the company came and asked for permission, too because they thought the DKBA army became weak and they could not rely on the DKBA army a lot. Due to this issue, the district and brigadge sent the representatives to go down and monitor the situation including the places carefully. Then, the representative said that if we give the permission, we should allow mining gold only in the old places. We should not give them permission to do mining gold in new places. The villagers working with the company said they can do gold mining in the old places where they have done mining gold with the DKBA army even though they are not allowed to do mining gold in the new places. If so, the representatives who went there told them that he would come back to discuss here and gave the answer later. If they allowed the villagers to do mining gold, they would produce a contract from here like that. They came and reported about this case and saw that we should give villagers the permission to do [mining gold] in the old places. As the representatives agreed that we should give them the permission, the district and brigade decided to give the permission to do mining gold in the old places to them. But, they are not allowed to do mining gold in the new places. Then, the representatives went back. When the decision was made again and they started giving the permission to do mining gold in the old places and do not allow to do mining gold in the new places, the villagers who face difficulties reported the problems that they face such as polluted water. But, this information has just arrived newly and we are not free to sit down and discuss about this information, yet. If it causes problems to the villagers, it is essential for the responsible committee to sit down, discuss about this case and plan what should they do.

Does KNU have any plan to monitor gold mining?

Yes, they already found a committee to monitor the situation and inform to the above in the front. If we look back in the past, the SPDC army gave the company permission to do mining gold up to Meh Way Hkee. However, the SPDC army cannot occupy the lands in upper areas and our soldiers take responsibility for security, we do not allow them to do the mining gold. They can only do until Meh Toh, Meh Kleh, and Baw Baw Hta areas. Actually, it already affected villagers since the DKBA army's time before it transformed to BGF even though they did not do [mining] anymore after they transformed to the BGF. Currently, we started giving the permission to do again before we received the information from the villagers. So, the committee will monitor the situation and see whether we should give the permission to do [mining gold] or not or if we should continue giving the permission, how should we make arrangementsin regarding sanitation so that the villagers will not have to use and drink the polluted water. We should plan and discuss with the company about the sanitation. So the villagers can use the clean water. In regard to the land destruction, the lands owned by the villagers should not be destroyed in the committee's decision. If the owners do not give the permission to the company to do [mining gold] in their lands, KNU will not allow the company to do [it]. If the owners allow the company to do mining and

¹⁸⁹In Karen, the Burmese phrases Na Ah Pa(SPDC) and Na Wa Ta(SLORC) are commonly used to refer to the Burmese government or to Burma's state army, the Tatmadaw. Many older Karen villagers who were accustomed to using the phrase Na Wa Ta (SLORC) before 1997 continue to use that phrase, even though the SLORC has not officially existed since 1997. Similarly, despite the official dissolution of the SPDC in March 2011, many Karen villagers continue to use the phrase Na Ah Pa(SPDC) to refer to the Burmese government or to the Tatmadaw; see: "Mission Accomplished as SPDC 'dissolved'", "Myanmar Times, April 4-10th 2011. The term Na Ah Pawas used by the villager who wrote this conducted this interview and interviewee and "SPDC" is therefore retained in the translation of this interview.

demand the money that the lands are worth, then KNU district leaders will not block the company to do it. If the villagers do not give the company permission to do [gold mining], KNU will not allow the company to do it. We already set up the laws for this case. Now, there are two types of villagers. One type is those who reported problems that they face and requested us to solve these problems and another type is those who went to call more companies to come and do [gold mining]. Therefore, we should balance the situation and plan for them. They dare not to report the problems such as the polluted water when the DKBA army came and did mining. They suffered on their own. However, they dare to report to us when the district and brigade leaders took responsibilities [for mining gold]. They sent us a telegraph about civilians facing problems last week. But, there were only few committees and the head of the committee was not there so that they have not decided it, yet. They plan to wait for every committee when they come back and they will sit down and discuss about this issue such as how they can improve water for the villagers. As I told you before, there are two types of villagers. One type is the villagers who went to call the company in order to do mining gold and to get profit for themselves and another type is the villagers who do not want other people to do mining gold and prohibit gold mining. We are neutral. We also do not want to do if it affects the villagers and we do not want to see them face problems. All of our work depends on the villagers.

What is your opinion on villagers' desire?

The villagers treat us as if we are their parents. So, they dare to inform us of any issue and believe that KNU will understand them and plan for them as they report. Even though the incident happened in the past, KNU always solves for them when they report. Therefore, they believe us and report to us and KNU will take responsibility to solve the problems that they face.

Is there anything that you want to say about this issue?

In regard to mining gold, I want to say that the villagers pan gold with a bamboo tray a long time ago for their survival . As they have done this in the past, KNU gave them permission to do it again so that they can earn outside income for their family year by year. They also pan gold only in summer time. Therefore, KNU did not prohibit them to do it and gave them permission to do it. They did this year by year like this. However, later the DKBA army found out about this and some contacted with villagers. For the DKBA army, they had a contact with the company. In the beginning, it also involved some of our villagers because they also contacted with the DKBA army. When the DKBA army did not do mining gold anymore, there are some villagers who work with the company and the company that gets profits asked the permission from us to do it again. For us, as they have already done [mining gold] in limited areas, we have just given them the permission to finish doing it. We do not have any agreement with them about giving them the permission to do [mining gold] in new places.

What are the benefits for KNU regarding to mining gold?

Every work that you do, it should have some benefits. Without getting the benefits, it has no meaning to do it. But, it does not benefit for only one person. It does not benefit only for the whole organization. It also benefits for local villagers there because the company will have to support them. For this issue, it was already decided and planned. We already set up the contract with the company that they had to follow. Therefore, it does not benefit only for the district leaders, it also benefits the civilians.

Tavoy Mining

Source document/TavoyMining/2012/1

Project name:	Tavoy mining
Type of project:	Mining
Karen District:	Tenasserim (Mergui-Tavoy)
Government Region:	Tanintharyi
Actors:	Myanmar Pongpipat Company (MPC)
Company/Investors:	Foreign
Government/Military:	
Trends:	Lack of consultation; Disputed or lack of compensation
Consequences:	Impacts on livelihoods; Environmental impacts; Denial of access to humanitarian goods and services
Collective action:	Reporting to authorities; Negotiation
KHRG Log #:	12-79-CL4
Publishing info:	"Complaint letter to administrator, Myitta sub-Township, Tavoy District," KHRG, March 2013 (First Publication)

Testimony:

The complaint letter below was written by T--- villager, Ma K--- 38 years-old, in April 2012 and raises concerns related to the Myanmar Pongpipat Company, which obstructed a water supply close to her plantations in order to mine chemicals. The complaint letter describes the flooding of plantations due to the mining operations. Related to the damage to her livelihood, the villager reports that she was paid compensation once but that subsequently the flooding became worse, resulting further loss of plantations and the villager becoming unable to afford to send her children to school due to loss of livelihood.

Complaint Letter | Kyauk Me Taung village tract, Myitta sub-Township, Mergui-Tavoy District (March 2012)

To: Administrator
 Myitta sub-Township
 Tavoy District,
 Date: March 1st 2012

I, Ma K---, 38 years old, live in T--- village, Kyauk Me Taung village tract, Myitta sub-Township, Tavoy District, Tanintharyi Region. Because the Myanmar Pongpipat Company (MPC) obstructed the water [flow] to mine metal [ore] in the agriculture land which is owned by my father, U D---, so the water came up more and more, and the plants were destroyed.

Regarding the damage as above, if [we] see the damage in 2004, for the damaging of the plantations, [they] paid 500,000 [kyat] (US \$583.43) [in compensation]. However, because the water comes up more and more, again it flooded [the area containing] 200 cashew plants, big betelnut palms and small betelnut palms over 1,000, [including] lime trees, mango tree, coconut trees and papaya trees.

As a consequence of this damage, I could not afford continue sending my children to school anymore, so we lost education and economy. Therefore, I reported to the relevant [person] to be able to provide assistance as it necessary.

With respectfully reported person

Sd
 Ma K---
 Citizen No. [Censored for security]

Copy

- District governor office
- No.2 Strategic Operations Commander office
- Local News group
- Local military security group
- Myanmar Pongpipat Company (MPC)
- Village governor office
- Kyuak Me Taung police station
- Karen ethnic minister office

Source document/TavoyMining/2012/2

Project name:	Tavoy mining
Type of project:	Mining
Karen District:	Tenasserim (Mergui-Tavoy)
Government Region:	Tanintharyi
Actors:	Myanmar Pongpipat Company (MPC)
Company/Investors:	Foreign
Government/Military:	
Trends:	Lack of consultation; Lack of benefit to local community; Disputed or lack of compensation
Consequences:	Impacts on livelihoods; Environmental impacts; Diminished access to humanitarian goods and services
Collective action:	Reporting to authorities; Negotiation
KHRG Log #:	12-79-CL11
Publishing info:	"Mergui-Tavoy Situation Update: Tavoy Township, 1999 to 2012," KHRG, March 2013 (First Publication)

Testimony:

This report includes a situation update submitted to KHRG in June 2012 by a villager describing events occurring in Mergui-Tavoy District, during the period between 1999 and 2012. Specifically described is the Thai Company, Myanmar Pongpipat Compay (MPC), mining chemicals in Hkay Ta Ser Poo (Hin Da Mine). This report discusses villagers' concerns regarding chemical mining, including their resultant lack of access to fresh water and damage to their plantations resulting from the mining. Villagers also express concerns about their health due to the use of acid in nearby mining operations. This situation update documents villagers' responses to abuses, including a villager named Saw Y--- who suffered from damage meeting with a representative of the company to request compensation, however he was refused.

Situation Update | Tavoy Township, Mergui-Tavoy District (1999 to 2012)

The following situation update was written by a community member in Mergui-Tavoy District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Tenasserim District, including eight interviews, one other field update and 424 photographs.

Mining Metal (Chemical)

Place	Hkay Ta Ser Poo (Hin Da Mine), which distance 34 miles far from east Tavoy Town, Tavoy Township, Tanintharyi District.
Chemical Type	Mining chemicals (Ke Tha Tu Twin)
Company name	Currently, it is being done by Thai company named (Myanmar Pongpi Company)
Get permission	Got permission from the Burmese government in 1999 and started doing in the year of 1999 and will finish in 2012.

The most damaging [consequence of chemical mining] is that villagers do not get fresh water anymore. The water has become polluted since the mining chemical process started. For cleaning chemicals and testing chemicals, they [the company] also use acid liquid so that creates worries and is dangerous for the health [of villagers].

There are two rivers and they are Hkay Ta *kloh*¹⁹⁰ (Hin Da Stream) and Hkay Too *kloh* (Hin Du Stream). As a result of people [company] digging chemicals [on the mountain], soils and sands are thrown down to the stream so we do not see this big mountain anymore. The river became big field (*ta lin pyin*)¹⁹¹. In the past, these rivers were under the vehicle road more than ten feet but now, it is higher than the vehicle road by more than five feet so in raining season the water flows to the vehicle road, moreover the stones, sand and mud flow to the villagers' agricultural places so some agriculture places were damaged. Because the company obstructed the river and use the water for their work so the peoples' agriculture were flooded. In most places in the area, people do agriculture and gardens.

The Hkay Ta Ser Poo (Hin Da Mine) use the river in Hkay Ta *kloh* so [villagers from] the villages such as, up Hin Da village, low Hin Da village, Yay Pu Wa village, Hin Da Pyin village and Hseik Ku village met with the people in charge of the company by themselves and told [them] that "*Because these case [Hin Da Mine] happen we do not have income money to spend for our family. Because we do not have money to send our children to school so our children could not study anymore. It causes a big problem to eat day by day.*" And the company owner replied that, "*If it causes problems for you then, come to work to us and the payment in Burmese currency in one day would be 3,000 kyat and we could calculate how much will cost in Thai currency. If you do only then, you can get for one person.*" The land owner told that, "*In the past I work only one and I eat it with my family moreover, I could give studying fee for my children.*" The land owner name is Saw Y--- [Censored for security]. Even though he reported to the company owner, they do not arrange and consider for the damaging for him. And also he reported to the Burmese government leaders who are in charge until now, they do not arrange for him. This company work would end in 2012.

The average that this company got in a year is 500 tons. In their work, they use big machines such as bulldozer, dump truck, excavator and gasoline tank truck. They used these big machines on the road where the civilians travel so the road was damaged a lot. Even though there is damage, the company did not repair anything. There is no forest because there are a lot of trees were used in a year for the building and for the work. The streams in the past are dried in February, March and April but in this year the streams start drying in October and November.

Currently, in Tavoy Township the companies come to do metal mining and iron mining in

¹⁹⁰"*kloh*" is Karen word means river and it is a small river.

¹⁹¹"*ta lin pyin*" is Burmese word means plain.

many places, so wherever you go, we see our streams are not fresh anymore. The companies use the water and they do not have discipline in working so the villagers complain that water is polluted in many places. The companies that come to work in Tavoy Township are Chinese and Thai.

The mining metal places such as Hin Da, Ba Wa Pin, Wa Kon, Thin Kan Ton, Pa Kan Yi, Ha Myin Kyi, Myin Kan Ti, Ka Lo Ta, Ya Ma Zu and Taung Pi La villages are in Tavoy Township. They [company] have planned to increase their work places in the coming years.

Date.11.11.2011

Saw W---

Ler Doh Soh Township

Source document/TavoyMining/2012/3

Project name:	Tavoy mining
Type of project:	Mining
Karen District:	Tenasserim (Mergui-Tavoy)
Government Region:	Tanintharyi
Actors:	Myanmar Pongpipat Company (MPC)
Company/Investors:	Foreign
Government/Military:	
Trends:	Lack of consultation; Disputed or lack of compensation
Consequences:	Impacts on livelihoods; Environmental impacts; Denial of access to humanitarian goods and services
Collective action:	Reporting to authorities; Negotiation
KHRG Log #:	12-79-CL3
Publishing info:	"Complaint letter to KNU government about land destroyed by Myanmar Pongpipat Company (MPC)," KHRG, March 2013 (First Publication)

Testimony:

The complaint letter below, signed by 3 victims and 4 local community members, was written in April 2012 and raises villagers' concerns related to the Myanmar Pongpipat Company which came to mine chemicals in Hin Da Tha Tu Twin chemical mine, Myitta sub-Township, Tavoy Township, Tanintharyi Division, causing damage to many villagers' lands. Villagers raised concerns that because the Myanmar Pongpipat Company mined chemicals and obstructed the flow of the river, villagers' lands and livelihoods were destroyed. In response to these concerns, villagers went to meet with the company and reported to the Burma government; villagers did not however receive any response. Villagers then asked for suggestions from the 'Public and Sustainable Development Committee,' who represent villagers' concerns. The committee's complaint on behalf of the villagers is included below.

Complaint Letter | K'Moo Thway area, Ler Doh Soh Township, Mergui-TavoyDistrict (April 2011)

[From] Village and Public Sustainable Development Committee

To: Township leader
Ler Doh Soh Township,

Date: 7.4.2012

Subject: Related to MPC damaged civilians' lands

As the issue which reported on above, we, the Village and Public Sustainable Development Committee and people who are in charge in K'Moo Thway area group, met with B--- village head, Saw H--- and some of the villagers on March 12th 2012, and they asked us to help them. So we requested to the upper leaders of the Township- District to solve this issue for us and this is our request and information [addressed] to the leaders. The issues are reported in the attached below.

Sending with respectful

Land owner signature	Basic committee signature	K'Moo Thway area in charge signature
Sd Saw H---	Sd Saw C--- (Facilitator-1)	Sd Saw G--- (Area in charge)
Sd Naw M---	Sd Naw L--- (Facilitator-2)	
Sd Saw K---	Sd Naw P--- (advisor)	

Copy to:

- Mergui/Tavoy District leader
- Mergui/Tavoy Vice District leader
- Ler Doh Soh Vice Township leader
- Ler Doh Soh Township secretary
- K'Moo Thway area in charge
- Basic committee

Damager	MPC, Myanmar Pongpipat Company
Places	Hin Da Tha Tu Twin, Myitta Township separate, Tavoy Township, Tanintharyi Division
Damage started	2009 to 2012
Victims	<ul style="list-style-type: none"> 7. Saw H--- and his family 7 people (all are 8 people) 8. Naw M--- and her family 3 people (all are 4 people) 9. Saw K--- and his family
Amount of the damage	<ul style="list-style-type: none"> 7. 6 acres lands, total plants 2,000 (betel nut plant) 8. 3 acres land, total plants 1,000 (betel nut plant) 9. 6 acres land, betel nut plants 600, 3 acres of farm, cashew 500 plants
Place damage	Kin Pun Cho section, Ba Wa Pin Chaung Pya, Kyauk Me Taung group, Myitta s Twonship, Tavoy Township, Tanintharyi Division

Saw H--- reported to us that, because of [his] land damage he went to tell MPCs' rich people that, "In the past, before the land is damaged I did not have to worry like [I do] now. Now, I have to worry. I am not able to send my children to the school anymore." But the MPC's rich people told him that, "If you have to worry and if the problems happen, just come to work for me in daily work." So, he had to come back in sadness.

With hopefulness, he went to ask advice to the village head and the village head helped him and wrote a letter and reported to the Burmese military government twice but he did not receive any response. So, in the last hope, we believe that our leader can help us. We

would like to ask help with hopefulness.

Related to the above report, the land owner already reported to the Burmese government twice but [the owner] did not get any answer. So, with full belief in our leaders [KNU], we wish them to consider and arrange [to solve the problem] for us.

Source document/TavoyMining/2012/4

Project name:	Myitta mining
Type of project:	Mining
Karen District:	Tenasserim (Mergui-Tavoy)
Government Region:	Tanintharyi
Actors:	Myanmar Pongpipat Company (MPC)
Company/Investors:	Domestic
Government/Military:	
Trends:	Lack of benefit to local community; Disputed or lack of compensation
Consequences:	Impacts on livelihoods; Environmental impacts; Denial of access to humanitarian goods and services
Collective action:	Reporting to authorities; Negotiation
KHRG Log #:	12-79-S1
Publishing info:	"Mergui-Tavoy Situation Update: Ler Doh Soh Township, June 2012", KHRG, March 2013 (First Publication)

Testimony:

This report includes a field update submitted to KHRG in June 2012 by a community member describing events occurring in Mergui-Tavoy between 2011 and 2012, specifically the development project and land confiscation. It discusses the villagers' concerns regarding the Myanmar Pongpipat Company (MPC), which uses mining chemicals that have caused damage to many villagers' land, as well as the local water source that villagers use for cooking and drinking. Another company arrived in the area to build a hydroelectric dam, without consulting the community, and damaged five villagers' land. The Italian-Thai Development Company (ITD) built a highway to connect the Dawei Deep Sea Port and Thailand. The highway crosses many villages in K'Moh Thway village tract and has damaged many villagers' agriculture land along the route. The ITD did not compensate the villagers for damage to their land, so the local communities formed committees and approached the company to negotiate compensation for the damage, using a list of property description and acreage that was damaged to support an estimate of the damage cost.

Situation Update | Ler Doh Soh Township, Mergui-Tavoy District (July 2012)

The following field report was written by a community member in Mergui-Tavoy District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Mergui-Tavoy District, including three interviews and 424 photographs.

This is the Mergui-Tavoy District field report between 2011 and 2012. This field report contains issues about development projects and land confiscation in K'Moh Thway [K'Maw Thwe] village tract, Ler Doh Soh [Myitta] Township, Tanintharyi Region. There are many companies that enter the rural area where the Karen native ethnic people live from a long time and destroyed many villagers' livelihood. The companies, both domestic and foreign, came to mine metal and confiscated a lot of the villagers' land that the villagers used to do agriculture and plantations for their livelihood. Furthermore, the companies built up the dam

for the hydroelectric power, which damages many villagers' lands. Some of them give compensation to the villagers, but some do not give compensation.

The hydroelectric power dam in A'Nya Pya area

Related to the hydroelectric power dam, The company came to build adam in the area but they [the company] did not discuss with the local people so it has already damaged five lands which are owned by the villagers thatare from five villages, which are A' Nya Pya, Htee Ler Klay, Hsee Hklaw, Nyaw Hklaw and U Yin Kyi in A'Nya Pya area. The village leaders and villagers have already preserved the law and they already reported to the Burma Union leaders [but they do not receive any response].

The villages agreed that, "*We, the local people here, we decided ourselves strongly that we do not leave our places. Even dead or alive we will live in our places eternally because we could say that this dam means destruction, eternal loss for us.*" This is the statement of the villagers.

Myanmar Pongpipat Company (MPC), Mining Metal (Chemical)

Place	Hkay Ta Ser Poo (Hin Da Mine), D'Weh [Tavoy] Township, Tanintharyi District which is34 miles from eastern Tavoy Town.
Chemical Type	Mining chemicals (<i>hke tha tu twin</i>)
Company name	Currently, done by Thai company which name is Myanmar Pongpipat Company
Get permission	Got permission from the Burmese government in 1999 and started doing [mining] in the year of 1999, and will finish in 2012.

The most damage [from the MPC] committed is villagers do not get the fresh water anymore. The water becomes polluted since mining chemical process is started. For cleaning chemicals and testing chemical, they also use liquidacid so that creates worry and dangers for the health.

There are two rivers which flow down [the mountain] and they are Hkay Ta Kloh (Hin Da Stream) and Hkay Too Kloh (Hin Du Stream). Because people dig chemicals [on mountain], then soil and sands are thrown down to the stream, so we do not see this big mountain anymore. The river became big field (*ta lin pyin*). In the past, this river was under the vehicle road more than ten feet, but now it is more than five feet higher than the vehicle road, so in the rainy season the water flows to the vehicle road; moreover, the stones, sands and mud flow to the villagers' agricultures places so some agriculture places are damaged. Because the company obstructed the river to use the water for the work, peoples' agriculture was flooded. People do agriculture and gardens in most places in the area.

Villagers' concerns

[T villager] Naw K--, 38 years old, live in T--- village, Kyauk Me Taw village tract, Myit Ta Sub Township, Mergui-Tavoy District, Tanintharyi Region raised that because the Myanmar Pongpipat company (MPC) obstructed the water to mine metal in the agriculture land which own by her father, U D, the water came up more and more, and the plants were destroyed. She mentioned that, related to this damage, if [I] look to the damage [to her land] in 2004, [MPC] paid 500,000 [kyat] (US \$ 583.43) for the damage of the plantations.

However, because the water comes up more and more, it again damaged 200 Cashew plants, big areca palm and small areca palm over 10,000 [kyat] (US \$11.67), lime trees, mango trees, coconut trees and papaya trees.

Because Hkay Ta Ser Poo (Hin Da Mine) uses the river in Hkay Ta river, Da village, Lower Hin Da village, Yin Pu Wa village, Hin Da Pyin village and Seik Ku village met with the people in charge of the company by themselves, and told them that because these cases happen, they do not have income to spend for the family. “*We do not have money to send our children to school so our children could not study anymore. It causes a big problem to eat day by day.*” The company owner replied that, “*If it causes problem for you then, come to work to us and the payment for one day [will be] 3,000 kyat (US \$350.06) in Burmese currency and we could calculate how much will cost in Thai currency. If you do [come work], only then, can you get [salary] for one person.*” The land owner told that, “*In the past, I work only one [day] and I eat it with my family; moreover, I could give study [school] fee for my children. I didn't have to worry like now. Now, I have to worry. I am not able to send my children to school anymore.*” The land owner's name is Saw H---. Even though he reported to the company owner, they [company] did not arrange or consider [compensation] for the damage for him. With hope, he went to ask advice to the village head. The village head helped him and wrote a letter and reported to the Burmese military government two times, but he did not receive any answer. This company's work will end in 2012.

Damager [perpetrator]	MPC, Myanmar Pongpipet Company
Places	Hin Da Tha Tu Twin, Myit Ta Township separate, Tavoy Township, Tanintharyi Division
Damage started	2009 to 2012
Victims	10. Saw H--- and his family of 7 people (all are 8 people) 11. Naw M--- and her family of 3 people (all are 4 people) 12. Saw K--- and his family
Amount of the damage	10. 6 acres of land, 2,000 total plants (betelnut plants) 11. 3 acres of land, 1,000 total plants (betelnut plants) 12. 6 acres of land, 600 betelnut plants; 3 acres of farm, 500 cashew plants
Place damage	Kin Pun Cho section, B'Wa Pin Chaw Pya, Kyauk Me Taw group, Myit Ta sub-Township, Tavoy Township, Tanintharyi Division

The average [yield] that this company got in a year is 500 tons. In their work, they use the big machines such as bulldozers, dump trucks, excavators and gasoline tank trucks. They used these big machines on the road where the civilians travel, so the road has been damaged a lot. Even though there is damage, the company does not repair anything. There is no forest [anymore] because there were a lot of the trees that were used in a year for the buildings and for the work [mine]. The streams used to dry in February, March or April, but in this year [2012] the streams started drying in October and November.

Now, in Tavoy Township, the companies come to mine metal and iron ore in many places, so wherever we went, we saw that the streams were not fresh anymore. The companies use the water, and they do not have discipline in working so the villagers complained because there are always polluted water in many places. The companies which come to work in Tavoy Township are Chinese and Thai. The metal mines are in places such as Hin Da, B'Wa Pin, Wa Kon, Thin Kan Ton, P'Kan Yi, Ha Myin Kyi, Myin Kan Ti, K'Lo Ta, Ya M'Zu and Taw Pi La are in Tavoy Township. They [company] have planned to increase

work areas in the coming years.

Villagers Strategies, (Village and Public Sustainable Development Committee)

In K'Moh Thway [K'Maw Thwe] area, Ler Doh Soh [Myitta] Township, Mergui-Tavoy District, the villagers established a committee called Village and Public Basic Stability and Development Committee to solve the land confiscations and development project that occur from the companies [activities] for the villagers. This committee was founded on November 30th 2011, in 11 villages, and there is one committee in each village. This committee was started by 11 people. On May 2nd 2011, one more village, which is Myitta (Way Ta Eh), entered the committee, so altogether there are 12 villages, including 25 committee members. This committee introduced themselves to Myitta Township coordinator, Myitta Township police coordinator, Tanintharyi Division ethnic coordinator, District leader and Ler Doh Soh Township leader, Ler Doh Soh Township secretary, the person in charge of K'Moo Thway area, the Mergui/Tavoy District leader and also the District's secretaries. The committee met with the villages monthly, since May 2011, and were fully welcomed. The committee had seen the villages in the committee [areas] face a problem. Other villagers also relied on the committee and discussed [problems] with the committee. Other organisations also join the committee when the committee has meetings.

The committee process

The committee holds monthly meetings in every committee members' village. In the meeting, they discuss village strategies: how to protect against damage from the development projects and land confiscation, participation and human rights. The purpose of the Village and Public Basic Stability and Development Committee is to stand [on their own] and struggle to preserve the villages' heritage opportunities and native peoples' opportunities.

On March 28th 2011, the Village and Public Basic Stability and Development Committee met with Myitta Township coordinator U Kyaw Shwe and the ITD [Ital-Thai Development] mediator, Mister Aw P'Yi Baw. They [U Kyaw Swe and Aw P'Yi Baw] asked Ph--- villagers Naw G---, Saw D---, Saw L---, Saw Y--- and Naw H---, whose lands were damaged when the vehicle road was repaired, to meet with them and to sign a list of plantations that were damaged when people repaired the vehicle road. In the meantime, the committee gathered themselves and called out 40 villagers to meet [them] when people signed their name. Myitta Township coordinator, U Kyaw Shwe, ordered people to sign their name, but the villagers did not want to sign. He said that, "*This damage is not only in Khaw Htee Law [village]. There are also many places that would be damaged.*" And some villagers asked that "*How would you consider the damage for us*" and he said, "*I'm a governor and I guarantee for you. Why do you not sign your name?*" The villagers asked, "*When would we get the compensation money from the damage, and how much?*" And U Kyaw Shwe told them that, "*We have not limited the price yet.*" Then, the villagers asked, "*Would you pay us after the road is successful?*" The committee chairman entered the conversation and said that, "*Mister Aw P'Yi Baw is the representative of ITD Company, U Kyaw Shwe is the representative of Township and District, and the Basic Committee is the representative of the villagers. It seems like they agreed with the committee reporting for the villagers.*"

The Basic Committee signed the complaint letter of crops' price and submitted to each Burmese general governor and the Karen ethnic government, township leader, ITD mediator, police chief and committee members. The ITD representative mister Aw P'Yi Baw asked them to report the list of crops' prices, which have been damaged.

Deep Sea Port Highway

In Tanintharyi Region, the whole path that of Deep Sea Port the highway takes from Thailand to Tavoy, crossed the villages in K'Maw Thwe Village tract in Myitta Sub township. That would cross the public's agriculture lands and cause many problems for the public who live in the village and who rely on the crops that are planted in the agriculture land. Therefore, the Village and Public Basic Stability and Development Committee members from K'Maw Thwe signed [a letter] and confirmed the damages.

Reference rates for crops and land compensation

No	Plantations' name	Can eat	Cannot eat
1	areca palm	100,000 kyat (US \$116.68)	50,000 kyat (US \$58.34)
2	Cashew Plant	100,000 kyat (US \$116.68)	50,000 kyat (US \$58.34)
3	Coconut Plant	100,000 kyat (US \$116.68)	50,000 kyat (US \$58.34)
4	Djenkol Plant	50,000 kyat (US \$58.34)	30,000 kyat (US \$35.01)
5	Mango tree	20,000 kyat (US \$23.34)	10,000 kyat (US \$11.67)
6	Srewai Tree	30,000 kyat (US \$35.01)	15,000 kyat (US \$17.50)
7	Durian Plant	150,000 kyat (US \$175.02)	75,000 kyat (US \$87.51)
8	Lemon Tree	30,000 kyat (US \$35.01)	15,000 kyat (US \$17.50)
9	Line Tree	40,000 kyat (US \$46.67)	20,000 kyat (US \$23.34)
10	Pomelo	50,000 kyat (US \$58.34)	25,000 kyat (US \$29.17)
11	Rubber Tree	300,000 kyat (US \$350.06)	100,000 kyat (US \$116.67)
12	Mangosteen	30,000 kyat (US \$35.01)	15,000 kyat (US \$17.50)
13	Marian	50,000 kyat (US \$58.34)	25,000 kyat (US \$29.17)
14	Jack Plant	50,000 kyat (US \$58.34)	25,000 kyat (US \$29.17)
15	Soo p'da Plant	50,000 kyat (US \$58.34)	25,000 kyat (US \$29.17)
16	Guava Tree	20,000 kyat (US \$22.34)	10,000 kyat (US \$11.67)
17	Banana Plant	10,000 kyat (US \$11.67)	-
18	Pineapple Plant	500 kyat (US \$0.58)	-
19	Black Pepper	20,000 kyat (US \$23.34)	-

20	Betel leaf plant	20,000 kyat (US \$23.34)	-
21	Rakam	20,000 kyat (US \$23.34)	-
22	Empty land (one acre)	500,000 kyat (US \$583.43)	-
23	Cardamom Plant (one acre)	1,000,000 kyat (US \$1,166.86)	-

Source document/TavoyMining/2012/5

Project name:	Myitta Mining
Type of project:	Mining
Karen District:	Tenasserim (Mergui-Tavoy)
Government Region:	Tanintharyi
Actors:	Manager U Kyaw Win and U Win Htain's group, Pa Wa Win Company
Company/Investors:	Domestic
Government/Military:	
Trends:	Lack of consultation; Land confiscation; Lack of benefit to local community; Disputed or lack of compensation; Development-induced displacement and resettlement
Consequences:	Impacts on livelihoods
Collective action:	
KHRG Log #:	12-34-P1
Publishing info:	"Photo Set: Damage to schools, homes and church from coal mining in Mergui-Tavoy District," KHRG, March 2013 (First Publication)

Testimony:

This Photo Set includes ten photographs selected from images taken by KHRG field researchers between November 2011 to February 2012. Photos were taken in K'Ser Doh Township, Mergui-Tavoy District within locally-defined Karen State. These photographs depict the area demarcated for coal mining in K'Htaw Nee village, Paw Hkloh village tract, which is likely to damage schools, houses and churches. U Win Htain and his manager U Kyaw Win claimed to have purchased 4800 acres of lands in the area and attained permission from Naypyidaw to do the coal mining.

Photo Set | K'Ser Doh Township, Mergui-Tavoy District (November 2011 to February 2012)

The following photos were taken by a villager in Mergui-Tavoy District who has been trained by KHRG to monitor human rights conditions. They are presented below, censored where necessary for security purposes. The 10 photos below were received along with other information from Mergui-Tavoy District, including 67 other photos.





These photos taken in November 2011 and February 2012¹⁹² show the places that were marked with red tape for coal mining projects to be carried out by U Win Htain and his manager Kyaw Win, allegedly with permission from Naypyidaw. The actors came and conducted testing on November 21th 2011; the bottom right photo shows the machine that was used to test the land. The community member also reported at the time that U Win Htain and his workers will return in February 20th2012. [Photos: KHRG]

Source document/TavoyMining/2012/6

Project name:	Myitta Mining
Type of project:	Mining
Karen District:	Tenasserim (Mergui-Tavoy)
Government Region:	Tanintharyi
Actors:	Unidentified local company
Company/Investors:	Domestic
Government/Military:	
Trends:	Disputed or lack of compensation
Consequences:	Impacts on livelihoods; Environmental impacts; Denial of access to humanitarian goods and services
Collective action:	
KHRG Log #:	12-33-P1
Publishing info:	"Photo Set: Uncompensated loss of villagers' plantations from coal mining in Mergui-Tavoy," KHRG, March 2013 (First Publication)

Testimony:

This Photo Set includes six still photographs selected from images taken by KHRG field researchers in Htoo Leh village and Th'Nay Hkler village, K'Ser Doh Township, Mergui-Tavoy District. These photographs depict coal mining operations that are reported to have resulted in the uncompensated loss of the villagers' plantation land and health problems due to the pollution of water.

Photo Set | K'Ser Doh Township, Mergui-Tavoy District (December 2011)

The following photos were taken by a villager in Mergui-Tavoy District who has been trained by KHRG to monitor human rights conditions. They are presented below, censored where necessary for security purposes. The six photos below were received along with other information from Mergui-Tavoy District, including 118 other photos.

¹⁹²The community member did not include the exact date when the photos are taken.



These photos taken on December 5th 2011 in two different villages, Htoo Leh village and Th'Nay Hkler village, K'Ser Doh Township, where the coal mining operations are conducted. Local villagers raised concerns about health problems caused by the coal mining as water is polluted and poisoned. The photos depict coal mining operations as well as land damaged by coal mining. [Photos: KHRG]

Thaton Bilin River Mining

Source document/ThatonBilinRiverMining/2012/1

Project name:	Thaton Bilin River mining
Type of project:	Mining
Karen District:	Thaton
Government Region:	Northern Mon State
Actors:	Ko Cho and U Hla Win
Company/Investors:	Domestic
Government/Military:	
Trends:	
Consequences:	Environmental impacts
Collective action:	
KHRG Log #:	12-81-P1
Publishing info:	“Photo Set: Thaton and Bilin Townships, Thaton District, March to June 2011,” KHRG, March 2013 (First Publication)

Testimony:

This Photo Set includes 13 still photographs selected from images taken by KHRG field researchers between May and June 2012. Photos were taken in Thaton and Bilin Township, Thaton District. These photographs depict mining stone, plantation and forced labour.

Photo Set | Thaton and Bilin Townships, Thaton District (March – June 2011)

The following photos were taken by a villager in Thaton District who has been trained by KHRG to monitor human rights conditions. They are presented below, censored where necessary for security purposes. The 13 photos below were received along with other information from Thaton District, including 139 other photos, a general update on the situation in Thaton District, five incident reports and four interviews.





The above left photo was taken on May 30, 2012, by a community member trained by KHRG. It showed the red sign board and it is the rules that are created by the mining owner Ko Cho and Hla Win. People mining stone in between a place of Lay Hpoh Hta village and Htee Hsee Baw village and it is also a place between two districts which are Thaton district and Papun district. The mining stone process is allowed by both brigade leaders and the stone that is produced is antimony. The above right hand side and the bottom left hand side photo showed the people who are mining the stones. They are mining many different kinds of stones. The bottom right hand side photo showed the places that the stones were mined and which destroyed many the forest and the rivers. Moreover, it also destroyed many natural environments. [Photos: KHRG]



This photo was taken on May 30th 2012, by a community member trained by KHRG. It showed the photos of the first stones that people have got from mining in Lay Krah Hkee village, Khaw Hpoh Pleh village tract, Belin Township, Thaton District. [Photo: KHRG]

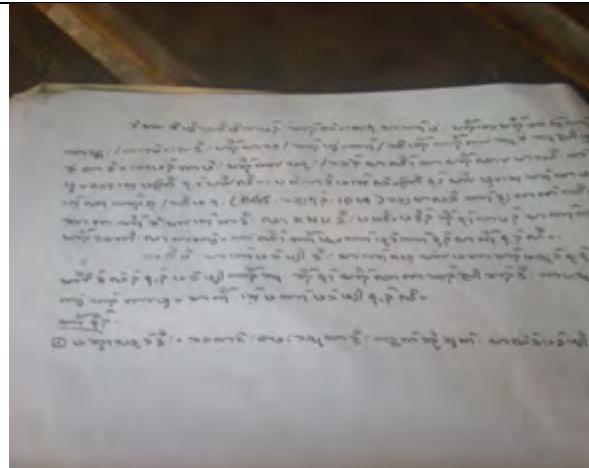
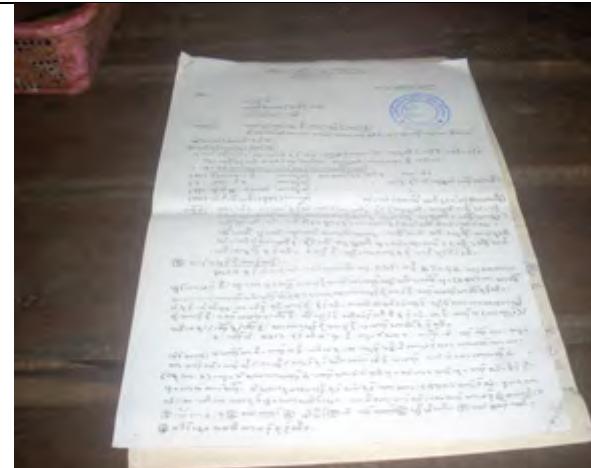


These two photos were taken by on June 2nd 2012, by a community member trained by KHRG. These are the photos of a place between Noh M' Kwee village and Htee Meh Baw village which are in T'Kaw Boh village tract, Pa'an Township. The business man had planned to buy this land with the purpose of coming and building up the shop on the land. [Photos: KHRG]



These four photos were taken by a community member trained by KHRG and were taken on June 4th 2012. The above left hand side, right hand side and the bottom left hand photos are the photos of a 500 acres teak and rubber plantations that are cooperated and built by the Thein Lin Myaing Company and Border Guards #1014 commanders Tin Win and Thaw M' Nah which is in between Meh K'Nah Hkee, Htee Kyaw Hkee, Htee Kyuh Hpah and Paw Doo places. The bottom right hand side photo showed the photo of the villagers who suffer for their land being confiscated and they had to do force labor and report about it to the Township

leaders. [Photos: KHRG]



These two photos were taken by a community member trained by KHRG and were taken on June 5th 2012 at Meh Kroo Hkee village, Ha Ta Reh village tract, Pa'an Township. These photos are the report to the KNU, Pa'an Township leader and reported about the company called Thein Lin Myaing and Hein Naing Win cooperated with the Border Guard and confiscated the villagers' lands. [Photos: KHRG]





These photos were taken by a community member trained by KHRG and were taken on January 10th 2012. It showed the photos of logging in Noh Ber Baw village tract, Belin Township, Thaton district, which is a place that close to Meh Baw Hkee, La Kyoh Hkoh and Suh Hkee village. The perpetrators are the business man, Hla Aye, Kyet Mway who are allowed by the district leaders in 2011. The logging also include La Kyoh Hkoh and Suh Hkee's community forests so, the logs in the photos are logs of the community forests. The photos also showed the forest committees, the forest department leaders and the district leaders while the rounded the forest. [Photos: KHRG]

Source document/ThatonBilinRiverMining/2012/2

Project name:	Thaton Bilin River mining
Type of project:	Mining
Karen District:	Thaton
Government Region:	Northern Mon State
Actors:	KNU and unidentified companies
Company/Investors:	Domestic
Government/Military:	KNU
Trends:	
Consequences:	Impacts on livelihoods
Collective action:	
KHRG Log #:	12-80-S1
Publishing info:	"Thaton Situation Update: Hpa-an, Bilin, Thaton and Kyaikto townships, June 2012," KHRG, March 2013 (First Publication)

Testimony:

This report includes a situation update submitted to KHRG in June 2012 by a community member describing events occurring in Thaton District, during the month of June. Specifically raised are villagers' ongoing concerns after the January 2012 preliminary ceasefire agreement, and the expression of serious doubts as to whether the ceasefire will mean real improvement in the safety of villagers or in reducing abuse such as messenger duties. Villagers' concerns about the negative impacts of development projects are also raised, including the destructive consequences of logging and mining projects: some of which have already destroyed the agricultural land and livelihoods of villagers. Further, the report details how the development projects discussed are going ahead, with the permission of the KNU but without consultation with local villagers or any compensation for damage to villagers' agricultural lands. The report also includes information about the activities of armed groups and villagers' concerns about diminished food supply due to weather conditions, as well as having to supply military troops and religious leaders with rice. Health problems, including specific conditions prevalent in certain villages and the activities of the Back Pack Health Worker Team (BPHWT) in the area are also detailed.

Situation Update | Thaton District (June 2012)

The following situation update was written by a community member in Thaton District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Thaton District, including 151 photographs.

Introduction

In Thaton District, there is logging, gold mining, stone mining, rubber plantation, forced labour and the recruiting of militias¹⁹³ [from amongst villagers].

Thaton District includes four townships, which are Hpa-an Township, Bilin Township, Thaton Township and Kyaikto Township. The events [described] have occurred mostly in Hpa-an Township, Thaton Township and Kyaikto Township.

Military activities

The KNU [Karen Nation Union] and the KNLA [Karen National Liberation Army] have based their military as [detailed] below. Battalion #1 is based in Hpa-an Township and the Battalion commander is Commander Saw Mya Htway. Battalion #2 is based in Thaton Township and the Battalion Commander is Chit Thu. Local Force Battalion #2 is based in Kyeikto Township and the Battalion Commander is Kha Thein. Tha Kay [military] office, Kaw Ree office and Defence Company are active in Bilin Township. There are [Burma] Government military camps in Bilin Township and they are Na Kyee, Yoh Klah, Lay Kay, LID [Light Infantry Division] #44 and LIB [Light Infantry Battalion] #216 and [they] are active along the main road. For the villages from Kyeikto Township, [the Tatmadaw] founded militia in every village.

The situation of the civilians from Thaton District after the ceasefire

Thaton District is a district that has a lot of plain [flat] land and it is also surrounded by flat land area and near to towns. Therefore, most of the civilians are farmers; some do cultivation and some do trading. Since the ceasefire,¹⁹⁴ there have been no changes for the civilians' lives and their livelihoods; it is the same as in the past. There are still many concerns and fears because the armed groups such as the DKBA [Democratic Karen

¹⁹³Pyi thu sit, or ‘people’s militia’, are local militia groups composed of civilians recruited and trained by the Tatmadaw.

¹⁹⁴The ceasefire agreement signed between the KNU and RUM officials on January 12th 2011 in Pa'an Town, was an agreement in principle on ‘11 key points’, to be followed by more in-depth talks after 45 days. Senior KNU officials had since announced that the deadline of 45 days was unlikely to be met; see: “KNU ceasefire meeting with government behind schedule,” Karen News, February 23rd 2012. Meanwhile, as-yet-unpublished KHRG information received on February 19th 2012, suggests that there have been clashes between government forces and non-state armed groups in Pa'an District in February 2012 and that recent re-supply operations carried out by Tatmadaw forces in Nyaunglebin District exceeded the amount of supplies usually sent, and included heavy artillery. Local media sources have also reported ongoing fighting in Pa'an and Nyaunglebin Districts since January 12th 2012; see: “Killings and attacks between DKBA and BGF drives villagers from their homes,” Karen News, February 24th 2012; “Ceasefires, Continued Attacks and a Friendly Encounter Between Enemies,” Free Burma Rangers, February 3rd 2012.

Buddhist Army], the Border Guard, the Burmese Government militia, *Tha Ka Hsa Hpa* [anti-insurgency group]¹⁹⁵, the Burmese police, the KNU and KNLA are still active as they were in the past.

Some civilians are in trouble with their food because their paddy is not good since there has been no rain and the animals have destroyed their paddy. They are asked to provide rice grain to supply military groups during travel and they also have to give money to the religious leaders, such as the monks or the Christian leaders because they are trying to build places of worship.

For some civilians, as companies come in and do logging, gold mining, stone mining and plant rubber, their [villagers in Thaton District] farm fields and their plantations are destroyed. In the below side [western area] of Thaton District, the civilians rely on farming and trading. In M--- [village], they [the civilians] plant crops and mostly they plant betel leaf.¹⁹⁶ The civilians from M--- mountains today face [challenges] as their durian and betel plants have died, as there is a small amount of water in the summer.

Now, the villagers have to struggle to buy rice [because the price is high], one basket of rice is 15,000 kyat (US \$16.72),¹⁹⁷ one viss¹⁹⁸ of oil is 2,500 kyat (US \$2.79), one viss of salt is 1,000 kyat (US \$1.11), but the betel that they sell is [worth] only 500 kyat (US \$.57) for one viss. As their income and outgoings do not match, some of the villagers have no choice but to eat porridge.

Some of the villagers are really worried that the company will come and confiscate their small pieces of land. They heard that if there is no fighting, the rich people will come and work there, so it creates concerns for the villagers.

Some of the villagers do not believe in the ceasefire. They said that if the ceasefire is a real one, the military [Tatmadaw] of President Thein Sein would be reduced and taken out from the front-line, they would not build new military camps, and they would also not send many [army] rations. They also said that there is no difference for the military of the President Thein Sein. As in the past, when they [Tatmadaw soldiers] asked for *set tha*, [the villagers] have to send messages to their [Tatmadaw] camp by going to and from [the camp and their village].

Civilians' health

For the civilians' health situation in 2011 and 2012, the civilians mostly face stomach problems, arthritis, headache, fever, and especially in Aye Soo Hkee village tract, Bilin

¹⁹⁵ According to an unpublished report received by KHRG in June 2012 from the same area, the 'anti-insurgency group' that the villager refers to is associated with former DKBA leader Moe Nyo refused to comply with the government's transformation of the DKBA into the Border Guard in 2010. Reportedly, he returned to his villager and subsequently attempted to recruit villagers, often forcibly, into an 'anti-insurgency group.' The report details the return of Moe Nyo to the Border Guard, but suggests that he also continues to form people's militias.

¹⁹⁶ In Burmese, "betelnut" and "betel leaf" are referred to as "konywet" and "kontih," as if they are from the same plant. The Burmese names are also commonly used by Karen language speakers. "Betelnut" is the seed from an Areca Palm tree, areca catechu; "Betel leaf" is the leaf of the Piper betel vine, belonging to the piperaceae family. See "Attacks on cardamom plantations, detention and forced labour in Toungoo District," KHRG, May 2010.

¹⁹⁷ As of July 19th 2012, all conversion estimates for the Kyat in this report are based on the official market rate of 897 Kyat to the US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the Kyat, thus replacing the previous fixed rate of 6.5 Kyat to US \$1.

¹⁹⁸ A viss is a unit of weight equivalent to 1.6 kg.or 3.52 lb.

Township, we can see elephantiasis [Filariasis]. In Lee Tee Hkee village tract, Bilin Township, the Backpack medics¹⁹⁹ tested one hundred people and according to the medic, 65 people have elephantiasis. Now, related to the elephantiasis, the medics [from BPHWT] came and gave medicines [to the people who have the disease]. For the Burmese President's side, we haven't seen any activities yet. In our Thaton District, we have two clinics and one Christian clinic. For the Christian clinic, we have to give payment, but for the charity clinic, [we] don't need to give payment.

The rich people activities

In our District [Thaton], individual people and companies have come in to find out about mining; do logging; do plantations; do development [projects] such as building schools and hospitals; and have distributed medicines and mosquito nets, but I didn't find out by myself so I can't report about it exactly. The ones who have caused difficulties came through the responsible persons in the KNU because they asked permission from [the leaders], and they [are able to] do [these things] when they get permission. They did not have a proper discussion with the villagers and we also know that they did not give any payment for the villagers' possessions and their crops. We can see logging in P--- as an example.

Villagers concerns

The things that I have mentioned are true information, but I would like to let you know that I will find out [more] about the situation one-by-one and send them next time. For these situations, some are in testing stage, some have already been completed and some are in the stage of finding [initial investigation]. The villagers are worried that in the future, these things will be increased and they will cause difficulties. It is a great difficulty for them that their plantations, farms, pastures for their cows and buffalos and the place for cultivation will be confiscated and used by the rich people and the Military groups.

Source document/ThatonBilinRiverMining/2011/1

Project name:	Thaton Bilin River mining
Type of project:	Mining
Karen District:	Thaton
Government Region:	Northern Mon State
Actors:	Unidentified companies and KNLA leaders
Company/Investors:	
Government/Military:	KNLA
Trends:	
Consequences:	Physical security threats
Collective action:	
KHRG Log #:	11-107-S1
Publishing info:	"Thaton Situation Update: Bilin and Kyaikto Townships, October 2010 to June 2011," KHRG, March 2012, http://www.khrg.org/khrg2012/khrg12b31.html
Testimony:	

¹⁹⁹'Backpack' refers to the Backpack Health Worker Teams; cross-border mobile medics who provide humanitarian assistance to displaced populations in eastern Burma.

This report includes a situation update submitted to KHRG by a villager describing events occurring in Thaton District between October 2010 and June 2011. It contains updated information concerning the Democratic Karen Buddhist Army (DKBA) Border Guard transformations and Tatmadaw and Border Guard camp locations. It also provides details on the forced recruitment of villagers by former members of the DKBA, who were not accepted into the Border Guard, towards the establishment of pyi thu sit (people's militia). While the villager who wrote this report notes a significant reduction in the frequency of human rights abuses, they also note the persistence and expansion of several kinds of abuses, namely: indirect demands for forced labour levied on villagers by the Tatmadaw through religious leaders; expropriation of villagers' lands by extractive industry companies; monetary demands on villages in lieu of forced recruitment of villagers into local pyi thu sit units; and taxation and demands by the Border Guard, accompanied by threats for non-compliance. Furthermore, the villager expressed concerns regarding the impact of abnormal weather patterns on rice and plantation crops, which have exacerbated food scarcity and prompted many villagers to seek work abroad in Thailand and Malaysia.

Situation Update | Thaton, Bilin and Kyaikto Townships, Thaton District (October 2010 to June 2011)

The following situation update was written by a villager in Thaton District and is presented below translated exactly as originally written, save for minor edits for clarity and security.

2010 – 2011 situation report for Thaton District

I am reporting on how the situation has been between October 2010 and June 2011 in Thaton District. The situation reported concerns human rights abuse, [villagers'] livelihoods, and SPDC Army [Tatmadaw]²⁰⁰ and Border Guard operations.

Human rights abuse

If we compare the situation concerning human rights abuse with previous years in our district, instances of abuse have decreased a lot, perhaps by 50 per cent if measured by percentage. The SPDC Army units' activities are not as apparent as they were in the past. They have [used] new strategies; they enter communities [under the guise of governmental departments] and do development projects, such as for education and health. Another change we [villagers] have seen is that more companies have come [into the area] to build relationships with regional [KNLA] leaders and ask permission to do underground natural resource [extraction], such as for gold and different kinds of minerals. Recently, companies have entered Pa'an, Thaton and Kyaikto townships and have forced villagers to sell their land for mining; [these instances have] become more and more frequent. This can threaten villagers' future occupation and livelihood options.

The SPDC Army *thoo t'der* [works in indirect ways] so that its' activities are not seen by civilians, and so that it does not seem as if they commit human rights abuses. In previous years, when they ordered villagers [to do forced labour], they would order the villagers to bring their own tools and food with them. They gave these orders directly [to villagers]. Now, they use religious leaders [to organise labourers] and they give a small fee [money]. This

²⁰⁰ In Karen, the Burmese phrases *Na Ah Pa* (SPDC) and *Na Wa Ta* (SLORC) are commonly used to refer to the Burmese government or to Burma's state army, the Tatmadaw. Many older Karen villagers who were accustomed to using the phrase *Na Wa Ta* (SLORC) before 1997 continue to use that phrase, even though the SLORC has not officially existed since 1997. Similarly, despite the official dissolution of the SPDC in March 2011, many Karen villagers continue to use the phrase *Na Ah Pa* (SPDC) to refer to the Burmese government or to the Tatmadaw; see: "Mission Accomplished as SPDC 'dissolved,'" *Myanmar Times*, April 4-10th 2011. The term *Na Ah Pa* was used by the villager who wrote this report and "SPDC" is therefore retained in the translation of this report.

has made villagers change their minds [about the Tatmadaw], as they come to believe that the work [forced labour] was not ordered by the SPDC Army, although the SPDC Army actually did order the work be done.

The DKBA [Democratic Karen Buddhist Army] was transformed into the Border Guard. Some of them [the DKBA soldiers] accepted [this transformation], but because others did not it [the DKBA] split into two groups. The group [of DKBA soldiers] that refused to transform into the Border Guard fought with the SPDC Army [starting in November 2010].²⁰¹ Some of their [the DKBA's] top leaders, who were old and who were not accepted [by the Tatmadaw] into [the Border Guard], came together and established a *pyi thu sit* [people's militia]²⁰² near the bank of the Khoh Lo Kloh [Salween River]. Five people from each village [in the area] had to join the *pyi thu sit*. Each villager who joined had to serve in the *pyi thu sit* for one month. If no one joined [the *pyi thu sit*], they [the village] had to pay 50,000 kyat (US \$64.94)²⁰³. The people who led and recruited the *pyi thu sit* were T---, N--- and D---. They recruited villagers to join the *pyi thu sit* from W---, P---, G--- and H--- villages. We know that these [*pyi thu sit* members] were transferred to the Border Guard and are now controlled directly by the SPDC Army. They [the *pyi thu sit* members] received salaries [from the Burmese government], but their demands on civilians did not decrease. The demands on villages by Border Guard units in Pa'an Township between October 2010 and July 2011 are described [in the following paragraph and in Table 1]:

On November --- 2011, Battalion Commander Soe Naing and Company Commander Myint Than of Border Guard Battalion #1012 called a meeting at S--- village in B--- village tract to inform villagers that they would build their camp in B--- village. They [the two Commanders] demanded thatch shingles and bamboo poles. The villages that had to provide the thatch shingles and bamboo poles were Kwee Ta Kaw, Ler Kheh Khaw, Htee Meh Baw, No Gkwaw, Meh Lay Kee, Meh Lay Hta, Tho Aee, Noh Ta Ray, Htee Poe Neh, Ta Gkaw Bo, Meh Bpu, Gko Dta Kyi, Lak Ban Tan, Sin Chaw, Baw Ta Bpru, Merh Rerh and Thay La Baw. The Border Guard [Battalion #1012] demanded 340 thatch shingles and 850 bamboo poles. Villagers had to deliver these without fail to the Border Guard camp at B--- in November 2011.

Table 1: Demands made on villagers and businesses by Border Guard Battalion #1016 under Company Commander Thaw Ma Na

No.	Village(s)	Villager /business	Demand	Date demand was levied	Deadline for demand to be met	Accusation / threat
1	Th--- village (Me--- village)	n/a	150,000 kyat (US \$194.8)	November 2010	n/a	n/a

²⁰¹ While Tatmadaw and DKBA units have for years operated together, this operational hierarchy became formalised with the DKBA's transformation into a 'Border Guard Force' under control of the Tatmadaw and containing a fixed number quota of Tatmadaw officers. This transformation dates to at least May 2009, when commanding officers stated in high-level meeting of DKBA officers that the DKBA would transform itself into a 'Border Guard Force.' Leaked minutes from the May 2009 meeting are retained by KHRG on file.

Ceremonies attended by Tatmadaw commanders officially announced the transformation of large portions of the DKBA into Border Guard Forces in September 2010; see, for example: "Border Guard Forces of South-East Command formed in Paingkyon of Kayin State," *New Light of Myanmar*, August 22nd 2010; and "Border Guard Force formed at Atwinkwinalay region, Myawady Township, Kayin State," *New Light of Myanmar*, August 25th 2010.

²⁰² *Pyi thu sit*, or 'people's militia', are local militia groups composed of civilians recruited and trained by the Tatmadaw.

²⁰³ All conversion estimates for the Kyat in this report are based on the fluctuating informal exchange rate rather than the government's official fixed rate of 6.5 Kyat to US \$1. As of March 27th 2012, this unofficial rate of exchange was US \$1 = 770 kyat. This figure is used for all calculations above.

	tract)					
2	Ky---	n/a	One chicken	November 2010	n/a	n/a
			A carton of Euro cigarettes	November 2010	n/a	n/a
3	Y--- (Me--- village tract)	n/a	775,000 kyat (combined) (US \$1006.49)	November 2010	n/a	Two village heads accused by Border Guard of contacting the KNU and ordered to leave the village
	Kw--- village (Me--- village tract)					
4	Th--- village (B--- village tract) ²⁰⁴	n/a	740,000 kyat (US \$961)	November 2010	n/a	n/a
5	My--- village	Maintelephone business	150,000 kyat (US \$194.8)	January 2011	January 14 th 2011	n/a
6	My--- village	Telephone business branch	10,000 kyat (US \$12.99)	January 2011	January 14 th 2011	n/a
7	My--- village	Large rice milling business	5,000 kyat (US \$6.49)	January 2011	January 14 th 2011	n/a
8	My--- village	A tractor owner	5,000 kyat (US \$6.49)	January 2011	January 14 th 2011	n/a
9	Da--- village	Telephone business	50,000 kyat (US \$64.94)	January 2011	January 14 th 2011	n/a
10	Da--- village	A tractor owner	50,000 kyat (US \$64.94)	January 2011	January 14 th 2011	n/a
11	Wa---	Rice milling business	30,000 kyat (US \$38.96)	January 2011	January 14 th 2011	n/a
12	Wa---	Telephone business	35,000 kyat (US \$45.45)	January 2011	January 14 th 2011	n/a
13	Lo--- village	Telephone business	45,000 kyat (US \$58.44)	January 2011	January 14 th 2011	n/a
14	Ky--- village	An owner of four tractors	100,000 kyat (US \$129.87)	January 2011	January 14 th 2011	n/a
15	Ky--- village	An owner of two big <i>klee seh</i> [motor boats]	100,000 kyat (US \$129.87)	January 2011	January 14 th 2011	n/a
16	Ky--- village	An owner of two small <i>klee</i>	30,000 kyat (US \$38.96)	January 2011	January 14 th 2011	n/a

²⁰⁴ It is unclear whether or not the villager who wrote this report accidentally located Th--- village within both Me--- and B--- village tracts or if it is a case of the village being situated within an area where these village tracts overlap.

		<i>see [small boats without motors]</i>				
17	Ky--- village	Ten <i>htoo poe</i> [lime slaking sites] ²⁰⁵	150,000 kyat (US \$194.8)	January 2011	January 14 th 2011	n/a
18	Ta--- village	Saw G--- (telephone business owner)	120,000 kyat (US \$158.84)	January 2011	n/a	Failure to pay would mean imprisonment in Taung K'lay jail
19	Ta--- village	Naw M--- (telephone business owner)	120,000 kyat (US \$158.84)	January 2011	n/a	Failure to pay would mean imprisonment in Taung K'lay jail
20	Ta--- village	Naw H--- (telephone business owner)	35,000 kyat (US \$45.45)	January 2011	n/a	Failure to pay would mean imprisonment in Taung K'lay jail
21	Ta--- village	Naw L--- (telephone business owner)	120,000 kyat (US \$158.84)	January 2011	n/a	Failure to pay would mean imprisonment in Taung K'lay jail

Villagers' livelihoods

Most civilians in our district are farmers and have their own plantations. There are a few [goods] traders. No one runs large businesses. About 20 per cent of the people have enough food and do not need to worry about it. Most people in the villages *khu ta kaw kaw, aw ta kaw kaw* [work daily wage jobs] and they have difficulty making a living. Now, some people have to eat *may klaw* [rice gruel]²⁰⁶ because it did not rain early enough in last year's rainy season, and so they could not plant paddy.

It rained when the paddy [that was planted] had matured and a lot of paddy grain was *thoh* [blown from the stalk]. Many people who farmed hill fields got only 15 or 20 baskets of paddy (313.5 kg. / 691.2 lb. or 418 kg. / 921.6 lb. respectively). The flooding did not happen on time, so many sesame and different kinds of bean plantations were destroyed. It rained before the paddy was harvested, making the paddy grain fall to the ground and sprout; this ruined many farms' harvests. This year it has rained once or twice a month all year long, so

²⁰⁵ Slaked lime is used in a wide variety of ways ranging from food preparation and building material. For example, it is a common ingredient in mortar and plaster as well as being a common ingredient used together with betel leaf, areca nut (betel nut), tobacco and a variety of spices to produce betel quid, also known as *paan* in Hindi and Urdu or *kun-ya* in Burmese, which is widely chewed throughout Burma, and across South and the rest of Southeast Asia.

²⁰⁶ When outside assistance is unavailable, and other community strategies for attempting to endure periods of acute food insecurity are insufficient, households, or entire communities, sometimes attempt to extend remaining rice supplies by eating a watered down rice porridge mixed with foraged vegetables (*dtah gka bpor*) or a more basic thin rice gruel mixed with salt (*may klaw*) in order to survive until the next harvest or until more food can be procured. Note that *dtah gka bpor* is also a commonly-eaten traditional Karen dish, in addition to being an effective means of stretching declining food stores. For more on strategies villagers, especially those in hiding, use to address food insecurity, see: *Self-protection under strain: Targeting of civilians and local responses in northern Karen State*, KHRG, August 2010, pp. 52-64.

people who had cultivated hill fields could not burn their hill fields. Many people have had to abandon their fields. Moreover, in July [2011], while farmers were spreading their paddy seeds and the paddy begun to grow, there was a heavy period of rainfall. The paddy fields were flooded for a week and a lot of paddy died.

Those people who do not have *bu klee* [paddy seeds stored for replanting] are now faced with many difficulties. As a result, more and more civilians will face food shortages. They do not have enough food to eat this year from the food they harvested last year; because of this, many people are looking for jobs in Thailand and Malaysia.

Farm owners cannot find people to work on their farms. The food shortage is a result of many different factors: a decrease in livelihood options during a growth in population; a decrease in [available arable] land; abnormal weather; and rising [food] prices. There is no place to do business [get work], and our currency is undergoing inflation. More and more difficulties are being created because of these issues.

SPDC Army and Border Guard operations

Starting in 2011, SPDC Army units operating under LID [Light Infantry Division] #11 entered and became active in our district. The LID #11 commander is stationed in the LIB [Light Infantry Battalion] #9 army camp in Wah Bpa and TOC [Tactical Operations Command] #113 occupies Meh Bpray Kee army camp. LIB #218, which is under the command of LID #11, is active in Thaton Township. This army unit has not rotated once since they came. They are still active in the area even now. LIB #215 is active across almost all of Bilin Township. LIB #213 is active in the border areas of Papun District and Thaton District, close to the place where the Operations Command is stationed. On April 26th 2011, LIB #216 replaced LIB #215, and LIB #217 replaced LIB #213. These battalions have been active in the area until now. LIB #218 set up their camp in Ta Paw, and Column #2 [from LIB #218] has entered and become active in Pa'an Township, along the Lay Kay – Bp'Nweh Gkla vehicle road. The battalions under LID #11's command are active everywhere in our district. Another battalion, IB [Infantry Battalion] #96, which is based in Kyaikto Township, became active in Waw Gkay and Bp'Lo Kee in Naw La Kee village tracts. LIB #3 and IB #8 cooperate with *pyi thu sit* forces active in the eastern area of Khoh Thee Yu [Kyaik Tee Yo].

In the Thaton Township area, west of Shwe Yaw Bpya Mountain, in Khoh The Nay, Gk'Law Kher, La Aw Kher, Ma Aih Hsa, Htee Nyat Law villages, LIB #9 and IB #8²⁰⁷ are cooperating with *Htut Not Ain Ah* [a combined special force of soldiers from different units] and are active in and [responsible] for security along the vehicle road.

In Pa'an Township, after the 2010 [national] elections, the DKBA was transferred to the Border Guard and the [DKBA units] were consolidated [into more concentrated areas of activity] by the SPDC Army. As a result, the activities of the Border Guard [relative to those of the former DKBA] have decreased in the areas west of the Salween River [Khoh Lo Kloh].

SPDC Army camps and battalion location by township

Table 1: Pa'an Township

No.	Location	Number of soldiers
1	Meh See Mountain	10 Border Guard soldiers

²⁰⁷It is not clear what battalion numbers the villager who wrote this report meant these two battalions to have. The same issue occurs with regards to several units noted in the tables 2 and 3 of this report. While the villager has identified several IB and LIB units by single digit numbers, the Tatmadaw invariably assigns IBs double or triple digit battalion numbers whereas LIBs are invariably assigned triple digit battalion numbers.

2	Woo Kyi	5 police officers and 7 <i>pyi thu sit</i> members
3	Meh Gk'Raw	5 police officers and 10 <i>pyi thu sit</i> members
4	Saw T'Lu	5 police officers and 10 <i>pyi thu sit</i> members
5	La Meh T'Gkaw	5 <i>pyi thu sit</i> members
6	Wah T'Reh	10 <i>pyi thu sit</i> members
7	Naw Pa Doh	10 <i>pyi thu sit</i> members
8	Pway Doo Gkloo	5 <i>pyi thu sit</i> members
9	Thay Wah	5 <i>pyi thu sit</i> members
10	Noh Poe Moe	5 <i>pyi thu sit</i> members
11	Noh M'Gkwi	5 <i>pyi thu sit</i> members

The Border Guard soldiers based at Law Bpu left their camp on March 7th 2011 and the Border Guard soldiers from T'Gkaw Bo left their camp on February 21st 2011.

Table 2: Thaton Township

No.	Army camp location	Military configuration	IB/LIB number
1	Bp'Nweh Gkla	LID #11	LIB #218 (Column #2)
2	Wee Raw	n/a	LIB #9
3	Nyat T'Weh	n/a	LIB #1
4	Teh Tu Gko	n/a	IB #8
5	Keh Mauk	n/a	IB #8
6	A Way Gyi (La Aw Kher)	n/a	LIB #9
7	Ma Aee Hsa	n/a	LIB #9
8	The Htay Gko	LID #44	LIB #3
9	Khoh The Nay	LID #44	LIB #3
10	K'Ma Hsaina	n/a	LIB #9
11	Moe Kaung	n/a	LIB #9

Table 3: Bilin Township

No.	Army camp location	Military configuration	IB/LIB number
1	Lay Gkay	LID #11	LIB #216 (Column #1)
2	Yo Gkla	LID #11	LIB #216 (Column #2)
3	Ta Bpaw	LID #11	LIB #218 (Column #2)
4	Meh Bpray Kee	LID #11	LIB #217 (Column #1)
5	Na Gyi	LID #44	LIB #118
6	Baw Bpaw Hta	LID #44	IB #96
7	Bpra Thah	LID #44	LIB #3
8	Kler Law Seh	Border Guard	Border Guard section
9	Meh See Mountain	Border Guard	12 soldiers
10	La Kyaw Hta (Kyin Thay Kyi)	Border Guard	Battalion #1016 section

Source document/ThatonBilinRiverMining/2011/2

Project name:	Thaton Bilin River mining
Type of project:	Mining
Karen District:	Thaton
Government Region:	Northern Mon State
Actors:	Unidentified gold mining company

Company/Investors:	
Government/Military:	
Trends:	
Consequences:	Environmental impacts
Collective action:	
KHRG Log #:	11-102-P1
Publishing info:	"Thaton Photo Set: Thaton Township, June 2011," KHRG, March 2013 (First Publication)

Testimony:

This Photo Set includes four photographs selected from images taken by KHRG field researchers in June 2011. Photos were taken in Th'Htoo Township, Thaton District within locally-defined Karen State, and depict gold mining activity by workers from an unidentified company.

Photo Set | Thaton Township, Thaton District (June 2011)

The following photos were taken by a villager in Thaton District who has been trained by KHRG to monitor human rights conditions. They are presented below, censored where necessary for security purposes. The four photos below were received along with other information from Thaton District, including 134 other photos, a general update on the situation in Thaton District and 13 interviews.



These four photos were taken by a community member trained by KHRG on June 5th 2011. The images depict a gold mining operation that is located in between Plaw Hpoh village and T' Rweh Hkee village, in Te Rweh Hkee village tract, Th' Htoo Township, Thaton District. The workers are from an unidentified company, and are shown carrying out the ore extraction process. [Photos: KHRG]

K'Ser Doh Mining

Source document/K'SerDohMining/2012

Project name:	K'Ser Doh mining
Type of project:	Mining
Karen District:	Tenasserim (Mergui-Tavoy)
Government Region:	Tanintharyi
Actors:	Unidentified Thai Company
Company/Investors:	Foreign
Government/Military:	
Trends:	Lack of consultation; Disputed or lack of compensation
Consequences:	Impacts on livelihoods; Environmental impacts
Collective action:	
KHRG Log #:	12-79-P1
Publishing info:	"Mergui-Tavoy Photo Set: K'Ser Doh Township, January and April 2012," KHRG, March 2013 (First Publication)

Testimony:

This Photo Set includes 53 photographs selected from images taken by KHRG field researchers in early April 2012. They were taken in K'Ser Doh Township, Mergui-Tavoy District within locally-defined Karen State, and show dam, logging and mining operations that have cause a variety of problems for the villagers in the areas, such as loss of land due to flooding and water pollution. Villagers were prevented by one mining company, from an attempt to drain a contaminated stream and protect themselves from further damage by the chemical flows.

Photo Set | K'Ser Doh Township, Mergui/Tavoy District (January to April 2012)

The following photos were taken by a villager in Mergui/Tavoy District who has been trained by KHRG to monitor human rights conditions. They are presented below, censored where necessary for security purposes. The 53 photos below were received along with other information from Mergui/Tavoy District, including 371 other photos, and eight interviews.





The above photos were taken by a community member trained by KHRG, on April 7th 2012, in K'SerDoh Township, Mergui/Tavoy District. It shows the downstream wall of the dam that is being constructed in HteeLerKlay, which is in the A' NyaPyah area. [Photos: KHRG]



The above photos were taken by a community member trained by KHRG, on April 7th 2012, in K'SerDoh Township, Mergui/Tavoy District. It shows shelters on the upstream side of the dam site, where workers are housed. [Photos: KHRG]



The above photos were taken by a community member trained by KHRG, on April 7th 2012, in K'Ser Doh Township, Mergui-Tavoy District. The photos show the upstream wall of the dam, before the HteeLerKlaylo [river] and P'Ka Yee klo rivers were diverted through the project site. [Photos: KHRG]

Kya In Seik Kyi Mining

Source document/KyaInSeikKyiMining/2012

Project name:	Kya In Seik Kyi mining
Type of project:	Antimony mining
Karen District:	Dooplaya
Government Region:	South Kayin
Actors:	KNU; Thu Wana Myay Zi Lwar That Tuh Too Paw Yay Company Ltd., owned by Hkin Zaw; San Mya Yadana Company
Company/Investors:	Domestic
Government/Military:	KNU
Trends:	
Consequences:	
Collective action:	
KHRG Log #:	12-138-S1
Publishing info:	"Dooplaya Situation Update: Kya In Seik Kyi Township, September 2012," KHRG, March 2013 (First Publication)

Testimony:

This report includes a situation update submitted to KHRG in September 2012 by a community member describing events occurring in Dooplaya District, during September 2012. Specifically detailed is the situation and location of armed groups (Tatmadaw, DKBA and Border Guard); the villagers' situation and opinions of the KNLA; and development projects in the area. This report also contains information about Tatmadaw practices such as the killing of villager's livestock without permission or compensation; forcing villagers to be guides; and use of villagers' tractors; villagers were however, given payment for this. The report also describes villagers difficulties associated with payment for government required motorbike licenses as well as difficulties of the education system and teachers' salaries. The report also describes the different kinds of diseases that villagers are suffering from and issues associated with healthcare services and corruption of medical staff. Moreover, this report includes information about antimony mining projects in the region carried out by companies such as Thu Wana Myay Zi Lwar That Tuh Too Paw Yay owned by Hkin Zaw and San Mya Yadana Company. Also discussed is the biggest mining project in the region led by Hkin Maung. It is reported that the companies got permission for mining from the KNU and that all the taxes go to the KNU.

Situation Updates in Dooplaya District (Kya In Seik Kyi)

The following situation update was written by a community member in Dooplaya District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Dooplaya District, including five interviews, 45 photographs and 6 video clips.

This situation update highlights the situation in Kya In Seik Kyi Township, Dooplaya District, in September 2012.

Armed Groups situation

In SPDC LIB [Light Infantry Battalion] #583, Commander of the second column is Min Naing, we do not know the Official Commander's name and they are in Thee Thah Baw. LIB #583,

which Company Commander is Myo Lwin and Camp Commander is Thet Paing Ko, and IB²⁰⁸ [Infantry Battalion] #283 are in Kwee Lon Daing and these are true information. In Ye Tha Lauk, IB #283 which Camp Commander is Zaw Lin Htun, and for LIB #583, the Company Commander is Aung Zaw Moe. In Poe Si Muh, the Camp Commander is the Battalion Commander Myo Myint Kyaw from IB #283, but we do not know the columns' name. This information was recorded on August 30th 2012. According to the information that we collected on August 19th 2012, DKBA²⁰⁹ [Democratic Karen Buddhist Army] posted their yellow flag at Lay Law Hsaw on the borderline between Thailand and Burma. In Kyauk Hta, the Camp Commander is Adjutant Tin Myint Mon from LIB #343, MOC²¹⁰ [Military Operations Command] #8 and the Operation Commander of MOC #19 in Kyeik Don is Aung Myo. There, the Border Guard commander is Eh Mwee. On September 5th 2012, MOC #19 branches into [and controls] LIB #583 and LIB #586 and the total number of soldiers is over 290 heading to the borders. Currently, 6th brigade is controlled by LID²¹¹ [Light Infantry Division] #44. IB #283 and LIB #583 are based in Mae K' Ti (AKA) camp [which is called] Ler Kwa Soh in Karen. LIB #586 lead by Commander Maung Maung Lwin with over 30 soldiers came to ask for tractors from the village head in D--- for sending food and salary of soldiers in Kyeik Don Area, but they [LIB #586] did give [the owners] the cost for hiring the tractors. They finished [sending] soldiers' salary on September 2nd 2012. They usually send salary once a month but they send food at different times. This information is given by the village head. Most of the Tatmadaw²¹² soldiers do not wear uniforms while they are going around. They usually come to buy chicken and BEc (Alcohol) in D--- village.

KNLA²¹³ [Karen National Liberation Army] Battalion #17 controlled Per Kler to Win Lon [villages], but in Kya In, most villagers are [stand for] KNU side, and they only talk good things about KNU. KNLA Battalion #18 controlled T' Moh Theh to Kya In Seik Kyi [villages]. KNLA soldiers are friendly with the villagers and the villagers also rely on the KNLA.

Villagers' situation

On September 13th 2012, in T--- [village] some villagers' [had to use their] carts to go to carry materials such as logs and bamboo for building a bridge in Kyeik Don [Town]. Moreover, the government medic from W--- named J--- whose husband's name is R---, charged a higher cost in her treatment of most sicknesses, especially for malaria tests. The patients have to pay 2,000 kyat²¹⁴ (US \$2.35) for blood tests but some villagers from the other villages said sometimes they have to pay over 7,000 kyat (US \$8.22) including for medicines cost. However, antibiotic, pre-protections [vaccine] for kids and new born babies

²⁰⁸ Infantry Battalion (Tatmadaw); 500 soldiers but most in Tatmadaw are under-strength with less than 200 soldiers

²⁰⁹ The DKBA was formed in December 1994, led by monk U Thuzana with the help and support of the State Law and Order Restoration Council (SLORC), which was the name of the military government in Burma at that time. For more information on the formation of the DKBA, see "Inside the DKBA," KHRG, 1996.

²¹⁰ Military Operations Command; 10 battalions for offensive operations; Most MOCs have three TOCs, made up of three battalions each.

²¹¹ Light Infantry Division (Tatmadaw); commanded by a Brigadier-General, each with 10 light infantry battalions specially trained in counter-insurgency, jungle warfare, "search and destroy" operations against ethnic insurgents and narcotics-based armies, and organised under 3 Tactical Operations Commands, commanded by a Colonel, (3 battalions each and 1 reserve), 1 Field Artillery Battalion, 1 Armour Squadron and other support units. As of 2000, all LID have their own organic Field Artillery units.

²¹² The Tatmadaw is the Burmese state military.

²¹³ Karen National Liberation Army, which is the armed wing of the KNU.

²¹⁴ As of 23rd November 2012, all conversion estimates for the kyat in this report are based on the official market rate of 851 kyat to the US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the kyat, thus replacing the previous fixed rate of 6.5 kyat to US \$1.

were free. In Kya In, SPDC soldiers from IB #283 of MOC #19 commanded by Moe Myint Kyaw came to find chickens in the village but when they did not see the owner, they shot a chicken with a catapult then brought it back to their camp without paying the cost for the chicken. This happened in rainy season and also happens sometimes in the year. Similarly, in under [Government] controlled areas, MOC #19, LIB #586 and IB #283 usually cross V--- and a villager has to follow with them to be a guide, and the villagers are fed-up with being guides even if are paid or un-paid. At the same time, D--- [village] also usually has to do the same things. However, for the villagers there, they are very friendly with the Tatmadaw so they do not have a big problem with Tatmadaw. Sometimes, they are being asked for 3 or 5 tractors to carry Tatmadaw [soldiers] to the place where they [soldiers] have to go, but the tractors' owners were paid 30,000 (US \$35.23) to 35,000 Kyat (US \$41.10).

Moreover, villagers in E--- pan gold beside the small stream with hand-made trays and in two or three days some villagers can get approximately 18 grams of gold. Anyway, villagers are allowed to do their own business because they do not use any huge machines, which can make the stream unclean and muddy. The villagers' main works are betel nut plantation, paddy farming and hill farms. Wonderfully, the villagers rely on herbal medicine or traditional doctors. There are a lot of eye aches, some dengue, boils or furuncles, and coughing but there are no government clinics in Mih Nar Ah. Moreover, most women have a special disease that causes itching at their inappropriate part of their body [vagina] as there was too much white fluid [vagina discharge] released from inside of lower part of their bodies as white menstruation. In Kwee K' Neh Ghaw, most women are in bad health condition, and they mostly have malaria, coughing, stomach ache and have a lot of back pain when they are pregnant. There are no medics or nurses in the village so they usually have to go to X---(T---) to get treatment. However, sometimes medics (probably Back-Pack Healthcare Worker Team) from Nu Poe come to treat the villagers. The health conditions of the kids from Toh Hkee are bad, such as they have ear infections, and sickness and they just rely on the very experienced traditional medics in that village. There are malaria diseases in G---, and they have to go to get treatment in Seik Kyi for emergency cases; the villagers said that sometimes the treatment cost 300,000 kyat (US \$352.32) and sometimes 100,000 kyat (US \$117.44), and it is also depends on the patients' conditions. It will cost more when the patients have a serious health condition. However, near G---, there was a small government clinic and there is only one medic who gives a health service. Especially the villagers from most of the villages near the town usually do rubber plantation, betel nut plantation, lime plantation, citron plantation and paddy farms.

On September 24th 2012 the government made the villagers buy licenses for their motorbikes in Kya In Seik Kyi Township the cost of licenses has decreased now. Nevertheless, in these days, the villagers do not have incomes yet as their rubber and betel nut are not ready to sell, so most villagers cannot afford this amount of money. Motorbikes from 1996 to 1998 have to pay over 40,000 kyat (US \$46.98); from 2000 to 2005 have to pay over 50,000 kyat (US \$58.72); motorbikes from 2006 have to pay over 70,000 kyat (US \$82.21); [motorbikes from] 2007 to 2010 have to pay exactly 98,350 kyat (US \$115.50); from 2011 have to pay 140,000 kyat (US \$164.47), and motorbikes from 2012 have to pay over 140,000 for motorbike licenses. The villagers said that if it is possible, they want the date [for making licenses] to be changed to December.

Unfortunately, most of the villages only have lower education such as only Primary schools, but some villages such as V--- [village] have nearly to middle school [level]; till 7th standard, which [school] is where 203 students study until 5th standard. The school system is not dependent on the number of children in the village, but it depends on whether the government supports it, and the villagers' struggles to get support from different groups or organizations. The village head from V--- wants to promote their village school to middle school for the children who finished 7th standard to be able to continue their next level of

education because they do not want their children to go to study in Seik Kyi. However, most of the village heads and villagers want higher school level. V--- has a nursery school which is supported by KWO [Karen Women's Organisation] and H--- School is supported by KSNG [Karen Student Networking Group]. In Kya In, it has two parts. Ka Rah Nih has a primary school and Kya In has a middle school and in the middle school, there are 200 students. However, Ta Kah Klo has the high school where the government pays a higher salary: 120,000 kyat (US \$140.93) for schoolteacher and 200,000 kyat (US \$234.88) for headmaster [per month]. Some people said that they want to be only school teacher as the salary is higher which is not like in the past. Most of the schools in 6th brigade get support from both sides: the Burmese government and KNU.

Development situation

The villagers complained and worry a lot about the development [projects] because development projects, which are done by private companies, can instigate the villagers to have conflict between each other. In Kya In, Hkin Zaw bought a huge large land and then his crews planted a lot of rubber there. The problem is that his crew did not leave any space for a small walking road. In fact, Kya In village has a rule which said that the villagers could not sell their land to the outsider, so now they are still solving this problem. Hkin Zaw also did antimony mining in P--- and his company is called Thu Wana Myay Zi Lwar That Tuh Too Paw Yay co.ltd. The biggest mine is [led by] Khin Maung and works with Chinese crews and experts. There are five mining places in P--- in total, and the other three are small and private but these three only use hand tools to dig the ground and find the antimony. Antimony grade 1 is the best and it can be sold for over 120,000 kyat (US \$140.93) per ton. All the projects' taxes are paid to KNU. The two biggest companies like Khin Maung and Khin Zaw gave 200,000 kyat (US \$234.88) to the village school and 250 water pipes to the villagers. Anyway, the mining not only affects P--- but also affects R--- because R--- is located along the same river that P--- is. The companies promise that they will dig the wells for R--- [villagers]. Mining [projects] in P--- have started for four years already but there is still a lot of antimony there. Because of mining, the goods and especially meat such as pork and chicken prices are increased, especially chicken 1.6 kilo cost 7,000 kyat (US \$8.22) to 8,000 kyat (US \$9.40) but the normal price is only 4,000 kyat (US \$4.70). Therefore, the villagers there cannot afford anymore to have a chicken curry for meal. Moreover, there is a small company called San Mya Yadanar that does antimony mining in between D---, G--- and S---. The company found antimony grade 5 there, but they are just checking and that company got permission from KNU. There are two or three more mining [projects] in Kya In Seik Kyi Township and they are huge.

Conclusion

Activities from both sides of the military groups did not have violent acts on each other, but sometimes their activities can affect the villagers. Villagers faced social violence, forced labour, lower education system, and only little healthcare facilities. However, the village has good business on betel nut plantation which is started [to be harvested] now already, lime plantation which is nearly finished [harvesting], citron garden which is also nearly finished, paddy farms which are now started blooming, and finally the rubber businesses which are popular because they can earn more income. Development projects are everywhere in Kya In Seik Kyi Township, especially the antimony mines which are the most popular [projects] and there is still a lot [of antimony] there.

Bu Loh Traw Mining

Source document/BuLohTrawMining/2012

Project name:	Bu Loh Traw mining
Type of project:	Mining
Karen District:	Papun
Government Region:	North Kayin
Actors:	Tatmadaw LID #44 TOC #442 Commander Tin Htun; Border Guard Battalion #1013 Commander Hla Kyaing and Deputy Battalion Commander Tin Win
Company/Investors:	Domestic
Government/Military:	
Trends:	Land confiscation; Lack of consultation; Disputed or lack of compensation
Consequences:	Impacts on livelihoods; Environmental impacts; Denial of access to humanitarian goods and services
Collective action:	
KHRG Log #:	12-147-S1
Publishing info:	Papun Situation Update: Dweh Loh Township, July to October 2012," KHRG, March 2013 (First Publication)

Testimony:

This report includes a situation update submitted to KHRG in November 2012 by a community member trained by KHRG to monitor human rights. It describes events occurring in Papun District during the period between July to October 2012. Specifically discussed are Tatmadaw and Border Guard abuses, including forced labour, portering, land confiscation, coercive land sale transactions, and damages to the villagers' livelihood. The community member mentioned that large amounts of the villagers' land was confiscated and damaged, as well as an increase in waterborne diseases, from gold mines that were initially operated by the DKBA, but now villagers are uncertain if the private parties who are negotiating permission to continue from the KNU will be allowed to continue the mines. This report also describes how Border Guard #1013 confiscated more than 75 acres of plantation land in order to build shelters for soldiers' families, which created direct problems for villagers' livelihoods. Infantry Battalion #96 has been forcing villagers to perform various work for the base and for soldiers on patrol, and demanded bamboo poles to repair their camp. Moe Win, a company second-in-command from Light Infantry Division #44, sexually abused Naw C---, a married woman from T--- village, in her home while she, her baby, and her husband was sleeping. The Company Commander promised Naw C--- 200,000 kyat as compensation and to ensure she not report the crime, but only 100,000 kyat has been paid. This report, and others, will be published in March 2013 as part of KHRG's thematic report: Losing Ground: Land conflicts and collective action in eastern Myanmar.

Situation Update | Dweh Loh Township, Papun District (July to October 2012)

The following situation update was written by a community member in Papun District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Papun District, including two incident reports, three interviews, one other situation update, 240 photographs.

Introduction

I am submitting this situation report and I included [information on] the human rights abuses

that happened between July 1st 2012 and October 15th 2012. It includes [information on] forced labour that has taken place since the ceasefire²¹⁵. The Tatmadaw has been active in our area and has ordered the villagers for *set tha*.²¹⁶ They have also ordered one or two boats everyday from the villagers who own boats.

Moreover, a Tatmadaw [soldier] who lives in our area also raped a girl. There are also problems from gold mining, which has destroyed the villagers' lands, and the villagers always have to face many different kinds of problems. Likewise, the Border Guard²¹⁷ confiscated the villagers' land in order to build shelters for their families.

Confiscation

In our area, between 2009 to 2012, the villagers' lands and plantations were destroyed because of wealthy people from companies,[who] came and mined for gold. Because of gold mining, the river became murky. The villagers who drink water from the *BuLohkloh*[river],get murky water, so there are many diseases [that have] increased. Moreover, the animals, such as cows and buffalo, drank the water from the river and got diseases. Likewise, the fish in the river have also died.



These photos were taken on July 4th 2012 in Dweh Loh Township, Papun district, and show land that was damaged because of gold mining conducted by the Ko Cho and Htee Phy Sin companies. According to the community member who took these photos, the river in the area was contaminated by the gold mining process and, because of that, the people and animals reliant on this water began to develop illnesses after drinking it. [Photos: KHRG]

When I went and met with H---'s Tatmadaw village head, *Mu Gah*²¹⁸ Naw W--- said, "*Being a human in this area, we have to be afraid of everything. If the Tatmadaw comes, we have to*

²¹⁵For additional information and analysis on the ceasefire between the Burma government and the KNU, see "Steps towards peace: Local participation in the Karen ceasefire process," KHRG, November 2012.

²¹⁶*Set thais* a Burmese term for forced labour duty as a messenger stationed at army camps or bases and serving as a go-between to deliver orders from army officers to village heads, but also involving other menial tasks when no messages are in need of delivery.

²¹⁷Border Guard battalions of the Tatmadaw were established in 2010, and they are composed mostly of soldiers from former non-state armed groups, such as older constellations of the DKBA, which have formalized ceasefire agreements with the Burmese government and agreed to transform into battalions within the Tatmadaw. Border Guard battalions are assigned four digit battalion numbers, whereas regular Tatmadaw infantry or light infantry battalions are identified by two or three digit battalion numbers. For more information, see "DKBA officially becomes Border Guard Force," Democratic Voice of Burma, August 2010, and, "Exploitation and recruitment under the DKBA in Pa'an District," KHRG, June 2009.

²¹⁸*MuhGah* literally means "aunt" but it is also a prefix to address someone who is about the same age with your parents or aunt.

be afraid of them. If the Border Guard (BGF) or the Democratic Karen Buddhist Army(DKBA)²¹⁹ come, we also need to be afraid of them. We also have to be afraid of Karen National Union (KNU) leaders. We don't dare and report to [any of] them the problems that the public are facing now, and if we dare, we worry that we would be fined. If we think carefully, being public doesn't have any value".

Regarding gold mining, the DKBA came since 2009 to mine gold. Because of that, the villagers' properties were destroyed. The villagers faced so many problems, and when the DKBA left, there was not any gold mining and the villagers were very happy. But, again, the rich people came and asked permission [to mine] from [KNU] headquarters, and district and township leaders. They were permitted [to mine], so the company came to mine more gold than the DKBA did. The DKBA mined gold in three rivers, such as *Meh Kleh kloh*, *Baw Paw kloh* and *Meh Kleh kloh*, so the plantations, other properties and trees beside the rivers were all destroyed.



These photos were taken on July 4th 2012 in Mah Lay Ler village tract, Dweh Loh Township, Papun District. The top left photo shows damage to villagers' houses, while the top right and bottom photos show excavation pits and environmental contamination caused by this gold mine. As can be seen, the damage is not only limited to the mine site, but includes the area through which vehicles pass to and from the site. The community member who took these photos explained that mines such as these have damaged villagers' livelihoods.*[Photos: KHRG]*

Between June 2012 to August 2012, I heard that the KNU leaders would stop the gold mining project, and I was so happy. If we look today, the company in charge [of the mines] came and built their relationship with the KNU leader and later claimed that they were given permission from [KNU] headquarters, but they started making preparations, which makes me worry again. Since the gold mining project started, there have always been problems. If there is still the gold mining in the future, our children will also face the same problems as us.

Regarding the gold mining, if the leaders see that there are benefits for the villagers, they should not stop the company. If the leaders from other countries see that there are no

²¹⁹The DKBA was formed in December 1994, led by monk U Thuzana with the help and support of the State Law and Order Restoration Council (SLORC), which was the name of the military government in Myanmar at that time. For more information on the formation of the DKBA, see "Inside the DKBA," KHRG, 1996.

benefits for the villagers, I hope they would delay it until it can be completely stopped. Since gold started being mined, there have not been any benefits for the villagers. Instead, it has destroyed huge amounts of the villagers' lands, plantations, trees and bamboo. There is only plain land without any green grass, just like what [happened to the land], as *MuhGah*[Aunt] Naw W--- mentioned above. Now, the leaders stopped the gold mining, so there is no more gold mining and the villagers are very happy about it. However, the villagers recently started to worry again because so many companies and rich people came. If the leaders allow them [to mine], the villagers will face the same problems as in the past again.



These photos were taken on July 15th 2012 in Dweh Loh Township, Papun district. The top left photo shows mine workers as they mine the gold using a water pump and what appears to be a liquid additive contained in yellow plastic containers, which may be petrol for the pump. The top right photo shows a backhoe that is used for excavating large amounts of soil from an area. Finally, the photo on the bottom shows shelters for the mine workers who live near the mine.*[Photos: KHRG]*

After the ceasefire talk, on June 5th 2012, in our area, the Tatmadaw Light Infantry Division #44, Tactical Operations Command (TOC) #442's Commander, Tin Htun, appointed Border Guard Battalion number #1013's Commander, Hla Kyaing, and Deputy Battalion Commander, Tin Win, to come and build shelters for the families of the soldiers between Sa-- [K'Taing Tee] and S---. [This is] a place called Wah Hker Toh area, [which is] 75 acres large and the construction will destroy rubber plantations, flat fields, a graveyard, and football fields.

The villagers whose properties will be destroyed when the BGF [Border Guard] builds their families' shelters are: (1) P--'s 20-acre rubber plantation on four acres of flat field;(2) Saw M--'s one-acre rubber plantation on ten acres of flat field;(3) Gy---'s one acre of flat field; and (4) Saw L---'s three-acre rubber plantation. All of these villagers live in S---village. The villagers from Sa---also lost properties such as:(1) three acres of flat field;(2) two acres of rubber plantation;(3) Ma Hs---'s nine acres of rubber plantation; and (4) two acres of cardamom plantation. Some of the villagers from Htee Hsaw Meh also lost their land.

Before they started building, Commander Tin Htun and Commander Hla Kyaing gathered the owners of the plantations fields and flat fields, and informed them that there will be the shelters in their lands and that they would have to sell their lands to them [the Tatmadaw and Border Guard]. The owners would have to accept and be satisfied with how much they

will pay. If not, they will just confiscate the lands without paying. Because of that, the villagers were afraid and sold their land for 450,000 kyat (US \$528.17)²²⁰ for one acre of land, but rubber plantations were [sold for] 800,000 kyat (US \$938.97) for one acre. Some villagers got paid for each tree in the rubber plantation; for example, one rubber tree was 5,000 kyat (US \$5.87). The villagers who have suffered for this case said that, “*Because we were threatened, we sold it to them. We know that the money that we got paid won't last for very long, but if we have a flat field or a rubber plantation, it will last until our children and our grand children[can work]. Now, they are still building; they didn't stop building, even though the KNLA [Karen National Liberation Army] stopped them.*” Thara [Teacher] Saw Ni--- said that after Commander Tin Htun met with the villagers, they told the villagers not to spread [information about] the project to KNU leaders or the leaders from other countries.²²¹

Forced labour and demands

There is always forced labour and demands in our area when the Tatmadaw is active. But it is not happening very often, like in the previous years. It has become a lot less.

For example, the Tatmadaw army camp in R---is occupied by Infantry Battalion [IB] #96 and led by Company Commander Myo Ko, who ordered R--- villagers to serve as *set tha*[messengers]; one person [served] per day. Every day, each villager who has to serve as *set tha*[must] go around and send letters, cook for them, cut bamboo and trees and also build fencing for their army camp. This kind of forced labour still happens even now.

Moreover, they also based a column [in R--- village], and there are 24 soldiers in that column. The column is active in B---, D--- and R---. The column is Light Infantry Battalion [LID] #44, [Column] #9, [led by] Column Commander Mya Min Thu. Whenever they travel, they always call two porters from the villagers to carry their stuff and travel in front of them [to serve as human shields for Column #9]. If they arrive in a village, they will call porters from the new village and let the old porters go back to their village. There are still demands from them as well as forced labour. However, it is becoming a little less; there is no more killing or torture.

The Tatmadaw, based in G---army camp, is IB #[96], [led by] Camp Commander Myo Min Tun, and the company second-in-command is Nyi Nyi Htway. On July 18th 2012, they demanded the villagers cut 80 *WahThoh*²²²and 20 poles of *WahKluh*,²²³ in order to repair their camp.

On July 20th2012, Commander Myo Min Tun ordered two boats per day from the villagers who own boats. They ordered them to go and wait in front of their army camp, which is by the river, and asked them to transport food. It is still happening even now. When they [IB #96] ordered them to do something, they said they would pay, but they did not pay anything, even now. Sometimes, they even order the villagers to carry the toilet bowl for them to build

²²⁰As of November 27th 2012, all conversion estimates for the kyat in this report are based on the official market rate of 852 kyat to the US \$1. This reflects new measures taken by Myanmar's central bank on April 2nd 2012 to initiate a managed float of the kyat, thus replacing the previous fixed rate of 6.5 kyat to US \$1.

²²¹The community member is likely referring to members of the Norwegian Myanmar Peace Support Initiative (MSPI) who have been actively visiting rural areas in Karen state to meet with local communities. For more information on the MPSI pilot projects, see “Nyaunglebin Situation Update: KyaukKyi Township, July 2012,” KHRG September 2012; see also “Situation Update: Moo, LerDoh and HsawHtee townships, Nyaunglebin District (January to June 2012),” KHRG October 2012.

²²²WahThohis “giant” bamboo that has a diameter of around 8 inches, with narrow leaves that are less than an inch wide.

²²³Wahkluh is “giant” bamboo that has a diameter of around 8 inches, with broad leaves that are around 4 inches wide.

a toilet to “pee and shit”; they ordered the villagers to carry that.

Starting on July 4th 2012 until now, their [IB #96's] demands are increasing. On August 23th 2012, they again ordered G---villagers to cut three poles of *WahKlu* and 10 poles of *Wah May*²²⁴ to repair their army camp.

In order to prove that the abuses that G---villagers have suffered are true, the G--- section leader, U Wa---, sent out his note as a proof.

Rape case

The Tatmadaw soldiers LID [Battalion] #44,[Column] #3 is led by the company's second-in-command, Moe Win. There are 27 soldiers in that column and they are active in D---, K--- and G--- [villages].

On June 15th 2012, this column came from D---village, entered T--- village and spent their nights there. On June 16th 2012, in the night time at 11:00pm, most of the villagers were asleep. At that time, the company's second-in-command, Moe Win, went to a villager named Naw C---'s house, and went inside her bedroom. Without saying anything, he lifted up Naw C---'s sarong. At that time, Naw C--- was about to move and her child cried, so her husband who slept in front [room] of the house was awakened and called his wife to ask why she did not hear her child crying. When Moe Win heard her husband's voice, he tried to run. At that time, Naw C--- shouted that someone was in her room, so her husband went inside the room and saw Moe Win sitting by the fireplace. When C---'s husband went to check his wife, Moe Win ran away from the house. In the morning, C---'s husband went to see Commander Soe Wunna and reported it to him. Commander Soe Wunna told him not to spread [word of] the incident; [Soe Wunna] would compensate²²⁵ them with 200,000 kyat (US \$234.74). No one spread [information of] the incident. Until now he [Soe Wunna] only paid 100,000 kyat (US \$117.37), the other 100,000 hasn't been paid yet.

Military activities

The Tatmadaw army who is based in R---, is IB #96 and the camp commander is Myo Ko; he ordered the villagers as *set tha* and also ordered them to cut trees and bamboo. There is a column called LID #44, [Column] #9 for the R---, B---and D--- [village] area. They always ask the villagers to porter, where two villagers from each village have to go to the frontline.

The army that is based in G---army camp is IB #96. The Camp Commander Myo Min Htun, and the Company Second-in-command Nyi Nyi Htway, always order the villagers to do something. IB #96's company commander was appointed on August 8th 2012, and the IB #96 camp commander was appointed on August 6th 2012; they always rotate after serving for four months.

The Tatmadaw army who is active in the eastern part of *Bu Lohkloh*, which includes D---, Pr---, T--- and K---, is LID #44, [Column] #3; Camp Commander Soe Wunna leads them, and there are 27 soldiers. They always order the villagers to porter and guide them when they arrive in each village.

For Sa---army camp, LID #44's TOC #442, led by Commander Tin Htun, is based there. For the other places, I don't know which group of army is active.

²²⁴*Wah May* is a narrow kind of bamboo that has a diameter of around three inches.

²²⁵The practice of privately giving money as compensation to a victim or person who has been wronged is common in the local culture, and it is considered an appropriate method of punishment or restitution, rather than a form of bribery.

Conclusion

The above abuses that I have written [about] in this report are the human rights abuses that happened in our Dweh Loh Township. I documented the information and the photos, when I was travelling to collect the information. It is a truthful story. The villagers from Sa---village tract, such as S---, Hk---, Sa--- and Ta---have to face problems from Border Guard Battalion #1013. Major Hla Kyaing is going to build shelters for soldiers' families, and in order to do that, they confiscated the villagers' rubber plantations and many flat fields, so it becomes problematic for them to do their livelihoods.

For the western part of Bu Loh Traw, the rich people from a company came and mined gold, so the villagers who live near there face damages to the soil, plantations and they have to drink polluted water. So, the best thing is to stop mining gold. Forced labour, force portering, looting, *set tha*, demands and rape still happen, even now.

E. Plantation agriculture

Dooplaya Plantation Agriculture

Source document/DooplayaPlantationAgriculture/2012/1

Project name:	Dooplaya plantation agriculture
Type of project:	Plantation agriculture
Karen District:	Dooplaya
Government Region:	South Kayin
Actors:	
Company/Investors:	
Government/Military:	
Trends:	Lack of consultation; Disputed or lack of compensation; Land confiscation
Consequences:	Forced labour and exploitative demands
Collective action:	
KHRG Log #:	12-9-S1,
Publishing info:	"Dooplaya Situation Update: Kyone Doh Township, August to October 2011," KHRG, March 2012 http://www.khrg.org/khrg2012/khrg12b28.html
Testimony:	
<p><i>This report includes a situation update submitted to KHRG in January 2011 by a villager describing events occurring in Dooplaya District, during the period between August and October, 2011. The villager who wrote this report provides information concerning increasing military activity in Kyone Doh Township, including the confiscation of 600 acres of farmland for building a camp in Da Lee Kyo Waing town by Border Guard Battalion #1021, and the construction of new military camps, one by Tatmadaw LIB #208 in Htee Poo Than village and another by the KPF near to Htee Poo Than village. The villager who wrote this report also noted demands from the Burmese Army that local villagers cover half of the cost of the construction of two bridges in Kyone Doh Township, as well as ongoing taxation demands from various armed groups, including the KNU, Tatmadaw, Border Guard, DKBA, KPF, KPC and a distinct branch of the KPC known as Kaung Baung Hpyoo, and expressed serious concerns about the intended use of villagers to provide unpaid labour on infrastructure projects that will be implemented by civilian and military officials, as well as the severe degradation of forest and agricultural land due to an expansion of commercial rubber plantations.</i></p>	
<p>Situation Update Kyone Doh Township, Dooplaya District (August to October 2011)</p> <p><i>The following situation update was written by a villager in Dooplaya District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security.</i></p> <p>From August to October 2011, I was in the campaign area [where Tatmadaw forces are fighting to gain control] in Kyone Doh Township and some other villages. I have found out</p>	

about the villagers'situation there. I also found out that the villagers have suffered rights abuses by armed groups such as the SPDC²²⁶ Army [Tatmadaw], the Border Guard, the KPF [Karen Peace Force],²²⁷the KPC [Karen Peace Council],²²⁸ and the KPC(*KhaungBaungHpyoo*).²²⁹ I summarized all of these and described their activitiesbelow.

SPDC/Border Guard activity

In the campaign area inKyoneDoh Township, Battalion Deputy Commander Nay Myo Aung of SPDC LIB [Light Infantry Battalion] #208,Column #2, under the control ofLID [Light Infantry Division] #22,came and built a front line military camp in Htee Poo Than. He kept Hpyo Win Aung as theCamp Commander, with 70 soldiers. In southern Kya In [township], Camp Commander Htun Lin Aung from LIB #230, under the control of MOC #12,was promoted to Than Htun's position ofmilitary police officer at themilitary police station. Column Commander Aung Kyaw Myint of IB [Infantry Battalion] #231has 40 soldiers, and if it is needed,the Column Commander of LIB #205, Column #2, under the control of LID #22,can come and provide reinforcements. [This has been the situation since] June 7th 2011.

On May 28th2011, Battalion Deputy Commander Khyit Than Oo of LIB #546, Column #2, moved[to Htee Poo Than].On September 16th 2011, LIB #547went [to the camp of IB #231] and made a contingency plan. They moved tothe military camp and police station to the southwest of Kyaun Na Kwa [village]. Tothe West [of KyoneDoh Township], the army commander from Kyaik Ma Raw [city] went with 30 soldiers toKyon Kwan, HpaThain, WaHpyanKone and Ma Yin Kone [villages].

KPF activity

The KPF built a military camp to the South of Man Th'Raw and AungKhyanTha[villages],which are next to Htee Poo Than village in the southwest [of

²²⁶In Karen, the Burmese phrases *Na Ah Pa* (SPDC) and *Na Wa Ta* (SLORC) are commonly used to refer to the Burmese government or to Burma's state army, the Tatmadaw. Many older Karen villagers who were accustomed to using the phrase *Na Wa Ta* (SLORC) before 1997 continue to use that phrase, even though the SLORC has not officially existed since 1997. Similarly, despite the official dissolution of the SPDC in March 2011, many Karen villagers continue to use the phrase *Na Ah Pa* (SPDC) to refer to the Burmese government or to the Tatmadaw; see: "Mission Accomplished as SPDC 'dissolved,'" *Myanmar Times*, April 4-10th 2011. The term *Na Ah Pa* was used by the villager who wrote this report and "SPDC" is therefore retained in the translation of this report.

²²⁷The Karen Peace Force (KPF) was formed in February 1997 after splitting from the KNU/KNLA, and surrendering to and signing a ceasefire with the Burmese military government. The KPF controls some administrative areas in Three Pagodas Pass and operates a number of road and river checkpoints in the area of Three Pagodas Pass. After repeated rejections of Burmese government proposals to reform KPF into the Tatmadaw Border Guard, substantial elements reformed into Tatmadaw Border Guard battalions in 2010. See *Mizzima Election 2010 Factsheet: KPF*. However, follow-up information provided in March 2012 by the same villager who wrote this report confirmed that the branch of the KPF referred to in this report did not transform into Tatmadaw Border Guard and remains independent.

²²⁸The KNU/KNLA Peace Council (also called the Karen Peace Council or KPC) is an armed group based in Hto Kaw Ko, T'Nay Hsah Township, Pa'an District, which split from the Karen National Union (KNU) in 2007 under the command of Htay Maung and subsequently refused to comply with orders from the then-SPDC government to transform its forces into the Tatmadaw Border Guard; see: "KNU/KNLA Peace Council," *Mizzima News*, June 7th 2010 and "KPC to be outlawed if it rejects BGF," *Burma News International*, August 30th 2010.

²²⁹*Kaung Baung Hpyoo* is a branch of the KPC formed after Htay Maung, the leader of the KPC, made a ceasefire agreement with the Burmese Government in 2007. *Kaung Baung Hpyoo* is headed by Hpu Baung and aims to practice its own type of animist religion, *Ta La Koo*. They have one army battalion with around 150 soldiers, led by Battalion Commander Aung Soe.

KyoneDoh Township]. Battalion Commander Saw Aeh Kyay is the leader. He collects taxes from [the produce from] villagers'gardens, coal, phone services and other services as well.

Border Guard activity

Border GuardBattalion #1021 has taken 600 acres of farmland and now they are preparing to build a battalion camp at No Lone in Da Lee Kyo Waing [village], heading straight east fromKyon Kwan and HpaThian villages.²³⁰Battalion Commander Saw Ba Lu,Deputy Commander Man Win Maung and their soldiers collect the taxes, and when it is needed, they also ask for *loh ah pay*.²³¹

KPC activity

This group hasn't built their camp yet. When it is needed, crowds of people will meet at their headquarters in Hto Kaw Ko [to do forced labour]. After they have done this, they will come back to their homes and do their work. They donot have any special activities. The leaders have weapons and walkie-talkies and use those for their own business.

KPC (KaungBaungHpyoo) activity

They have notbegun building a camp yet. They have some weapons and some walkie-talkies. In some villages, there are no special activities yet. They live in their own houses and go about their own business. They do not pay any taxes, except to their own group, and they donot go for *loh ah pay*. They only believe in and worshipa hermit calledHpuBaung.

Public conditions

The people are only focused on the agricultural work which they do tosurvive on a daily basis. This year, we are faced with fewer trees, bamboo, and[materials for making] thatch shingles. It is because people in Da Lee KyoWaingare developing and increasing the number of rubber plantations.

The people who work on, develop, and buy rubber plantations are not from this province. This includes the people who work on the rubber plantations. For poor people, the space [land] that they have to obtain thatch shingles, firewood, fence posts, bamboo, wood for building houses, and other housing materials,as well asto graze animals, such asbuffaloand cows,is getting smaller.Farmers face many difficulties because of this. As a result, some of the people have sold their buffalos and cows and left Burma for Thailand [to look] for work. Some people have got a good job and a high salary so they can send money to their families for paying taxes, and buyinghousing materials and things like rice.

In Kyone Doh Township, the KNU [Karen National Union], SPDC, Border Guard, DKBA [Democratic Karen Buddhist Army], KPF, KPC, and KPC (*KhaungBaungHpyoo*)demand taxes [from villagers],and the villagers also have to pay for health care, education, religion and other needs as well. For a person who is poor, it is really hard to get enough food each day.

When the SPDC governor develops the village, they do it indirectly, for example by using

²³⁰The confiscation of farmland for the purposes of military expansion is a pressing issue at present in Dooplaya District. In September 2011, approximately 500 acres of land was confiscated from villagers in Je--- village, Kawkareik Township in order to construct an army camp for Border Guard Battalion #1022, see: "Land confiscation threatens villagers' livelihoods in Dooplaya District," KHRG, October 2011.

²³¹*Loh ah pay*; a Burmese term now commonly used in reference to forced labour, although traditionally referring to voluntary service for temples or the local community, not military or state projects.

religion [as an excuse for their demands for money]. When they begin building the bridge and repairing the roads, they will not only demand [villagers for] *loh ah pay*, but also that the public pays half of the cost of the cement and nails. The village governors want to build a road from Kyaun Na Kwato Kyon Kwan, HpaThain and Mi K'Thay villages so that vehicles are able to travel there. The village governor submitted the plan to the people who are in charge of Nay PyiDaw development. After that, the people in charge of development came and measured the distance of the road. The Nay Pyi Daw development group gave half of the costs towards building the road and the public has to give the other half.

On September 11th 2011, some village governors and monks from Htee Poo Than, Th'MainDut, Khu Nee and LaungKaing villages had to go to the Kawkareik Township Governor's office for a meeting. The Kawkareik Township Governor, Officer U AungMyint, said in the meeting that the national government will give half of the costs towards rebuilding the bridge on the old *bpayt'ya* [cement] vehicle road between southern Kya In village, southern Kya In [Township], to MehTharawHta (Aung Chan Tha) village. If the Township doesn't accept half of the costs, the national governor will give it to another township, so the Township Governor called the Village Governors for a meeting to find out their opinion.

Therefore, the [KyoneDoh] Township Governor, the Village Governors and the monks have to discuss this again. They will give their answer after discussing it. If they are going to build the bridge, the villagers will have to do *loh ah pay* for the two bridges that have been under construction since 2001. Some people said that the SPDC came and measured the distance of the road and were going to build the bridge in 2006, and that they will now build the Asia Road where this existing road is.²³²

Health conditions

Even though some of the public in this area use modern medicine, some villagers still use herbal medicine and the practice of wrist tying to call back their spirits.²³³ When their sickness gets a little better, they just use herbal medicines because they don't have money to buy medicine.

P'yaw ga hsa ya gaing, shway kyaw gaing [shaman] from some villages have certificates from the SPDC recognising their status. Even though they have nurses on the [Thailand-Burma] border, they don't have enough medicine. Patients who have serious diseases must therefore go to the hospital in the city. Once they get to the hospital in the city, they might spend at least one million kyat (US \$1,166.86). If they do not have that amount of money, they cannot go. Patients who do not have that amount of money are just treated by herbal doctors. Some patients recover and some die. The nurses who go from village to village to treat patients without certification from the SPDC also have to worry about meeting the SPDC Army. If they meet them, the nurses will be accused of being *Kaw Thoo Lei*.²³⁴ The diseases that commonly occur here are hypertension, malaria, lethargy, abdominal distension, diarrhoeal disease, ringworm, scabies and heart disease. The [medical

²³²The Asian Highway is a United Nations Economic and Social Council for Asia and the Pacific-supported project which aims to link 31 countries in Asia across 140,497 kilometres of roadway. In Burma the project has involved land confiscation and forced labour. For more information about the Asian Highway, see "Tollgates upon tollgates: En route with extortion along the Asian Highway," KHRG, October 2009; *Development by Decree: The politics of poverty and control in Karen State*, KHRG, April 2007, p.25-26.

²³³'Wrist tying' refers here to a cultural practice whereby the wrist is bound with white thread in order to rid the individual of spirits which are believed to be the cause of their illness.

²³⁴Both the researcher conducting the interview and the interviewee used the term '*Kaw Thoo Lei*', which refers to Karen State as demarcated by the Karen National Union (KNU). The exact meaning and origin of the term '*Kaw Thoo Lei*' is disputed; see: Jonathan Falla. *True Love and Bartolomew: Rebels on the Burmese border*, Cambridge University Press: 1991.

organization censored for security] goes to each village twice a year, and treats patients without payment.

Education

Even though people from the villages prioritise education, there are rarely any parents who can send their children to school to finish all ten standards. Some villages have a school, but do not have enough school stationery or teachers. If it is not an SPDC school, the teachers do not dare teach openly. If it is not a school that is recognized by the SPDC legally, when a [Tatmadaw] column arrives, they will accuse it of being a *Kaw Thoo Lei* School. The teachers also worry about being arrested so they have to accept the government teachers.

The students' parents have to take responsibility for things such as food costs, health care, transportation, and accommodation for the government teachers who come and teach at the school. The government teachersteach only once for two or three months, and they go back to the city for training. They come back after a month. So, the students fall behind in their studies as their lessons are late, and they can be disqualified. Some teachers get 50,000 kyat from the government (US \$58.34), but some receive only 30,000 kyat (US \$35.01). Later, they found out that government took the other 20,000 kyat (US \$23.34). School stationery is actually given to the students for free but the government collects money from them. When they get 20,000 kyat from the students, they pay the teachers only 30,000 kyat. For independent teachers [not sent by the Burma government], the students' parents give them 40 to 50 baskets of paddy (836 kg. / 1843.2 lb. or 1045 kg. / 2304 lb.) a year. Most of the students who finish middle school move to the refugee camps on the border [in Thailand]. If they were to go to school in the city, it would cost at least 1.5 or 2 million kyat (US \$1,750.29 or US \$2,333.72). Their parents cannot send them to school anymore, so they move to Thailand to work. In those places, the *[education organization censored for security]* supplies school stationery such notebooks, textbooks and sports materials once a year for free.

Conclusion

For the next generation living in the campaign area, Kyone Doh Township will have fewer trees, bamboo, and [materials for making] thatch shingles. It will be really hot and there will be a shortage of water. The production of paddy will decrease and the farmland that people cannot cultivate will increase [as the soil becomes infertile]. They will be faced with paddy shortages in the future. This is because the wood comes from the only forest that we have to depend on, in Da Lee KyoWaing, and the other forests have almost gone. There are also many problems between the sellers and the customers regarding the sale of the wood that is left.

Even though the KNLA [Karen National Liberation Army], SPDC, DKBA, Border Guard, KPF, KPC, and KPC (*Khaung Baung Hpyoo*) armies are living in those areas [in Kyone Doh Township] and it is getting a little complicated, the conditions are still good. When there are more armies in the area, we can imagine the problems that the villagers will face.

When the SPDC military government wants to build a bridge or a road, they give excuses relating to religion and ask the public to give half of the costs. Moreover, the public also has to do *loh ah pay* while they are building it. After the bridge is built, the SPDC military government stands in front of the public with the fake golden star hanging above their shoulders. They take a photo and put it proudly in the newspaper. It looks like *sinty shay tway yat nay thaw kaythara chin thay yoht sinty bp' to bpo yaik yu th' ket tho* [literally, a lion sitting at the entrance of a pagoda having its picture taken].

If after building this bridge, for example, they rebuild the Asia road here, it will be easier for [the Tatmadaw to increase] security, the transportation of ammunitions, its influence in the area, rations and other needed machinery. I can imagine that the public will face more accusations, killing, fleeing, and looting, and it will be a time when they will be called often to do *loh ah pay*.

Source document/Dooplaya Plantation Agriculture/2012/2

Project name:	Dooplaya plantation agriculture
Type of project:	Plantation agriculture
Karen District:	Dooplaya
Government Region:	South Kayin
Actors:	Immigration police
Company/Investors:	
Government/Military:	Myanmar government
Trends:	Lack of consultation; Disputed or lack of compensation; Land confiscation; Development-induced displacement and resettlement
Consequences:	
Collective action:	
KHRG Log #:	12-77-S1
Publishing info:	"Dooplaya Situation Update: Kawkareik Township and Kya In Township, April to June 2012," KHRG, September 2012, http://www.khrg.org/khrg2012/khrg12b76.html

Testimony:

This report includes a situation update submitted to KHRG in June 2012 by a community member who described events occurring in Dooplaya District during the period between April 2012 and June 2012, specifically in relation to landmines, education, health, taxation and demand, forced labour, land confiscation, displacement, and restrictions on freedom of movement and trade. After the 2012 ceasefire between the Burma government and the KNU, remaining landmines still present serious risks for local villagers in Kawkareik Township because they are unable to travel. Details are provided about 57-year-old B--- village head, Saw L---, 70-year-old Saw E--- and Saw T---, who each stepped on landmines. During May 2012, Tatmadaw soldiers ordered three villagers' to supply hand tractors to transport materials for them from Aung May K' La village to Ke---, plus Tatmadaw soldiers ordered five hand tractors to transports materials from Kyak Doh village to Kya In Seik Gyi Town. Also described in the report are villagers' opinions on the ongoing ceasefire and whether or not they feel it is benefiting them, as well as village responses to land confiscation by Tatmadaw forces. After a village head was informed that any empty properties found would be confiscated, villagers in the area stayed temporarily in other peoples' houses on request of the owner.

Situation Update | Kawkareik Township and Kya In Township, Dooplaya District (April to June 2012)

The following situation update was written by a community member in Dooplaya District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Dooplaya District.

The affiliation between Burmese soldiers and the DKBA

On April 25th 2012, I went and met with a 38-year-old DKBA Democratic Karen Buddhist Army²³⁵ Headquarter Commander named Saw Hp---. I asked him about the affiliation between Burmese soldiers [Tatmadaw] and the DKBA. He told me that they [DKBA soldiers] get better opportunities,²³⁶ but they have to reside under the control of the Tatmadaw. If they need something, they order it from us, then we have to organise [it] for them. For instance, if they need hand tractors for transportation, they order us to find one for them.

As for my point of view regarding the affiliation between the Tatmadaw and the DKBA, I went amongst the villagers, listened to what they had to say and thought about it. Then, I realised that it seems like the Tatmadaw try and convince the DKBA to act the same as the Burmese [Tatmadaw]. The DKBA travel back and forth meeting many people and have a close relationship with the Tatmadaw, and the way they live is not the same as *Kaw Thoo Lei*²³⁷ soldiers [Karen National Liberation Army (KNLA)].

The landmine predicament after the January 2012 ceasefire²³⁸

On April 29th 2012, I followed a route where I travelled from Kaw Hser to Htee Ther Leh and then followed a trail onto K'Law Ghaw. I saw that DKBA soldiers had stuck two red warning signs to two separate trees along the way, the warning signs were to signal that landmines had been placed there. The signs and landmines were put there by DKBA Battalion #907 soldiers, who are under the control of general Na Kha Mwe. On April 29th 2012, I met with



This photo, taken on May 17th 2012, shows the former location of a DKBA base situated on the top of a mountain close to K'Law Ghaw village. On May 18th 2012, the community member met with a Wa--- villager called uncle Saw Ni--- and asked him about the landmine situation in the surrounding area. Saw Ni--- put the figure at 200 for the mountain in question and the surrounding area, including all the hills and cornfields surrounding K'Law Ghaw village. He explained that local villagers dare not go to collect wood for the building of houses or corn stores. [Photo: KHRG]

²³⁵The DKBA was formed in December 1994, led by monk U Thuzana with the help and support of the State Law and Order Restoration Council (SLORC), which was the name of the military government in Burma at that time. For more information on the formation of the DKBA, see “Inside the DKBA,” KHRG, 1996.

²³⁶The “opportunities” which the community member is referring to here relate to monetary gain, from being able to tax villagers and work on development projects.

²³⁷The term “Kaw Thoo Lei” refers to Karen State as demarcated by the Karen National Union (KNU), but the exact meaning and etymology is disputed; see: Jonathan Falla. True Love and Bartolomew: Rebels on the Burmese border, Cambridge University Press: 1991.

²³⁸The ceasefire agreement signed between the KNU and RUM officials on January 12th 2011 in Pa'an Town, was an agreement in principle on ‘11 key points’, to be followed by more in-depth talks after 45 days. Senior KNU officials had since announced that the deadline of 45 days was unlikely to be met; see: “KNU ceasefire meeting with government behind schedule,” Karen News, February 23rd 2012. Meanwhile, as-yet-unpublished KHRG information received on February 19th 2012, suggests that there have been clashes between government forces and non-state armed groups in Pa'an District in February 2012 and that recent re-supply operations carried out by Tatmadaw forces in Nyaunglebin District exceeded the amount of supplies usually sent, and included heavy artillery. Local media sources have also reported ongoing fighting in Pa'an and Nyaunglebin Districts since January 12th 2012; see: “Killings and attacks between DKBA and BGF drives villagers from their homes,” Karen News, February 24th 2012; “Ceasefires, Continued Attacks and a Friendly Encounter Between Enemies,” Free Burma Rangers, February 3rd 2012.

42-year-old Saw M---, from P---village. I saw two signs along the path from Htee Ther Leh to K'Law Ghaw village, so I asked him whether landmines definitely existed under the two signs. He replied to me that landmines were definitely placed there, plus, that landmines also existed at the source of the water channel on the Wah Hsguh Poo Mountain as well.



Photos above, taken on May 17th 2012, show red skull and cross bone signs, warning of the presence of two separate landmines. The photo on the left shows a sign which signals the presence of a landmine situated next to the tree where the signs are attached. The landmine, placed there by DKBA, *Klo Htoo Baw*²³⁹ Operation Command from battalion #907 was planted during the conflict between the DKBA and Tatmadaw in 2010. The landmine was strategically placed under the tree, which is situated near to the bank of a stream between the villages of K'Law Ghaw and Htee Ther Leh. As the tree provides shade, villagers have often used this spot to sit down and rest. Although the spot is over three miles from Htee Ther Leh village, it is situated only a few minutes from a nearby cornfield. The warning sign pictured in the photo (right) warns of a landmine which was planted under a tree by the DKBA, which is situated along a path between Saw Be---'s and other people's farms. In the past, the Burmese military travelled and rested under the tree. It is a concern for the farmers of the farms because their children pasture their buffalo's and cows near the tree. [Photos: KHRG]

Between Htee Ther Leh and Waw Lay, and Waw Lay and U Kray Hta, there are smaller amounts of landmines; this is due to the fact that these places are situated close to the Tatmadaw Phyu Ha Kon army camp. If someone were to say, 'landmines are not there,' this would not be true. DKBA Battalion #907 and Kaw Thoo Lei planted those landmines whereas Burmese soldiers [Tatmadaw] just plant landmines around their camp. Htee Ther Leh, Waw Lay and U Kray Hta are close to the Tatmadaw army camp named Phyu Ha Kon.

²³⁹The Klo Htoo Baw are DKBA forces in Pa'an and Dooplaya districts which refused to transform into Tatmadaw Border Guard battalions and which, in November 2010, began fighting Tatmadaw forces. They have been referred to as DKBA #907, Klo Htoo Baw (Golden Drum), and Brigade #5. Each of these terms refers to different configurations of DKBA units commanded by the brigadier general commonly known as Na Kha Mway, whose real name is Saw Lah Pwe. Na Kha Mway left the KNU/KNLA in 1997 and became the commander of DKBA Battalion #907. In 2007 he was promoted to head four DKBA battalions (#901, 906, 907 and a security battalion) as the commander of the Klo Htoo Baw [Golden Drum] Tactical Command. In May 2009 this unit was reconfigured as DKBA Brigade #5, with Na Kha Mway commanding Battalions #901, 905, 906, 907 and 909; Brigade #5 was active in the Kya-In Seik Kyi, Kawkareik and Myawaddy areas of Dooplaya and Pa'an districts. In September 2011, it was reported that remaining DKBA forces were to be reconfigured into two tactical commands, Klo Htoo Wah and Klo Htoo Lah, and that Na Kha Mway would be the senior commander of these forces. Most recently, in early November 2011, Brigade #5 signed a ceasefire agreement with the Burmese government in which demands for its forces to transform into Border Guard units were removed, and the brigade has moved to reestablish its headquarters at Wah Lay, Kawkareik Township, Dooplaya District (Sone Seen Myaing, Myawaddy Township); see: "DKBA to accelerate military tactics," The Irrawaddy, September 8th 2011; and "DKBA Brigade 5 Reaches Ceasefire with Naypyidaw," The Irrawaddy, November 4th 2011. For more on the origins of the current conflict and the transformation of DKBA troops into Border Guard battalions, see: "Protection concerns expressed by civilians amidst conflict in Dooplaya and Pa'an districts," KHRG, November 2010

There are more landmines between U Kray Hta village and Wa Mee Hta village. Between these two places there are *t'la awla* trees.²⁴⁰ Since 2010, villagers, especially from Shwe Aye Myaing and U Kray Hta have dared not go there to gather *t'la aw la* leaves due to the placement of landmines by DKBA Battalion #907.

It can be said that landmines are planted around almost the entire area of Kawkareik Township. Landmines exist in the KNLA Battalion #18-held area, situated to the east of the Dawna mountain range, or *Taw Naw Muh Htaw*,²⁴¹ and the KNLA's Battalion #103-held area, which stretches from Kya K'Wa village to Per Kler village. The Battalion Commander for #18 is called Khoh Htoo.



These photos taken on May 17th 2012, and show (left) a Christian Church in Ne--- village, Kawkareik Township, Boplaya District, and (right) the outhouse used by Church goers. According to the community member who took the photos, there are two landmines planted on the Church land. The landmines were planted by KNLA soldiers from Battalion #103 at the time of the last conflict between the DKBA and the Tatmadaw in 2010. According to the community member, one mine was planted directly outside the toilet. As he was worried for the school children who attend Sunday school at this Church, he asked the KNLA to remove the mine, which was not done. Outside of the front door to the toilet, a pile of foliage has been collected and placed there to cover where the landmine is situated, as it is yet to be removed. [Photos: KHRG]

The consequence of landmines

I reported that landmines exist in *Taw Naw Muh Htaw* because I met with a D--- villager in Noh Poh Refugee Camp on May 13th 2012. I asked him whether or not villagers dare travelling back and forth through the forest along the path from Kaw Hser [village] to Ta Uh Hta village. Saw K--- told me, “Not yet, landmines are there. Landmines exist under the path, beside the path and on the mountains. People have not dared travelling back and forth because of these dangerous landmines.” The landmines were put there by DKBA soldiers and KNLA soldiers.

Villagers’ views on the ceasefire

On May 2nd 2012, I met with a 60-year-old N--- village head named Saw A---. I asked him what he thought about the ceasefire between the KNLA and the Tatmadaw. He replied that, “The SPDC [State Peace and Development Council] has untied the political problem which

²⁴⁰The leaves of these trees are traditionally collected by villagers and used to make thatch for the roofs of houses.

²⁴¹*Taw Naw Muh Htaw* is the Karen traditional name for what is commonly known as the “Dawna” Mountain Range.

*they have tied only a little bit. If they don't do this, foreign countries pressure them in many ways.*²⁴² On May 5th 2012, I met with a 50-year-old refugee named Saw D--- from section #9, Mi--- Refugee Camp. I asked him what he, as a refugee, thought about the ceasefire, he replied, *"This would be very good, if it was real and stable, but the previous cease-fire was nothing".* On the same day, I met with a 45-year-old *thara* [teacher], Saw H--- from Y---, a man who I met near to K'Ma Kler village. I asked him about the same issue. He said, *"We can't say this ceasefire is real, we still have to wait and see whether or not in the future it is stable, and whether it will be good for the public."*

Land confiscation

Concerning land confiscation, there are no hot issues regarding land confiscation in my area. Since 2011, the Burmese police have been based between Waw Lay and Htee Ther Leh, at Aung May K' La Camp. They are *La Wa Ka* [Immigration Police] police who have started making Burmese ID cards since 2011 to make sure that everyone is registered. The Burmese police gave an order to the villagers who had fled over the border to Thailand during fighting between the Tatmadaw and the DKBA in 2010, that if they do not come back and start living in their homes once more then they would be forfeiting the ownership of the properties in question to the government. Some people have returned, others have asked other villagers to occupy their dwellings, whereas as some are yet to return.

In 2010, villagers fled to the Thai side, then, most of them came back in late 2011 and early 2012. If the government takes over the houses, they will also confiscate the land on which they are built. The Tatmadaw informed the village head of N---, named Saw A---, about this proposal.

Education

Education is very important. Thousands of children have lost their right to an education as a result of the conflict that happened between the DKBA and Tatmadaw in 2010. I will not mention about other people on this issue, instead, my own daughter, who was studying in one standard at N--- high school during the period, close to the end of the 2010 academic year, was again forced to study at one standard at Thoo Mweh Hkee Post-Ten school in 2011 due to the fact that we had to flee during the time close to the end of 2010. Some people could only study up to four and five standards because their parents fled to Thailand and Karen schools do not exist at every place in Thailand, so some of the children have to start studying from kindergarten.

On April 20th 2012, [*censored for security*] organisation held a meeting in Thoo Mweh Kee Thai village, which I joined. The wife of the Kawkareik Township leader who passed away, lives in Bweh Klah and she told me that in Ht---village Burmese soldiers do not allow people to teach in the Karen language to students, and how this is a human rights abuse, so she asked me, *"Where is a group that can collect the information about human rights?"*

Healthcare

Regarding health care, responsible people should be aware of the situation in the field. Yet, [*censored for the security*] organisation has not been in many villages. As far as I know, about 50% of children and pregnant women have not been immunised against diseases. Villages such as B---, W---, Te---, Me---, Th---, De--- and N--- are situated in places where [*censored for the security*] organisation cannot go to them due to the fact that they are so

²⁴² U Htun Yin is referring here to the fact that the Tatmadaw are only doing enough on paper for International propaganda purposes. Historically they have sought to control or "*tie up*" the political situation in Burma, now they are only slightly relinquishing or "*un-tying*" this power to alleviate International pressure.

close to Tatmadaw army camps. The villagers do not trust the Burmese soldiers' prevention medicines. There are a lot of difficulties for them because they have no Thai ID card to be able to go to a Thai hospital, and also cannot speak Thai and do not have enough money anyway. We just have to live day-by-day, and see what our fate brings; if we are lucky, we will be alive and if we are unlucky, then we will die.

Villagers' livelihood

Along the border, people mostly farm corn plantations, do logging or sell things. People who farm corn plantations encounter many obstacles. Firstly, they have to pay a tax for the plantation. If the plantation is of the width that a big tin²⁴³ of corn seeds can be grown, then the tax is 100 baht. For larger plantations, the tax will increase. If a plantation is wide enough for five big tins of corn seeds, then the tax will be 500 baht. A further tax also has to be paid after harvesting the corn. Villagers must pay 10 baht for one big tin of corn and 20 baht for one big tin of ground nut. The plantation tax is paid only to the *Ko Per Baw* [DKBA].²⁴⁴ As for the corn tax, this has to be paid to three groups: the KNLA, *Ko Per Baw* and the Tatmadaw. The *Ko Per Baw* collect 10 baht per big tin of corn, whereas the KNLA take 3 baht for one big tin of corn. Villagers have to pay too much tax.

The DKBA and *Kaw Thoo Lei* provide permission letters for hand tractors and each hand tractor must have two permission letters; one from the DKBA and one from the *Kaw Thoo Lei*. Each villager on one hand tractor must have one permission letter. Villagers have been writing for this permission since 2009. People who do logging have to write a permission letter as well, so they have to pay money to both the KNLA soldiers and the DKBA. For those who use their hand tractors to transport logs, they must also pay tax at Tatmadaw and DKBA checkpoints. Therefore, this is harmful for people who work as loggers. As for setting up the logging mills, a tax needs to be paid once a month, plus soldiers often demand money at will from each logging mill.

As for those people who run shops, the DKBA *Ko Per Baw* demand 100 baht for small size shops and 500 baht for large size one. The information that I would now like to report, is an incident that I saw myself, I did not hear it from anyone else. On May 3rd 2012, as I was coming back from Kya In Township, I saw a troop of Tatmadaw soldiers, around 60 to 70 strong. They had with them five villagers' hand tractors and maybe there were some more hand tractors that I did not see. I saw a Ta--- villager named Saw W--- at Ser Ya *kloh* [river] bank. I asked him about the troop of soldiers I had seen and the hand tractors in their possession in Ma--- village, Kawkawreik Township, and where they were going with them. He told me that they were going back to Kya In Seik Gyi [Town]. I asked him whether or not people are paid to provide these hand tractors. He told me that they did not receive payment. On May 5th 2012, I again saw the Tatmadaw soldiers. Along the way between Ma--- and Seik Gyi; you cannot go and reach back to Kyaik Doh within a day. On May 5th 2012, I again saw this kind of incident, and again I recorded it.

Burmese soldiers, those based between N--- village and K--- village, which is called Ye--- village, only around ten households are there but the soldiers had gathered there filling the whole road, and stayed along it [they had not made camp], it seemed like they were heading somewhere. Three villagers' hand tractors were with them. I asked the N--- village head and he told me that the troop which I saw were on their way back to Ra M'Tee '[Myawaddy] but he did not know about the hand tractors. I then saw a K--- villager named Saw G---, I asked him and he told me, "Among the three hand tractors you saw, one hand tractor of mine was

²⁴³A big tin is a unit of volume used to measure paddy, milled rice and seeds. One big tin is equivalent to 10.45 kg. or 23.04 lb. of paddy, and 16 kg. or 35.2 lb. of milled rice.

²⁴⁴*Ko Per Baw* or "Yellow Scarves" is a term commonly used by villagers to denote the Democratic Karen Buddhist Army (DKBA), in reference to the yellow scarves that form part of their uniform.

included there I had to send it to Ke--- village." I asked him about the payment as well, he told me that no payment was given. I then asked him what the Burmese troops did by the time they reached Ke---. He told me that their officer wanted to speak to the village head; they again ordered the village head to find hand tractors. I assume that they will not give any payment for hand tractors from Ke---.

The other information is about KKO [Klo Htoo Baw Karen Organization]; it is the organization which was formed by Officer Saw Lah Pweh called General Hpuh Hka Hsoo. The public does not understand this organisation at all, and do not like it anymore either. The KKO is the organization that acts as the mother organization to the KNU; it has a management role, a separate administration, committees, education, health care, forestry section, women's organization and youth organization. People who stay close to KKO soldiers think it is good and they are proud of it. In only my opinion, it is not so good to me because all the roles, those I reported above, the mother organization [KNU] already has all of them.

In my area, N---, there are two Karen women organization leaders, two health care leaders and two forest rangers. The public does not know whose rules they should follow. The villagers have complained about one forest ranger especially, as he controls things so badly. The KKO forest ranger is the Ke--- village head and most people call him Htaw Ploh. He is a businessman, so he only cares about his own business interests. Two villagers named Saw R--- and Saw Po---, from La--- village met with me on April 27th 2012; they told me "*the KKO forest ranger does harmful things to us.*" I asked them about what they had done. They explained to me that, "*both of us feed our families by burning charcoals during the period when there is no daily work to do. We have to write a letter of permission once a month and pay 300 baht. If we sell charcoal on the Thai side, then at the Moei River bank, he again collects 20 baht per packet, the packets contain three big tins of charcoal within it. This kind of activity by the forest ranger does not match up with any rules.*"

After the ceasefire, we saw that villagers were happy and they came back to live in their houses and tried to clear and repair their houses and gardens in the areas where they lived. As for village life, I think that even though they came to live back at their houses, it seemed like there was no certainty and stability for them to be satisfied yet. The reason is, since people come back they have seen many kinds of people from the government; *La Wa Ka* [Burma Immigration], education groups, health groups, and people who construct the roads. We heard that we had peace and unity but we have not seen any peace, plus it seems like these difficulties happening among the public but we, the public cannot do anything and dare not say anything. As for raising our family, we have to try to do the work in order to get food to eat. There are several problems with making a livelihood; we, N--- villagers, cannot do other work, so we just grow corn, ground nut, paddy and do logging. In order to make our living, we also have to pay a tax for a permission letter once per month. Sometimes, we take the permission letter with us but they still disturb us, hence this is a big problem for which we have been facing.

Regarding the relationship between the DKBA Ko Per Baw and the Tatmadaw, we the public do not know about this at all. We just saw that any meeting and any reasons are always related to Tatmadaw soldiers. We are aware that only rice is provided for *Ko Per Baw* families and after that they have to manage on their own to get other things.

Some villagers think that the ceasefire is good and some think it is not good because after the ceasefire, many organizations came to the area, and in the villages they have taken many kinds of opportunities from the public. For example, we saw that although road constructors constructed and repaired the road properly, they still asked the villagers for help. The villagers have to transport stones for them, the stones that will be ground down in

order to repair the bridges and other roads. They always order wood from the villagers. They always order the villagers to do forced labour and never provide them with any payment.

In N--- village, there have been no instances of land confiscation. But what usually happens is the Tatmadaw build the buildings in the places where villagers used to live because all land is owned by the government, villagers can do nothing. So in the future this could also happen here. If the situation is ongoing like this, maybe land confiscation will happen. The reason why it is happening now is that Burmese soldiers build the buildings in the places where people used to live in the past because the [land] owners are not able to come back and live there. Therefore, they built some buildings they did not buy and they said, "*This land is owned by the government,*" so we can do nothing.

Landmines

Regarding the problem of landmines, we are not be able to express it in detail and dare not think about it. I myself came back home on February 2nd 2012 and I heard that three villagers had stepped on landmines. I did not meet with them, so I did not get their photos and there is no photo for this situation report but I got their names and addresses. 57-year-old B--- village head Saw L--- heard that the situation regarding landmines had improved; he went back home and stepped on a landmine at the perimeter of his house, in his garden. The second person is a village head, Saw L---, 70 years old and he also stood on a landmine just beside his house inside the village. The third person is Saw T---, he is a Kr--- villager and I think that he met with a person who works for the KHRG office already. When he got injured I tried to meet him but it did not happen, I missed him, so I did not get a photo. Although the DKBA, mother organization [KNU] and the Tatmadaw said that removing landmines has been completed, we still see that the civilians are suffering injuries from stepping on landmines. We are the public and we need help and suggestions for the ongoing landmine problem. We need to clear and remove them in order for us to carry on our livelihoods without difficulty.

On June 7th 2012, I started riding a motorboat down the Moei River to Ler Muh Hta village when it was stopped by Tatmadaw soldiers in order to question the travellers. The boat was stopped by different Tatmadaw troops three times between Meh Ta Waw village and Mu Yu Hta village; they did not demand anything the first time, the second time they demanded 100 baht, and they demanded 50 baht the third time the boat was stopped. Mu Yu Hta and Meh T' Aaw are located in 7th Brigade and Mu Yu Hta is located in the west of Ma Ner Hplaw. As for the third time, they had the sign of LID #77 on their shoulders.

On June 16th 2012, I came back from Mu Yu Hta to Meh Ta Waw where again we were stopped. Tatmadaw soldiers stopped us three times when I went and they stopped us four times when I came back, but I do not know what to say about this issue. It seemed like it was dangerous for the motorboat owners. Because of this case, we went back to Pi--- Refugee Camp, but when questioned they [boat owner] hid the fact that of where they were heading to. Instead, they just mentioned other places. Even though people say that it is now a peaceful country Tatmadaw soldiers still check travellers and demand taxes from people who are trying to work.

On June 17th 2012, I went to N---, I saw five Burmese soldiers working at the perimeter of a school with about ten or twenty N--- villagers. I do not know exactly what was happening there.

Source document/Dooplaya Plantation Agriculture/2011/1

Project name:	Dooplaya plantation agriculture
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Type of project:	Plantation agriculture
Karen District:	Dooplaya
Government Region:	Kayin
Actors:	Border Guard #1022 led by Maw Thoh; Tatmadaw LIB #355 and LIB #546 under MOC #12
Company/Investors:	
Government/Military:	Border Guard; Tatmadaw
Trends:	Lack of consultation; Disputed or lack of compensation; Land confiscation
Consequences:	Impacts on livelihoods; Forced labour and exploitative demands
Collective action:	Reporting to authorities
KHRG Log #:	11-122-D2
Publishing info:	"Tatmadaw and Border Guard camp construction threatens villagers' livelihoods in Dooplaya District," KHRG, October 2011, http://www.khrg.org/khrg2011/khrg11b41.html

Testimony:

In September 2011, residents of Je--- village, Kawkareik Township told KHRG that they feared soldiers under Tatmadaw Border Guard Battalion #1022 and LIBs #355 and #546 would soon complete the confiscation of approximately 500 acres of land in their community in order to develop a large camp for Battalion #1022 and homes for soldiers' families. According to the villagers, the area has already been surveyed and the Je--- village head has informed local plantation and paddy farm owners whose lands are to be confiscated. The villagers reported that approximately 167 acres of agricultural land, including seven rubber plantations, nine paddy farms, and seventeen betelnut and durian plantations belonging to 26 residents of Je--- have already been surveyed, although they expressed concern that more land would be expropriated in the future. The Je--- residents said that the village head had told them rubber plantation owners would be compensated according to the number of trees they owned, but that the villagers were collectively refusing compensation and avoiding attending a meeting at which they worried they would be ordered to sign over their land. The villagers that spoke with KHRG said they believed the Tatmadaw intended to take over their land in October after the end of the annual monsoon, and that this would seriously undermine livelihoods in a community in which many villagers depended on subsistence agriculture on established land. This bulletin is based on information collected by KHRG researchers in September and October 2011, including five interviews with residents of Je--- village, 91 photographs of the area, and a written record of lands earmarked for confiscation.²⁴⁵



²⁴⁵ This bulletin contains excerpts of two of the interviews and seven of the photographs from the data described above. The full interviews and photos will be published in full as they are processed and translated.

On September 26th 2011, villagers from Je--- village, Kawkareik Township, Dooplaya District told KHRG that they face an urgent threat of land confiscation by Tatmadaw

This photo, taken on September 30th 2011, shows a six-acre paddy farm in Je--- village, owned by Saw A---. Saw A---'s family depends on their farm, but local Tatmadaw forces plan to confiscate his land to build a *tat nan myay* for Border Guard Battalion #1022. [Photo: KHRG]

Border Guard Battalion #1022 led by Bu---, and Light Infantry Battalions (LIBs) #355 and #546 under Tatmadaw Military Operations Command (MOC) #12. According to the Je--- residents, their village head was informed in May 2011 that the Tatmadaw will develop a 500-acre *tat nan myay* [amilitary area or military zone] in Je--- for Border Guard Battalion #1022, which is currently based in Tu---. The village head then met with villagers whose existing agricultural projects were located in the intended project area, and informed them that their lands would be expropriated to make way for the *tat nan myay*, which would include the construction of a base, supply depot, and homes for the families of Tatmadaw Border Guard soldiers.

"The first time they came to measure, it was nine [paddy] farms. They didn't want to collect [survey] the betelnut plantations because there were too many. The betelnut fields and durian fields were about 20 or 30 fields...There is one more rubber field but, as I told you, she [the owner] didn't come [to the interview location]. The man who came with me, his rubber plantation is very big, but when the SPDC²⁴⁶ government goes to take it, they will take it all... I plant once every three years. From three years ago I planted 2,000 plants, and this year I planted more 1,000 plants, so in all there are 3,000 rubber plants... The operation commander came to see village head, and the village head called us let us know... They'll build up both an army camp and their houses, and the battalion...When they come to base here, their families and children will follow and come to stay with them."

- Saw Ca--- (male, 45), Je--- village, Kawkareik Township (September 2011)

"The Border Guard and the SPDC Army [Tatmadaw] came together. The Border Guard commander is named Bu--- but the SPDC commander, I don't know his name. The [Tatmadaw] Battalion was #355... They said they'll build the place for the Border Guard... They didn't take [our land] yet, but they're concentrating on it. They said they'll build up their place, and they came to order the village head to tell the villagers [they would] take the lands. They think if the village head can take it [the land] it'll be peaceful."

- Saw Do--- (male, 60), Je--- village, Kawkareik Township (September 2011)

The villagers that spoke with KHRG said that they had not seen a written order that their land would be confiscated, but that they believed the order to be real, and urgent. At least two interviewees reported that, in the meeting, the village head told rubber plantation owners whose land would be expropriated as part of the planned *tat nan myay*, that they would be paid compensation of 10,000 kyat (US \$12.05)²⁴⁷ per tree on their plantations. The villagers expressed concerns that other types of land would be taken, but did not know whether compensation would be paid to farmers who have betel or durian plantations,

²⁴⁶ In Karen, the Burmese phrases *Na Ah Pa* (SPDC) and *Na Wa Ta* (SLORC) are commonly used to refer to the Burmese government or to Burma's state military, the Tatmadaw. Many older Karen villagers who were accustomed to using the phrase *Na Wa Ta* (SLORC) before 1997 continue to use that phrase, even though the SLORC has not officially existed since 1997. Similarly, despite the official dissolution of the SPDC in March 2011, many Karen villagers continue to use the phrase *Na Ah Pa* (SPDC) to refer to the Burmese government or to the Tatmadaw. The term *Na Ah Pa* was used by the interviewees, and "SPDC" is therefore retained in the excerpted translations of their testimonies included in this bulletin.

²⁴⁷ All conversion estimates for the Kyat in this report are based on the fluctuating informal exchange rate rather than the government's official fixed rate of 6.5 kyat to US \$1. As of October 28th 2011, this unofficial rate of exchange was US \$1 = 830 kyat.

paddy fields, or fallow agricultural land.

"I heard the one time the village head told us they'll give [compensation]. For one rubber plant they'll pay 10,000 kyat... If they pay for the plants, that also includes the land [cost] too... Along the lake we have durian plantations, betelnut plantations and dog fruit plantations. The villagers plant many things in that area."

- Saw Ca--- (male, 45), Je--- village, Kawkareik Township (September 2011)

"If they take it, we can't do anything. We just have to give it to them... If they take it, we won't have a place to live... [Now] They'll only take the rubber [plantation] lands but I see, in the future, if they get those places [then] they'll take more and more land."

- Saw Do--- (male, 60), Je--- village, Kawkareik Township (September 2011)



These photos, taken on September 30th 2011, show 48-year-old Saw C--- and parts of his 20-acre rubber plantation in the Mi--- area of Je--- village, Kawkareik Township. Saw C---'s plantation has approximately 4,500 rubber trees which he planted four years ago; his plantation is among lands that Je--- villagers worry will be confiscated by the Tatmadaw after the 2011 monsoon ends. [Photos: KHRG]

The interviewees further reported that government officials measured lands under cultivation along the vehicle road in the Mi--- area of Je--- village immediately after the order was issued through the village head in May 2011, and once more in the second week of September 2011; the soldiers and government officials also photographed the land owners. One source also explained that the Tatmadaw attempted to survey the area in 2010, but clashes with soldiers from Karen National Liberation Army (KNLA) prevented them from doing so, although an access road to the area was surveyed and cleared in 2010.

"They came before the rainy season, in the water festival month. The first time they came to measure the lands was in 2010... I think they were SPDC staff [the first time], because they were ordered by the SPDC government... The second time SPDC government staff [also] came to measure the lands... They took pictures of us. Before they called the villagers, they already sent down their soldiers to the places... There were 100 soldiers."

- Saw Do--- (male, 60), Je--- village, Kawkareik Township (September 2011)

"If the KNLA hadn't been there, they already planned to do this [take villagers' land] once last year... The group that came to measure the area is called 'Ha Sha.' The ones who came to measure the road were Thai... The Thai people came and hired us to clear the road. They paid 4,000 kyat per day. Now they're gone, and later the SPDC government came."

- Saw Ca--- (male, 45), Je--- village, Kawkareik Township (September 2011)

According to the villagers that spoke with KHRG, the lands surveyed in May and September 2011 include at least 167 acres of productive and established agricultural land belonging to 26 villagers, and those villagers have been informed that they will have to give up their land. The table below details the acreage and types of crops cultivated on the land belonging to the 26 villagers who have been ordered to give up their land for the *tat nan myay*.

#	Villager Name	Type of agricultural land	Estimated Acreage
1	Saw E---	Rubber plantation	20
2	Saw F---	Rubber plantation	16
		Betelnut plantation	3
3	Saw G---	Rubber plantation	20
4	Naw H---	Betelnut plantation	1
		Durian plantation	1
5	Saw I---	[Rice paddy] Farm	3
		Rubber plantation	2
		Durian and betelnut plantation	2
6	Saw J---	Durian plantation	1
7	Saw K---	Durian and betelnut plantation	3
8	Saw L---	Durian and betelnut plantation	2
9	Naw M---	Durian and betelnut plantation	2
10	Saw N---	Durian and betelnut plantation	4
11	Saw O---	Durian plantation	3
12	Saw P---	Durian and betelnut plantation	3
		[Rice paddy] Farm	6
13	Saw Q---	Durian and betelnut plantation	2
14	Saw R---	Durian plantation	3
15	Naw S---	Betelnut plantation	1
		[Rice paddy] Farm	4
16	Saw T---	Durian and betelnut plantation	3
17	Saw U---	[Rice paddy] Farm	3
		Betelnut plantation	3
18	Saw V---	Rubber plantation	4
19	Saw W---	[Rice paddy] Farm	3
		Rubber plantation	3
20	Saw X---	[Rice paddy] Farm	3
		Betel nut plantation	2
21	Saw Y---	[Rice paddy] Farm	4
22	Saw Z---	[Rice paddy] Farm	5
23	Saw Ba---	[Rice paddy] Farm	4
24	Saw Be---	Cleared for rubber plantation ²⁴⁹	20

²⁴⁸ Note that the censored names in this table do not correspond to censored names cited in interview excerpts and photo captions in this bulletin; this has been done intentionally, for security.

²⁴⁹The villagers who shared this information with KHRG explained that Saw Be--- and Naw Bi--- had planned to plant rubber on their respective lands, on which they had previously kept fruit trees. Both villagers had already cleared the land, but had yet to plant any rubber trees, when the residents of Je--- learned that the

4			
2 5	Naw Bi---	Cleared for rubber plantation	6
2 6	Naw Bo---	Rubber plantation	2
Total			167

According to the Je--- villagers, the land owners were recently ordered to meet with the village head and a Tatmadaw officer at the camp in Je--- village, where a column of approximately 40 Tatmadaw LIB #355 soldiers were based as of September 2011. The land owners, however, have avoided going to the meeting because they fear that they will be forced to sign an agreement to give up their land for the *tat nan myay* project. One of the villagers also explained that they would give up their land if forced, but planned to refuse the monetary compensation because they worried that Tatmadaw or Border Guard soldiers might blame villagers who accept compensation if fighting occurs near the village in future.

"We haven't gone. If we go, I know we'll have to sign, and we've made a decision that we won't go. If they want to take [our land], they can... They've ordered us to go to see him [the operations commander]... [The villagers will have to sign] so that's why we don't go. If you don't go, you have to give them [the land]; if you go, you also have to give them [the land]."

- Saw Ca--- (male, 45), Je--- village, Kawkareik Township (September 2011)

"They said they'll pay us money, but if they'll take our land we won't take any money from them, and just let them take it. If they give us money they'll take it, and if they don't give [money] they'll also take it... If they want to have [the land] they can take it, because we won't take any money... If we take the money, if something [conflict] happens they'll see [find] mistakes on us... I don't know [what to do]. We just say, 'I won't take the money, but if the KNLA shoots [you] don't put the blame on the villagers.'... For me, if they call us to sign an agreement we won't sign. If they want to take it, they can take the land. We told the village head 'If something [conflict] happens, don't put the blame on us.'... The village head was elected by the villagers but when he plans things like this, he stands more on the SPDC government's side."

- Saw Do--- (male, 60), Je--- village, Kawkareik Township (September 2011)



Tatmadaw intended to expropriate their land. According to the Je--- villagers, Saw Be--- and Naw Bi--- both decided that the risk of land confiscation was too high, and opted not to plant any trees until they could be sure that their land was secure.

These photos, also taken on September 30th, show 60-year-old Saw B---, and parts of his 20-acre rubber plantation in the Mi--- area of Je--- village. Saw B---'s plantation has approximately 500 rubber trees which he planted over four years ago; his plantation has also been earmarked for confiscation by Tatmadaw Border Guard Battalion #1022 and LIBs #355 and 546. [Photos: KHRG]

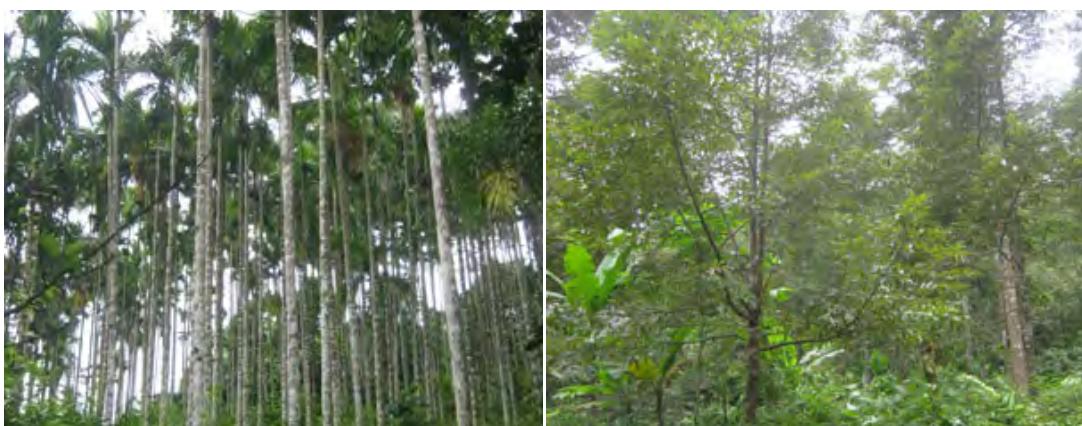
The Je--- residents who spoke to KHRG in September 2011 expressed urgent concern that the process to confiscate their lands to make way for the Tatmadaw Border Guards' *tat nan myay* would resume and be completed in October, after the annual monsoon ends. The villagers cited regular visits to plantations in the area of the planned *tat nan myay* by soldiers and construction personnel carrying maps as fuelling concerns that their land will be expropriated in the near future. The villagers also explained that many residents of Je--- currently earn subsistence incomes from their existing agricultural activities, suggesting that expropriation of their lands would have serious consequences for their future food security and survival.

"They'll come [after the 2011 rainy season] but only if the Kaw Thoo Lei [KNLA soldiers] aren't in this area. Now, they still listen carefully if it's good to come or not, because if they come they know the Kaw Thoo Lei will shoot them... After the rainy season they'll come to my village for sure, but I don't know when. Maybe they're planning to come at the harvest time, or the time when the paddy becomes red. If they come at that time, they'll think the KNLA can't shoot them because the villagers will be working on their farms... You can publish [this information] but don't mention my name. If you mention my name, we'll face problems."

- Saw Ca--- (male, 45), Je--- village, Kawkareik Township (September 2011)

"Je--- village is quite big, so if we separate like that [according to villagers who have enough food and villagers who do not] maybe 50% have enough food and the other 50% don't have enough food. Je--- village doesn't have many [paddy] farms. We work a bit for each. In Je--- village, if we have to take care of each other [share food], we can't take care of each other."

- Saw Do--- (male, 60), Je--- village, Kawkareik Township (September 2011)



These photos, also taken on September 30th 2011, show more agricultural projects which are among the 167 acres of land that local Tatmadaw forces plan to confiscate in Je--- village, according to local villagers. The photo at left shows a three-acre betelnut and durian plantation owned by Saw A---; the photo at right shows a three-acre durian plantation containing approximately 400 durian trees belonging to Saw D---. [Photos: KHRG]

Source document/Dooplaya Plantation Agriculture/2011/2

Project name:	Dooplaya plantation agriculture
Type of project:	Plantation agriculture
Karen District:	Dooplaya
Government Region:	South Kayin
Actors:	Myanmar government; Tatmadaw LIB #355
Company/Investors:	
Government/Military:	Myanmar government; Tatmadaw
Trends:	Lack of consultation; Disputed or lack of compensation; Land confiscation
Consequences:	
Collective action:	Reporting to authorities
KHRG Log #:	11-122-A2-I1
Publishing info:	"Dooplaya Interview: Saw Ca--, September 2011", KHRG, February 2012, http://www.khrg.org/khrg2012/khrg12b11.html

Testimony:

This report contains the full transcript of an interview conducted by a KHRG researcher in September 2011. The villager interviewed Saw Ca--, a 45-year-old rubber, betelnut and durian plantation owner from Kawkareik Township, Dooplaya District, who described the survey of at least 167 acres of productive and established agricultural land belonging to 26 villagers for the expansion of a Tatmadaw camp, transport infrastructure, and the construction of houses for Tatmadaw soldiers' families. This incident was detailed in the previously-published report, "Land confiscation threatens villagers' livelihoods in Dooplaya District;" as of the beginning of February 2012, a KHRG researcher familiar with the local situation confirmed that the land had not yet been confiscated and that surveys of that land were no longer ongoing. In this interview, Saw Ca-- described the planting of landmines in civilian areas by government and non-state armed groups, and described one incident in which a villager was injured by a landmine during the month before this interview, resulting in the subsequent amputation of part of his leg; Saw Ca-- said that KNLA soldiers had previously informed villagers they had planted landmines in the place where the villager was injured. Saw Ca-- also described an incident in which villagers were forced to wear Tatmadaw uniforms while accompanying troops on active duty, as well as the forced recruitment of villagers by non-state armed groups. Saw Ca-- noted that villagers respond to such abuses and threats to their livelihoods in a variety of ways, including deliberately avoiding attending meetings with Tatmadaw commanders at which they suspect they will be forced to sign over their land.

Interview | Saw Ca-- (male, 45), Je--- village, Kawkareik Township, Dooplaya District (September 2011)

The following interview was conducted by a KHRG researcher. It is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Dooplaya District, including three other interviews and 91 photographs.

What is your occupation?

I'm a farmer. I have plantations.

What do you plant in your fields?

I plant betelnut [trees], durian [trees] and rubber [trees].

How do the other villagers make a living?

Most of them are farmers.

Which armed groups come to your village?

All three armed [groups] have come.

Who are they?

The Border Guard, the SPDC [Tatmadaw]²⁵⁰ and the KNLA [Karen National Liberation Army].

Are any army troops based in your village? Or are they based outside the village and just come [to the village] sometimes?

[Soldiers from] the government's army [have] always lived in the village.

Is their army camp based in your village?

They have their army camp somewhere else. Only one column [of soldiers] lives in the village. Their army camp is north of the village, but they [have] always based the army camp there.

What is the *hee sheh koh* [literally 'distance above house']?

It's near Battalion [Tatmadaw] #355.

Is it far away from your village?

No, it's not that far from my village.

Do they force villagers to porter?

Now, they don't, but when they first came here, you don't need to ask [meaning that they come all the time].

They don't ask [villagers] to build things at their army camp?

They haven't done any construction yet, but when they build the new army camp they'll ask for sure.

Is the SPDC government planning to take your land?

Yes, it is.

How many acres [of land] do you have?

²⁵⁰In Karen, the Burmese phrases *Na Ah Pa* (SPDC) and *Na Wa Ta* (SLORC) are commonly used to refer to the Burmese government or to Burma's state army, the Tatmadaw. Many older Karen villagers who were accustomed to using the phrase *Na Wa Ta* (SLORC) before 1997 continue to use that phrase, even though the SLORC has not officially existed since 1997. Similarly, despite the official dissolution of the SPDC in March 2011, many Karen villagers continue to use the phrase *Na Ah Pa* (SPDC) to refer to the Burmese government or to the Tatmadaw; see: "Mission Accomplished as SPDC 'dissolved,'" *Myanmar Times*, April 4-10th 2011. The term *Na Ah Pa* was used by the villager who wrote this conducted this interview and interviewee and "SPDC" is therefore retained in the translation of this interview.

I only have 20 acres of rubber fields.

How many acres is your land [in total]?

There's a little space between each field.

How many acres?

I have 400 betelnut trees covering only about one acre.

How many villagers' land they will take?

They will take many [villagers' land].

How many?

The first time they came to measure, it was nine [paddy] farms. They didn't want to collect [survey] the betelnut plantations because there were too many. The betelnut fields and durian fields were about 20 or 30 fields

How about the rubber [plantations]?

There is one more rubber field but, as I told you, she [the owner] didn't come [to the interview location]. The man who came with me, his rubber plantation is very big, but when the SPDC government goes to take it, they will take it all.

How many rubber trees have you planted?

I plant once every three years. From three years ago I planted 2,000 plants, and this year I planted 1,000 plants, so in all there are 3,000 rubber plants.

How do you know that the SPDC government will take your plantations?

The operation commander [SPDC Army] came to see the village head and the village head ordered us to go to see him [the operations commander]. We haven't gone. If we go, I know we'll have to sign, and we've made a decision that we won't go. If they want to take [our land], they can.

The operations commander came to let the village head know?

Yes.

Is he Burman or Karen?

He's Burman. I tried to ask his name before I came here [to the interview], but I didn't dare to ask around so much, so I didn't get his name. If you asked the village head, he would know, but I didn't dare to ask him.

Do you know the battalion number [of the camp near the village]?

The battalion [number] is LIB [Light Infantry Battalion] #355.

Do you know the company?

The company and column are based in K'Luh Tu.

They didn't just write a letter [about land confiscation], but came themselves?

Yes.

Did the operations commander come [to see you]?

No, he didn't come. He ordered us to go and see him.

Would you have had to sign if you had gone?

Yes, so that's why we don't go. If you don't go, you have to give them [the land]; if you go, you also have to give them [the land].

Will they pay [compensation] money if they take the land?

I heard the one time the village head told us they'll give [compensation]. For one rubber plant they'll pay 10,000 kyat (US \$11.67).

They said that they'll pay you [compensation] money, right?

Yes.

Did they say they'll pay for the value of the land too?

If they pay for the plants, that also includes the land [cost] too.

Will you get the money?

No, they'll pay by the *gk'lee* [literally, 'air' meaning that the villagers will never see the money promised, similar to the English expression about something being 'in the wind'].

How many acres will they take?

As far as I know, there are 500 acres that they'll take.

When will they come [to take the land]?

They'll come when the rainy season is over. Because the *Ber* are still in this area they wouldn't dare to enter this area [until then]. They have to be careful.

What does *Ber* mean?

Ber means the *Kaw Thoo Lei*²⁵¹ Army [KNLA]. Because the *Kaw Thoo Lei* Army is here, they wouldn't dare to come here. Last year they [SPDC Army] came and set up an army camp, but because of this, the *Kaw Thoo Lei* said they would shoot them and so they moved the next morning. They built houses, each one bigger than this house [referring to the house in which Saw Ca--- was being interviewed].

²⁵¹Both the researcher conducting the interview and the interviewee used the term '*Kaw Thoo Lei*', which refers to Karen State as demarcated by the Karen National Union (KNU). The exact meaning and origin of the term '*Kaw Thoo Lei*' is disputed; see: Jonathan Falla. *True Love and Bartolomew: Rebels on the Burmese border*, Cambridge University Press: 1991.

Did they come only to set up the army camp, or also to live here with their [the soldiers'] families?

No, they didn't only come to set up the army camp, as they planned to come and live [here] with their families. They'll build up both an army camp and their houses, and the battalion. When they come to base here, their families and children will follow and come to stay with them. The place where they set up the army camp is beside the road, and they built one clinic and a rice storage [building].

Are they[the SPDC soldiers] on your land?

No, but the *Pa Tee*[Uncle]²⁵² who owns a farm, they built on his farm.

How big is his farm?

He got 100 baskets [2,900 kg. / 4,608 lb] of paddy.

If they took his farm, is that the only thing they'll take [from him], or will they also take his rubber plantation?

They'll take everything.

How many rubber trees does he have in his plantation?

He has 1,000 trees.

How many years has[it been since] he planted [the trees]?

It's been about two years. The rubber trees are growing fast.

Does the SPDC Army live in your village?

They live in my village 24 hours a day.

Do they force villagers to work [for them]?

No, they don't.

They just come and stay [in the village]?

Yes, they're always in my village. Their [army] column lives in the village, but LIB #355 is based north of the village.

North of the village?

Yes, on the road to Myawaddy.

Is your village close to Myawaddy?

It's not that close to it. It's about one or two miles from my village to Myawaddy.

²⁵² ‘*Pa Tee*’ or ‘Uncle’ is a Karen prefix used to refer to an older man; it need not necessarily signify any familial relationship between the speaker and the person to whom it refers.

How long would it take to walk?

It would take less than an hour. From Noh Poto Thin Kyan Nyee Naw [Dooplaya District], it's three miles.

Will they expand the army camp or build their houses on the land that they'll take?

They'll expand their army camp and build their houses.

What battalion [will the soldiers come from]?

When they come to the army base, their families and kids will follow them and come to stay with them.

I thought, as other villagers have said, that they were setting up the army camp for the Border Guard, right?

The Border Guard battalion commander came to see me one time. He sent a message to me [telling me to] go to see him in Thay Kay, and I went to see him. He told me that the SPDC [were] trying to [get] them to fight [with the KNLA]. [He said that he] didn't do these things- all the activities are the SPDC's plan, not [his] plan. He also told me that when the new place [the army camp in Je---] is finished, he has to move and he can't live in Thay Kay anymore.

Will the SPDC Army come to stay with them at the new location?

The SPDC will replace the Border Guard in Thay Kay because Thay Kay is a good [place for generating] income

Is it along a road where people sell things?

Yes, it's located along a trading road. They don't trade on jungle paths. They trade along this road.

Do you know his name?

His name's Saw Pah Mow. His full name's Saw Pah Mow Thro.

Is he a battalion commander?

Yes, he's the highest ranking officer in this area.

Do they demand things from the villagers?

No, they don't.

What do you do to protect your land and prevent the SPDC government from taking it?

We're civilians, so we don't know how we can protect [our land from the SPDC government].

According to your knowledge of villagers' *tha thay da ba* [literally 'ability to do something' or agency], what do you plan to do?

If we don't dare refuse [the SPDC government what they want] we have to let them [take our land]. They said that if they [the SPDC] come and fighting happens we have to let them [fight].

If the KNLA [Karen National Liberation Army] shoots them they'll say that the owner of the field [must] go and tell them and support them [the SPDC Army]. So they'll say [it's] the villagers fault. We have to run if they do that.

How many households are there in your village?

There are over 300 households.

Do you know how many villagers there are?

No, I don't know the number of villagers.

So you don't know of anything you can do?

No, if they come to take our land, we'll have to let them take it as we're stupid.

Will they come when the rainy season is over?

They'll come [after the 2011 rainy season] but only if the *Kaw Thoo Lei* [KNLA soldiers] aren't in this area. Now, they still listen carefully if it's good to come or not, because if they come they know the *Kaw Thoo Lei* will shoot them.

Are there *Kaw Thoo Lei* [soldiers] living in your village?

No, they don't live in village, but they live outside the village [nearby]. The SPDC [soldiers] know this and they're afraid of the KNLA. If the SPDC [soldiers] go in our rubber fields the KNLA will shoot them for sure.

Do the SPDC soldiers not dare to come?

If the KNLA hadn't been there, they already planned to do this [take villagers' land] once last year.

Did they destroy the rubber trees the last time they came?

No, they didn't, but they came and dug a road from another village to *Pa Tee* [*Uncle*]’s farm and they stopped there.

What are the consequences if they take the villagers' land?

We're civilians [and think that] if the KNLA wins the fighting then that's good, but if they don't win the fighting, the SPDC will take get it [the land] freely [without consequence]. So we don't know what to do.

What do you want to happen?

I want the KNLA to win the fighting so that we can keep our farms.

If they [Tatmadaw soldiers] get the land and come to live here, are you afraid that they will force you to work [for them]?

If they get the land and come to stay here, they'll force us for sure.

The last time they came, did they order villagers to do work [for them]?

No, they didn't. They only asked their civilians[Burmese people] who came with them.

How long [ago] did the operations commander let you know that they will take the land [from you]?

Not that long [ago].

Do you remember the day?

I wasn't at home when they came so I don't remember the date. If they take the land and our livelihood the places for the KNLA [to operate] will also become smaller. If they can set up the army camp here they will spread out the soldiers to other nearby places. If they think that this is a stable place to live, they will move to other places. They will make the [area for the] KNLA to live in smaller.

Is it a company's plan or the SPDC government's?

The group that came to measure the area is called '*Ha Sha*.' The ones who came to measure the road were Thai.

What is the Thai peoples' relationship to the government?

The Thai people came and hired us to clear the road. They paid 4,000 kyat (US \$4.67) per day. Now they're gone, and later the SPDC government came.

Did the Thai people come to build the road?

They came to look for the place where they should build the road.

How about the last time they [Tatmadaw] came? Did the Thai people come with them?

No, they came on their own.

Does the SPDC Army demand the money from villagers?

No, they don't, but we have to pay 2,000 kyat (US \$2.33) per month for the funding money.

What's the funding money for?

Both of them [the village head and the Burma government]. If the army needs to use it they take it from the funding money, and also if the village head has to go somewhere, they take the money and use [it].

Where did you have to pay the money to?

We had to give the money to the *hsan ain moo* [the leader of 10 households]. In my village we have ten *hsan ain moo*, one secretary, and one village head. If we have [to give] anything [to the SPDC Army], we have to pay money to the *hsan ain moo*. The *hsan ain moo* have to give money to the person who looks after the money, and if the village head has to go somewhere they have to take the money.

What is the *hsan ain moo* responsible for?

They're responsible for collecting the money.

Who takeson the responsibility [of the*hsan ain moo*]?

The villagers take the responsibility, not members of the SPDC [government]. If the SPDC Army goes and takes something from the store,then the villager who has the funding responsibility has to pay for it.

Do they recruit [villagers for] the army?

No, they don't, but last year the DKBA [Democratic Karen Buddhist Army] recruited for the army but that DKBA is not related to the SPDC Army anymore because they [wanted the DKBA to] change into the Border Guard.²⁵³

How long [ago] did the DKBA recruit the soldiers?

It was three years ago. A few Je--- villagers' had their legs blown off.

How many soldiers did they recruit from one village?

They recruitedten villagers. If the KNLA ordered ten villagers to join the KNLA, they [the DKBA] also ordered ten villagers [to join them].

Does the Border Guard force them [villagers]to be soldiers?

No, most of them [the villagers] are too lazy to work and they want to be soldiers. Some of them *kwa meh* say [literally, 'face look for money'].

Do villagers get paid if they become Border Guard soldiers?

Yes, also look atmy brother,he said that if you join the Border Guard, you become a rich man.

How much do the Border Guard soldiers get paid per month?

I think 40,000 kyat (US \$46.67) for each soldier. They get paid[the same] as the SPDC Army, these Border Guard soldiers. They get paid the same as the SPDC Army.

Do the Border Guard recruit soldiers when they changed their badge [when the DKBA changed to the Border Guard]?

No, they don't.

Werethe Border Guard soldiers based in your village before?

Yes, as I told [you] before, they came to set up the army camp. The village heads hadnot plannedfor the fighting to happen but the KNLA [would] not wait. The village head told the

²⁵³It isprobable that the interviewee is here referring to soldiers from DKBA #999, also known as Brigade 5, under the command of Saw Lah Pwe,who refused to transform to Border Guard Battalions, despite longstanding cooperation with Tatmadaw troops, and conducted operations against government troops following the November 2010 election, before agreeing to a renewed ceasefire on November 4th2011. See “DKBA Brigade 5 Reaches Ceasefire with Naypyidaw,” The Irrawaddy, November 4th 2011; “Protection concerns expressed by civilians amidst conflict in Dooplaya and Pa'an districts,” KHRG, November 2010; “Border Guard Force formed at Atwinkwinkalay region, Myawady Township, Kayin State,” New Light of Myanmar, August 25th 2010.

SPDC and Border Guard that they must move back [away from the village] and they must not be based here anymore. I went to inform [KNLA Battalion Commander] *Pu Pwa Doh* [literally 'big old grandfather']. If I had not informed the commander, the KNLA would have shot for sure.

Did the SPDC Army have an army camp [in the village] before?

No, they just built a small hut to sleep in. They only built two big buildings: one food store and one clinic.

Did they finish the buildings?

Yes, because they only built them with bamboo [poles]. When they rotated away, the villagers destroyed them and then burnt them.

Did they ever come back?

No, they didn't come back. I said: "*Why don't you bring our thatchshingles back?*" The SPDC said: "*Oh, these are ours.*"

Will the SPDC Army come when the rainy season is over?

After the rainy season they'll come to my village for sure, but I don't know when. Maybe they're planning to come at the harvest time, or the time when the paddy becomes red. If they come at that time, they'll think the KNLA can't shoot them because the villagers will be working on their farms.²⁵⁴

If they do [come], what will the villagers do?

We will not stop the KNLA anymore. We will let them shoot if they come.

If the KNLA don't shoot them will they destroy the paddy fields?

They won't because we don't plant the paddy here [in the village itself]. We only have rubber plants.

What else do you [plant] in that area [the village]?

Along the lake we have durian plantations, betelnut plantations and dog fruit plantations. The villagers plant many things in that area. They plant a little bit of each so I'm not sure what they have.

Are any of your villagers Border Guard soldiers?

²⁵⁴The interviewee is most likely referring to the Tatmadaw practice of conducting 'dry season offensives' aiming to consolidate and expand military presence in areas where the lack of all-season roads, illness and damage to military supplies and equipment hinders military operations during the monsoon season. The dry season typically runs from October to April and coincides with the time when many villagers are harvesting or preparing to harvest paddy crops. For detailed analysis of previous 'dry season offensives' in eastern Burma, see "Forced labour to support annual dry season reparation and stocking of SPDC Army infrastructure in Papun District", KHRG, December 2007; *Less than Human: Convict Porters in the 2005 - 2006 Northern Karen State Offensive*, KHRG, August 2006; "Papun and Nyaunglebin Districts: The SPDC's Dry Season Offensive Operations," KHRG, April 2002. Note that disruption to the harvest process or forced abandonment of crops during 'dry season offensives' can have devastating consequences on villagers' food security. See "Starving them out: Food shortages and exploitative abuse in Papun District," KHRG, October 2009.

Yes, one villager joined the Border Guard. His name is Pah Toe Maung. This guy was very bad when he was a DKBA soldier.

So he's with the Border Guard right?

No, he became a *kyan bay nyan bay* [advisor]leader. But he is in the Border Guard.

Hashe come back to destroy the village now?

No, he hasn't.

Do you have anything [else] you'd like to mention?

That's everything I'd like to mention.

Do they [the SPDC Army] force the villagers to porter?

I'll give you an example. As the people [have] said, when they went to fight, they forced the villagers to wear army uniforms and go and fight [too].

[Was this] when they went to fight the KNLA?

After they fought and the KNLA came and shot them, they forced villagers to wear [SPDC] Army uniforms to trick the KNLA.

Where did these villagers come from?

These villagers were from the village on the other side of the road. The other side of this road is the 7th Brigade [Pa'an District], and this side is the 6th Brigade [Dooplaya District]. I live in the 6th Brigade.

When did it happen?

It was not too long ago, the other day they [the SPDC Army] brought five villagers to my village. Two Border Guard soldiers were killed when they fought with the DKBA. The DKBA and the KNLA joined together.

Where is the SPDC Army camp based?

The SPDC Army camp is based in Th--- village.

After they fought they went back to Th--- village?

Yes, they went back.

Were the villagers who were forced to wear the army uniforms Th--- villagers?

Yes, they were.

Do you know how many villagers?

No, they didn't tell me how many.

Did the villagers have to shoot the KNLA?

No, they didn't give them guns. They only forced them to wear the uniforms.

Did the KNLA shoot [at] the villagers?

Yes, because [at first] they didn't know [who they were]. They only saw the soldiers' uniforms.

Did they shoot [hit] the villagers?

No, they didn't [hit them] because the KNLA knew that they were villagers. When the villagers come to the front line, the KNLA just have to let them go and the KNLA have to move back. If they shoot, the civilians will die. The villagers have to cover [shield] them [the SPDC soldiers]. So the KNLA have to surrender [stop firing].

Did they [the SPDC soldiers and the villagers] get into the KNLA area?

Yes, they did. It wasn't just the KNLA [area] as the KNLA soldiers were cooperating together with the DKBA.²⁵⁵

They [the villagers] don't join with the SPDC and Border Guard, right?

No, they don't. They come and join the KNLA. Because of this we worry that if the KNLA shoots at [Tatmadaw soldiers] they will do the same [to us] as they did in other villages. We know [about] their plan to force villagers to wear the [SPDC] Army uniform.

How many soldiers do you think will come?

I think that many will come. Both the Border Guard and the SPDC [Army] will come.

Will they both come and live here?

Yes, they will [do] the same.

Don't they let the Border Guard live by themselves?

No, they won't let them.

Will you have to be afraid?

Yes, we have to be afraid.

Have you experienced the SPDC Army killing villagers and forcing villagers to porter?

No, I haven't experienced that recently. We only worry that if the SPDC Army comes and builds an army base, they will abuse the villagers. If they get that place [they will force] the civilians to

²⁵⁵It is most likely that the interviewee is here referring to the period after the November 2010 election when soldiers from DKBA #999, also known as Brigade 5, under the command of Saw Lah Pwe refused to transform to Border Guard Battalions, and conducted operations against government troops, sometimes in cooperation with KNLA forces. See *Displacement Monitoring Update #87*: “Tatmadaw movement restrictions, arrests and use of human shields in Ta Uh Htar village,” KHRG, October 2011, in which KNLA and DKBA forces were reported to be occupying the same camp near Ta Uh Htar village in Kawkareik Township, Dooplaya District. Note that, on November 4th 2011, DKBA soldiers agreed to a ceasefire with government troops, but did not agree to transform to Border Guard battalions. See “DKBA Brigade 5 Reaches Ceasefire with Naypyidaw,” *The Irrawaddy*, November 4th 2011.

help them, because if they don't, [they must] do it by themselves and then they can't [win the war].

What do the civilians plan to do?

If we can't resist the [Tatmadaw's] force, we'll have to wear the army uniforms because we have no choice. When we can live we will live, but if we can't live there and we can't refuse, then we'll have to do it.

Will the villagers run [away] to escape?

They don't have a place to run and escape to, but if we run we will come to the Thai side [of the border]. If we run in Burma, it is not safe for us.

Do you have a school in your village?

Yes, we have a school.

How many schools do you have?

We have three schools. One is a high school and [one is] a kindergarten. We had to build two grade seven schools because one school was not big enough.

Are the teachers sent by the SPDC government?

Yes, they're sent by the SPDC government. The school principle is a Je--- villager.

Does the SPDC government pay her a salary?

Yes, she receives payment.

How many teachers do they have?

I never go to school but I think they have seven teachers.

How many students do they have?

There are 400 students.

Do you have a clinic in your village?

No, we don't have a clinic, but the village head set up one clinic. I haven't seen anyone go. He also set up a kindergarten two years ago but no one goes. Now the villagers have set up a kindergarten school by themselves. The schools are built by the villagers but some teachers are sent by the SPDC government.

What do the villagers do when they get sick?

We have to call the doctor to come to our house to give [them] an injection. If they don't get better, we have to go to S--- [in Thailand].

Have the doctors received training?

Yes, they have.

Where did they do the training?

They attended training in Burma. If you graduate from the tenth standard here in Burma you can't get a job, and also if you graduate [from any school or college] in Burma you won't get a job in Thailand either.

How many nurses and doctors do you have in the village?

There are four nurses and a doctor, including my sister-in-law.

Do you have anything [else] to say about how you feel?

I have many things [to say about] the [DKBA] #999 era.

[During] which year?

It was ten years ago. My buffalo was killed by a landmine.

Do any army troops plant landmines beside your village?

No, they don't.

Do they [soldiers] let the villagers know when they plant landmines?

Yes, the KNLA always lets us know.

How about the SPDC? Do they let you know?

Yes, the last time the SPDC Army let the villagers know that they had planted two landmines.

Have any villagers stepped on landmines?

Yes, my brother-in-law stepped on a landmine and he's not getting better yet.

How long ago?

Last month.

Whose landmine?

The KNLA's landmine, and he knows because the KNLA let everyone know. It was just bad luck.

Your brother-in-law?

Yes, my sisters' husband.

Is he living in your village?

Yes, he lives in my village. He just came back from the clinic.

Do you remember the date [when he stepped on the landmine]?

No, I don't remember the date.

Do you know his name?

His name is Maung Ng---.

How old is he?

He's my older brother [in-law] so he's about 50 years old.

Was his leg blown off?

Yes, he had to [have it] cut it off from his knee.

Was it both legs or only one leg?

Only one leg. Everyone knew that there were two landmines left. It was just bad luck.

What was he doing [at the time he stepped on the landmine]?

He was cutting bamboo.

How many children does he have?

He has five children. One has gone to a third country, one has joined the KNLA, and the other three live with him.

How many sons and daughters does he have?

He has three sons and two daughters.

Where did he go to the clinic?

He went to the Tr--- hospital and he slept in Oh--- one night. I heard that he has to go back again because his wound is a *htee law* [literally 'watering', meaning infected and oozing pus].

What did he need the bamboo for?

To catch fish. He travelled on that path two or three days [before] and didn't step on a mine.

Can we publish the information that you've given me?

You can publish [this information] but don't mention my name. If you mention my name, we'll face problems.

Do you have anything [else] to mention before we finish the interview?

No, but in *Bo Moe Kyo's*²⁵⁶ time, he planted a landmine beside my house, and people who went to collect dogfruit stepped on it. They [the soldiers] didn't plant it for the KNLA, they planted it for the villagers to step on.

²⁵⁶ 'Bo' is a Burmese prefix generally used to denote an 'officer' without necessarily specifying rank. The term '*moe kyo*' means 'lightning' in Burmese. KHRG has on several occasions reported deliberate attacks on civilian targets across Thaton, Papun and Pa'an districts carried out by the '*Moe Kyo*' battalion or by soldiers under the command of *BoMoe Kyo*, a former commanding officer within DKBA Brigade #333 and *Gk'Sah Wah* ['White



Elephant']Special Battalion #777. See: *Surviving in Shadow: Widespread Militarization and the Systematic Use of Forced Labour in the Campaign for Control of Thaton District*, KHRG, January 2006; "Central Papun District: Abuse and the maintenance of military control", KHRG, August 2010.

Hpa-an Township Plantation Agriculture

Source document/Hpa-anTownshipPlantationAgriculture/2012/1

Project name:	Hpa-an Township plantation agriculture
Type of project:	Plantation agriculture
Karen District:	Thaton
Government Region:	Northern Mon State
Actors:	Border Guard #1014 Company Commanders Tin Win and Thaw M'Na and Commander Win Myint; unspecified companies
Company/Investors:	Domestic
Government/Military:	Border Guard
Trends:	Land confiscation
Consequences:	
Collective action:	
KHRG Log #:	12-81-I2
Publishing info:	"Incident Report: Forced Labour in Thaton District," KHRG, March 2013 (First Publication)

Testimony:

The following incident report was written by a community member who has been trained by KHRG to monitor human rights abuses. The community member who wrote this report described an incident that occurred on April 24th 2012, where soldiers from Border Guard Battalion #1014 ordered the villagers of T---, W---, V--- and X---, in Pa'an Township, Thaton District, to do forced labour on plantation land that they had confiscated for private companies, for three weeks without providing any pay, food or tools. The information was learned when the community member interviewed Saw B---, a 36 year-old chairman from W--- village.

Incident report | Pa'an Township, Thaton District (April 2012)

The following incident report is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Thaton District, including four other incident reports, five interviews, one situation update and 139 photographs.

Part 1 – Incident details

Type of Incident	Clearing bushes in rubber and teak plantations
Date of Incident(s)	April 24 th 2012
Incident Location (Village, Township and District)	T--- village, Ha T'Reh village tract, Meh K'Na village tract, Pa'an Township

Victim Information									
Name	Age	Sex	Nationality	Family	Occupation	Religion	Responsible	Village	
Saw B---	38	Male	Karen	6 children (eldest child, 12 years, youngest child, 3	Farmer	Buddhist	Village chairman	W--- village	

			months)			
Perpetrator Information						
Name(s)	Rank	Company/Battalion/Division		Based at	Commander's Name	
Tin Win	Company Commander	Battalion #1014		Law Pu village	Win Myint	
Thaw M'Na	Company 2 nd -in-command					

Part 2 - Information Quality

1. Explain the specific manner how you collected this information.
<p>For this information, I went and interviewed the W--- village leader, Saw B---, in T--- village on June 4th 2012. While I was asking the questions, he told me about how the company²⁵⁷ and the Border Guard came in and confiscated 500 acres of land for plantations, and they forced the villagers to go and clear the bushes for them. They required each house to go and work for three weeks without any wages.</p>
2. Explain how the source verified information accuracy.
<p>Saw B--- and Naw S--- reported this, because the villagers from T---, W---, V--- and X--- villages have to go and work for the company and the Border Guard #1014, but they don't get any wages. Additionally, they have to bring their own food and their own equipment.</p>

Source document/Hpa-an Township Plantation Agriculture/2012/2

Project name:	Hpa-an Township plantation agriculture
Type of project:	Plantation agriculture
Karen District:	Thaton
Government Region:	Northern Mon State
Actors:	Border Guard #1014 Commanders Tin Win and Thaw M'Na; Thein Lay Myaing and Shwe Than Lwin companies
Company/Investors:	Domestic
Government/Military:	Border Guard
Trends:	Land confiscation
Consequences:	Impact on livelihoods
Collective action:	
KHRG Log #:	12-81-I1
Publishing info:	"Incident Report: Land confiscation and forced labour in Thaton District," KHRG, March 2013 (First Publication)
Testimony:	
<i>The following incident report was written by a community member who has been trained by KHRG to</i>	

²⁵⁷In this Incident Report, the names of the companies are not stated. However, this researcher also completed a separate Incident Report for this incident through another villager, who reported that the company names are Thein Lay Myaing and Shwe Than Lwin.

monitor human rights abuses. The community member who wrote this report described an incident that occurred on April 25th 2012, where the Border Guard soldiers forced villagers from T--- village, Meh K'Na Hkee village tract, Pa'an Township, to clear plantations owned by Thein Lay Myaing and Shwe Than Lwin companies, which were located on land confiscated from the villagers. The report identifies the perpetrators as a company from Battalion #1014, commanded by Tin Win and based out of Law Pu Village in Pa'an Township, and the problems the villagers faced.

Incident report | Pa'an Township, Thaton District (April 2012)

The following incident report is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Thaton District, including four other incident reports, five interviews, one situation update and 139 photographs.

Part 1 – Incident details

Type of Incident	[Villagers were] forced to clear the company's plantation
Date of Incident(s)	April 25 th 2012
Incident Location (Village, Township and District)	T--- village, Meh K'Na Hkee village tract, Pa'an Township

Victim Information								
Name	Age	Sex	Nationality	Family	Occupation	Religion	Responsible	Village
Naw S---	46	Female	Karen	Married with six children (eldest one, 17 years old, youngest one, 6 years old)	Hill farming	Buddhist	15-day-village head	T--- village

Perpetrator Information				
Name(s)	Rank	Company/Battalion/Division	Based	Commander's Name
Thaw Ma Na	Company second-in-command	Battalion #1014	Law Pu village	Myint Way
Tin Win	Company Commander	N/A	N/A	N/A
Thein Lay Myaing Company	N/A	N/A	N/A	N/A

Part 2 - Information Quality

1. Explain the specific manner in which you collected this information.
On April 25 th 2012, Thein Lay Myaing Company and Shwe Than Lwin Company worked together with Border Guard Battalion #1014, which is led by Tin Win and Thaw Ma Na. They

worked together and came into [the region] and confiscated 500 acres of land, which is between T--- village and X--- village. Then, they forced the villagers to go and clear the bushes but they didn't give any wages.

2. Explain how the source verified information accuracy.

Naw S---, a villager from T--- village, who had to go and clear the bushes in the rubber plantation owned by the companies and the Border Guard, which is between T--- and X---, reported that each house had to go and clear [the bushes] for three days, but that they didn't give any wages. Moreover, the villagers had to bring their own food and materials.

PART 3 – Incident Details

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 April 25th 2012, Border Guard Battalion #1014, which is based in Law Pu camp and is led by Commander Tin Win, forced each house from the T---, W--- and V--- and X--- villages to go and clear a rubber plantation that is between T--- and X---; a place in Ha T'Reh village tract and T--- village. The Border Guard was known to have taken bribes from Thein Lay Myaing Company and Shwe Than Lwin Company before they forced the villagers [to clear the plantation]. The companies worked together with Karen State Democracy and Development Party [KSDDP], which was formed by old leaders from the DKBA [Democratic Karen Buddhist Army], who did not join the Border Guard. These people became advisors for the Border Guard, but they didn't have any way to receive income. Therefore, when the Burmese [Burma] government held the [2010] election, they formed a party. The people who lead the party are Chairman U Tha Htoo Kyaw, Secretary U La Ba, Joint Secretary U Kyaw Than and Committee Member U Han Soe.

U Han Soe, who is among the people from that party, is working with Shwe Than Lwin Company, and he established this plantation place. Because such a broad and wide area of plantation land was designated, the nearby villages faced problems with farming, grazing their cows and buffalos, and finding food like vegetables and firewood, which they get from the forest. The villagers will have to face [a problem] with insufficient food in coming years, which is what they [the villagers] have already expected.

Shwemyin Plantation Agriculture

Source document/ShwemyinPlantationAgriculture/2012

Project name:	Shwemyin plantation agriculture
Type of project:	Plantation agriculture
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Unidentified business people
Company/Investors:	Domestic
Government/Military:	
Trends:	Disputed or lack of compensation; Land confiscation; Development-induced displacement and resettlement
Consequences:	Impact on livelihoods
Collective action:	
KHRG Log #:	12-111-P1
Publishing info:	"Photo Set: Kya In Township, Nyaunglebin District, March 2012," KHRG, March 2013 (First Publication)

Testimony:

This Photo Set includes 2photographs selected from images taken by a KHRG field researcher in March 2012. The photos were taken in Kyauk Kyi Township, Nyaunglebin District within locally-defined Karen State, and show a map of villagers' land that the Burma government planned to sell in order to create rubber plantations.

Photo Set | Kya In Township, Nyaunglebin District (March 2012)

The following photos were taken by a villager Nyaunglebin District who has been trained by KHRG to monitor human rights conditions. They are presented below, censored where necessary for security purposes. The 2 photos below were received along with other information from Nyaunglebin District, including 277 other photos, two situations, and 6 interviews.



The photos were taken on March 20th 2012 by a community member trained by KHRG. These are the

photos of official government maps that identify land plots that belong to villagers but are currently uncultivated, and where the Burmese government is planning rubber plantation project after the land is sold to private individuals or companies. This land is located in Bago Division, Shwemyi, in the Kyauk Kyi area²⁵⁸. [Photos: KHRG]

²⁵⁸For more information on who purchased the land and the prices for which they paid, see this KHRG report “Nyaunglebin Situation Update: Moo, Ler Doh and Hsaw Htee townships, January to June 2012,” KHRG, October 2012.

Sittaung River Valley Plantation Agriculture

Source document/SittaungRiverValleyPlantationAgriculture/2012

Project name:	Sittaung river valley plantation agriculture
Type of project:	Plantation agriculture
Karen District:	Nyaunglebin
Government Region:	Eastern Bago
Actors:	Moe Aung; Daw Yin Mya Soe; U Pyit Soe; U Htin Kyaw; U Soe Soe Lwin; Win Company; U Nyan Shwe Win and U Aung Thin Myint logging companies and Myanmar government
Company/Investors:	Domestic
Government/Military:	Myanmar government
Trends:	Land confiscation; Development-induced displacement and resettlement
Consequences:	Environmental impacts; Impact on livelihoods
Collective action:	
KHRG Log #:	12-111-S1
Publishing info:	"Situation Update: Moo, Ler Doh and Hsaw Htee townships, Nyaunglebin District, January to June 2012," KHRG, October 2012, http://www.khrg.org/khrg2012/khrg12b80.html

Testimony:

This report includes a situation update submitted to KHRG in July 2012 by a community member describing events occurring in Nyaunglebin District between January and June 2012. Specifically discussed are Tatmadaw demands, including new gold mining taxes imposed by Light Infantry Battalion #264 and their demands for sentries, and the construction of a bridge inside Na Tha Kway village, which has displaced many villagers without providing compensation. This report also includes information about 400 villagers who gathered together on March 12th to protest the construction of Kyauk N'Ga Dam on the Shwegen River in Hsaw Htee and Ler Doh townships; the opening of a Karen Nation Union (KNU) liaison office in Ler Doh town on April 9th, during which over 10,000 villagers awaited government officials; the arrival of representatives from the Norwegian government to the internally displaced persons (IDP) area in Mu The; and a visit by a United States Senator on May 29th in Ler Doh town and subsequently in Nay Pyi Daw. The report also describes work and food security problems in Nyaunglebin, where some villagers have migrated to neighbouring Thailand and Malaysia for employment, or to work in Yangon's growing entertainment industry. The community member spoke with villagers in the area who expressed overall satisfaction with the peace and ceasefire process, and they hope that it will continue to be stable.

Situation Update | Moo, Ler Doh and Hsaw Htee Townships, Nyaunglebin District (January to June 2012)

The following situation update was written by a community member in Nyaunglebin District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Nyaunglebin District, including six interviews, one other situation update, 277 photographs and 36 video clips.

Introduction

There are a lot of human rights abuses in our area. Villagers who are in flat areas and mountain areas have to deal with food and work difficulties. On March 12th 2012, the

villagers protested the Kyauk N'Ga Dam on the Shwegen River, in Leh Hta Kwee. Rich people bought land from the government and planted rubber plantations, which caused problems for the resident people.

- LIB (Light Infantry Battalion) #264 demanded money from farmers
- KNU (Karen National Union) opened a liaison office in Ler Doh town
- Norwegian delegate to help IDP (Internally Displaced People) in Kheh Der village tract
- Norway [Deputy Foreign Affairs Minister] came to Ler Doh and met the villagers

Villagers protest the dam

On March 12th 2012, over 400 villagers from A---, M---, H---, T--- and N--- villages gathered together and protested Kyauk N'Ga Dam on the Shwegen River in N--- area, Hsaw Htee Township and Ler Doh Township, Nyaunglebin District. There were three slogans that the villagers called out:

- “No continuation of the dam construction”
- “Compensation for losing lands”
- “Let the water flow naturally”

The villagers made these requests but there was no response from the government until now. They behaved like nothing concerned them.



The above photos were taken on March 12th 2012 near the Shwegen river in the N--- area, Hsaw Htee and Ler Doh Townships, Nyaunglebin District, and shows villagers from A---, M---, N---, T--- and H--- villages gathering on March 12th to protest the planned Kyauk N'Ga Dam in Shwegen River. According to the community member who took these photos, the villagers are confronted with many challenges due to the construction of the Kyauk N'Ga dam; villagers' slogans made three requests from the government (listed above) and prayed for their protests to go on without disturbances. [Photos: KHRG]

New rubber plantations cause problems for local residents

In Ler Doh and Hsaw Htee townships, wealthy people²⁵⁹ purchased land from the government and planted rubber plantations, but some have not been planted yet, as the KNU protected the land. However, the wealthy people took some land from a forest reserve; some are from places where residents farm hill fields and search for firewood. Some are

²⁵⁹ In this context, “people” includes both individuals as well as corporations who possess the financial backing to undertake the respective project.

people's farms, but since the government does not recognize [the land] as farms, they registered them as uncultivated land and sold them to wealthy people.

One person who bought land is U Nyan Shwe Win. [He bought] 7,000 acres of land between Ler Doh and Leh Weh Hkee (Kyauk Ken Gyi). U Nyan Shwe Win bought another 2,000 acres beside Ler Doh. Major Than Tay bought 3,000 acres between Baw K'Hta and Ler Doh. U Aung Thin Myint bought 3,000 acres in Baw K'Hta area. The Win Company bought 3,000 acres in Baw K'Hta area. U Soe Soe Lwin bought 3,000 acres in Baw K'Hta area. U Htin Kyaw bought 7,000 acres between Shwegen and Baw K'Hta. U PyitSoe bought 9,000 acres in Doh Hsee Kway Hsa. Daw Yin Mya Soe bought 5,000 acres between Doh Hsee and Shwegen. Moe Aung bought 3,000 acres beside Shwegen. 37,000 acres were bought from the government. There are still many whom I cannot get their names.

Beginning in 2000, the government worked on the Sittaung River Valley project in order to establish rubber, jatropha and agarwood plantations. Of the people who took the land, some have already planted, but some have not started planting yet. This causes problems for the residents, because the government sold the land. Villagers who stay in that area cannot work because those areas have their [new] owner. They mostly go to work in other countries, such as Thailand and Malaysia. Just in this year [2012], 40% of the people went to work in another country²⁶⁰.



The above photos were taken on March 13th 2012 in Baw K'Hta village tract, Hsaw Htee and Ler Doh Township, Nyaunglebin District. It shows rubber plantations in Baw K'Hta village tract that wealthy business people bought from the government and subsequently planted rubber trees. *[Photos: KHRG]*

LIB #264 demands taxes for gold mining

Beginning in 2012, LIB #264, which is based at Baw K'Hta army camp, has demanded money from people who mine gold. Beginning in 2012, they demand 50,000 kyat²⁶¹ (US \$57.14) for each gold sluice,²⁶² every month. There are over 30 gold sluices in Ler Doh Township, Than Kyo Wein area; they are only small gold sluices for providing daily livelihood. The government army [Tatmadaw] LIB #264 demanded [the tax] from people who mine gold and they [villagers] could not pay them, so they [LIB #264 soldiers] went and demanded [payment] at their place [mine]. The LIB #264 demand is just to abuse the villagers. In the past, people who strongly demanded money were the police, but now the

²⁶⁰This statistic is the community member's estimation based on personal experiences in the community.

²⁶¹As of August 22, 2012, all conversion estimates for the kyat in this report are based on the official market rate of 875kyat to US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the kyat, thus replacing the previous fixed rate of 6.5 kyat to US \$1.

²⁶²A sluice is a construction for channeling water to wash and separate gold from silt.

government army [Tatmadaw] is worse than the police. Those demands have become ordinary for the villagers.

In Kyo Gyi army camp, they [LIB #264] met with village heads and forced villagers to be sentries. If the villagers do not want to be a sentry, each person will have to pay 2,000 kyat (US \$2.29) each day. Two people must be sentries every day. The villagers have to go every day, as now is a busy time of year. Mostly, the villagers hire people, because now is a busy time of year.

KNU opens liaison office in Ler Doh town

Nine people, including a KNU secretary and representatives, came to Ler Doh and opened a KNU liaison office in Ler Doh town on April 9th 2012. The KNU and the government leader, U Aung Min, came and opened a temporary KNU liaison office inside the USDP [Union Solidarity and Development Party] office. The villagers awaited the KNU and the government leaders to come, this time, with willingness and need for real democracy. The villagers waited for the leader's representatives along the way from Na Tha Kway to Ler Doh; there were over ten thousand people. In the past, battles always occurred in the area and the villagers were always depressed. So, the villagers need freedom, and they reported their needs and opinions for the opening of the liaison office to the leaders from both sides, advocating for a real need for democracy. While the villagers waited for the leaders from both sides, they made a sign that said: "*We pray to be liberated from battles in Ler Doh area*". The villagers' sign showed their real need and desire to be liberated from fighting, pressure and conflict. The leaders from both sides will arrange and settle the conflict to create real democracy that will be stable forever.



The above photos were taken on May 9th 2012 in LerDoh Township, Nyaunglebin District. The left-hand photo shows villagers of different ethnic groups waiting together for KNU leaders and Burma government officials to arrive and celebrate the opening ceremony for the KNU fellowship office at LerDoh. According to the KHRG community member who took these photos, the villagers were demonstrating their need for freedom and peace. [Photos: KHRG]

As soon as the KNU secretary and leaders finished opening the liaison office, they visited villagers in Kaw Hsaw Htee Church. They held a public conference and talked about the KNU and the government process for peace, and explained [the details to] the villagers.



The above photos were taken on May 9th 2012 in LerDoh Township, and show KNU leaders delivering speeches about the opening of the KNU liaison office, including its' role in monitoring the ceasefire process by fostering greater communication between armed groups and receiving complaints from the local community.²⁶³ [Photos: KHRG]

Norway to help villagers from IDP areas

On April 9th 2012, the Norwegian representative, Mr. Charles Petrie, came to LerDoh and went to Mu Theh to view the IDP [internally displaced persons] area. After reaching Mu Theh, he met with some of the Burmese leaders and KNU leaders. After they finished the meeting, they went to the IDP areas in Kheh Der village tract, questioned T'Kaw Der villagers and slept at T'Kaw Der village. On April 18th 2012, he went back to Mu Theh village and met with the government army leader and KNU leaders. Mr. Petrie stated that the villagers need real peace and democracy: "Because of conflicts, the villagers are really in trouble and need support to build their houses[and]work places. So, I will report to Norwegian leaders about the villagers' situation and needs, and I will help the villagers".

On May 16th 2012, Mr. Petrie and four friends came to LerDoh and went to IDP areas to see the villagers' situation.



The photo on the left was taken on May 9th 2012 when Mr. Charles Petrie, an agent of the Norwegian government, arrived to provide assistance to IDPs and went to Mu Theh to meet with the KNU leaders and the Burma government leaders. The photo on the right was taken on May 10th 2012, when the

²⁶³To view a video of speeches made by KNU leaders during the opening of the liaison office in Ler Doh, see "KNU Open Liaison Office Ler Doh_09_04_2012-video," Democracy for Burma, April 19th 2012.

representative of the Norwegian government came back from Kheh Der village tract and had a meeting with Burma government officials and KNU leaders to discuss the villagers' situation, things that they have suffered and their future needs; he then announced a decision to help the villagers. [Photos: KHRG]

On May 28th 2012, the Norwegian Deputy Foreign Affairs Minister, the Norwegian Ambassador to Thailand, Cambodia and Burma, and many representatives came to LerDoh. The government leader General Kin Yin and KNU leader Major HtooHtoo Lay came and managed the meeting with the IDPs in Kheh Der village tract. Thirty representatives for the villagers came to the meeting in the KNU liaison office in LerDoh. During the visit, Norwegian leaders, the government leaders and the KNU leaders were talking a lot. General Kin Yin gave temporary ID cards to the 30 representatives of the villagers in IDP Kheh Der village tract. Norwegian deputy foreign affairs minister said, "*I will support the villagers and I have already prepared US \$5,000,000 for the IDPs to rebuild their lives. The Norwegian representative, Mr. Charles Petrie, has taken responsibility for the Norwegian support. CIDKP [Committee of Internally Displaced Karen People] has taken responsibility for working with the villages' Human Rights Committee in the IDP areas.*"



The photo on the left shows the Norwegian State Secretary, Torgeir Larsen (right), the Norwegian Ambassador, Katja Christina Nordgaard (second from the right), Charles Petrie (second from left) and Burma's Ethnicity Minister, for Pago Division, U JuBi SaHla (left) having a meal at the new KNU liaison office in LerDoh. The leaders were there to attend a press conference, shown in the photo on the right, where journalists asked them the questions regarding the country's situation and the status of the IDPs. These photos were taken on May 28th 2012. [Photos: KHRG]

American senator visits LerDoh

On May 29th 2012, the American Senate Finance Committee [member]²⁶⁴, US Ambassador²⁶⁵ and Doctor Samantha came to LerDoh, Sa Phyu Gone and met with religious leaders, KNU leaders from the 3rd Brigade, and CIDKP leaders. They discussed the

²⁶⁴ It is likely that the community member is referring to Susan Collins, a US senator who visited Burma during this period. Senator Collins is not, however, a member of the Senate Finance Committee. See "President U Thein Sein receives US Senator Hon Susan M. Collins and Party," New Light of Myanmar, May 30, 2012; see also "Sen. Susan Collins visits Thailand, Myanmar; to meet with Aung San Suu Kyi," The Bangor Daily News, May 29, 2012.

²⁶⁵ Although the community member uses the term "ambassador," there technically was no US ambassador appointed at this time. It is likely that the community member meant Foreign Service Officer Michael Thurston, who attended these meetings, but his position at that time was what is called a Chargés d'Affaires, which is an alternative to ambassadors, which nations have used throughout history. See "President U Thein Sein receives US Senator Hon Susan M. Collins and Party," New Light of Myanmar, May 30, 2012. On July 11, 2012, Derek Mitchell became the first US Ambassador to arrive in Burma since September 30, 1990.

peace process and IDP villagers. They discussed this for one hour, and two of the American representatives went to Nay Pyi Daw.

The American representatives arrived [in Nay Pyi Daw] and didnot inform the Burmese leaders, so the Burmese leader in LerDoh and BagoDivision said that the arrival of the foreign people was illegal:*"In the future, if the foreign people come, they can travelonly until the west [side] of PgehLoh River [Sittaung River], they cannot come to the east of [Sittaung River]"*. The Burmese leader defended this [position]. They [the government] said they will build up democracy in Burma, but the foreign leadersdidnot inform them, so it became a complaintfrom the Burmese leaders.

KNU 3rd Brigade holds a publicconference

On May 1st 2012, KNU 3rd Brigade held a public conference related to the KNU and the government meeting on the peace process, such as: the KNU requested 11 points [for peace], but the second time, the KNU requested 13 points and then had ameeting with the government. Theyreceived responses to all of their 13 points. KNU 3rd Brigade met with villagers and explained the peace process and that peace will be stable. Villagers should be involved in the process, with both sides of the government. The KNU, 3rd Brigade,began explaining to the villagers about the peace process from Moo Township, LerDoh Township to HsawHtee Township.

The KNU 3rd Brigade leaders who went to meet the villagers didnot wear soldiers' uniformsand did not bring weapons. They wore Karen traditional shirts and went to one village after another, and a group of villagers travelled with them to one village after another village. There were 15 leaders of the KNU 3rd Brigade who were travelling, and there would be over one hundred people, including villagers, who went with them. The villagers got an opportunity to report and talk about their opinions and ideas in all meetings. In the meeting in Da La Say village tract, ThayPlawTah village, the village head reported that: *"Because of the battles over60 years, the villagersare getting poorer and have become refugees. A lot of people have to go and be slavesinother countries, so we need lastingpeace for our new generation in the future. Currently, there is[only a] ceasefire and our villagers donot feel there is enough peace, so we hope to gain lastingpeace in our country."*



The photo on the left was taken on May 8th 2012 in the Taw Kyaw Paw area. It shows KNU leaders while they were holding a public conference. The photo on the right was taken on May 9th 2012, and shows the villagers peacefully travelling together with the KNU leaders from one village to another. [Photos: KHRG]

The villagers' work and food problems

Villagers in our area have to deal with food problems. In the mountains, they do hill field [farming] and corn plantations, but insects eat [crops] so they donot get enough food and face food problems. On the plains, they do flat field farming, but because of flooding, their paddy died so they have to deal with food problems. Their paddy died, so then they planted beans, but insects ate the bean and killed them, so it caused extreme problems for them.

For the villagers to farm plantations and plant paddy, the government loaned money, but the villagers' beans and paddy died, so it caused problems for them to pay back the government loan. People who have farms and buffaloes sold their farm animals or property, and then they paid back their government [loan].

The villagers are farmers. Their paddy and beans died and [they] have a lot of debts. They donot have other work to do in the area, and they cannot work so they have to go to work in Rangoon, Thailand and Malaysia. In this year [2012], there might be [as much as] 20% of young people in our area who go to work in other countries.

In our country, there are a lot of civilians becoming unemployed and going to work in other countries, also [others who] cannot go as they donot have travelling costs. Working in Burma, the salary is not much for work, so it is hard to support their family.

Nowadays, in Rangoon, Karen girls and other ethnic girls sell their bodies in many ways to be able to support their families. There are a lot of Karaoke shops in Rangoon and the ethnic girls have to entertain visitors who come, and prostitute their body in many ways. The Karaoke shops are called KTP and a lot of them have opened. The shops are illegal. The shopkeepers donot work and arrange secretly with local authorities, such as police and other powerful groups. Most people who go to the shops are police, Burmese leaders, rich people and people who take bribes. It is depressing for our Karen girls and other ethnic girls. In Kyauk Ta Kah Township, Taw Kweh Aye area, the villagers face problems and poverty. They have to sell their body. This happens because the country's politics are not stable and the civilians have to face problems and poverty.

Government builds new bridge on Na ThaKway Sittaung River

The Burmese government built a bridge on the Sittaung River in Na ThaKway area, and there are 11 households in Na ThaKway that had to move. The houses relocated but the government did not give any compensation. The bridge did not replace the old bridge; they build it in the village and it crosses villagers' house gardens. The government did not give any compensation for villagers who had to move or villagers who lost their gardens, so it caused difficulties for the villagers.





The above photos were taken on March 16th 2012 and are of Burma government workers who came and repaired a bridge on the Sittaung River, which is in Na Tha Kway village. The workers also extended the bridge, resulting in 11 villagers' houses being relocated and plantation fields destroyed. According to the community member who took these photos, the government did not provide the villagers with compensation for this damage. [Photos: KHRG]

Tatmadaw activities

In our area, the Burmese army does not have any activities; they only walk on vehicle roads and send [supplies to] each other. There are no army activities on the plains or the mountains. They stay in their camps and sometimes send [supplies to] each other. They do not demand any forced labour. If they need something, they do it themselves and do not order the villagers [to do it].

They keep a militia in Na Tha Kway, Kyauk S'Yee and Ler Doh towns. The Government does not provide the militia's salary, so the villagers have to provide [it] every month. The village head collects money from the villagers; the villagers have to pay 1,000 kyat (US \$1.14) per house every month. The villagers want to remove the militia but the Government does not remove [it] for them. They are forced to keep it [militia] until now.

General information

In our area, because the KNU and the Government held peace [talks], the situation for the villagers has become better. The villagers travel to work freely without questions. The sustained ceasefire makes villagers feel the [presence of] peace and are happy to travel to work freely. In the past, there were battles and the villagers could not work freely; they had to [obtain] written work permission. Because of the pressure of battles, the villagers have gotten poorer. Now, the villagers have to rebuild their lives from the beginning.

In the mountains, Norway is supporting pilot projects, so it makes the villagers happy. In our area, the villagers really need support. To rebuild their life, they [villagers] organise a group called a Human Rights Committee, and if support from other countries arrives, and if it is helpful for them, they will accept it. The things that the villagers need most are enough food, security, and to work undisturbed. In our country, villagers need peace and unity, and to continue for the new generation in the future.

Conclusion

The above information is the true thing that has occurred in our area. We write the above information as we see and know.

Thandaung Plantation Agriculture

Source document/ThandaungPlantationAgriculture/2011

Project name:	Thandaung plantation agriculture
Type of project:	Plantation agriculture
Karen District:	Toungoo
Government Region:	Northwest Kayin
Actors:	Tatmadaw LID #374 Commander Nyoh Hay
Company/Investors:	
Government/Military:	Tatmadaw
Trends:	Land confiscation
Consequences:	Forced labour and exploitative demands
Collective action:	
KHRG Log #:	11-133-T3-I1
Publishing info:	"Toungoo Interview: Saw To--- (male, 32), H--- village, Toungoo District, November 2011," KHRG, March 2013 (First Publication)

Testimony:

This report contains the full transcript of an interview conducted during September 2011 in Daw Pa Koh [Than Daung] Township, Toungoo District by a community member trained by KHRG to monitor human rights conditions. The villager interviewed Saw To---, who described the following abuses: Movement restrictions, theft and looting, forced labour and land confiscation. Saw To--- also raised concerns regarding livelihood, the provision of education for children and health care. In order to address these issue, Saw To--- explained that he use strategies including SPDC soldiers questioned him when he took photo for people who carried things for SPDC Army and he replied that he would keep those photos as remembrance.

Interview | Saw To--- (male, 32), H--- village, Than Daung Township, Toungoo District (November 2011)

The following interview was conducted by a community member in Toungoo District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Toungoo District, including three incident reports, seven other interviews, one situation update and 204 photographs.

Ethnicity: Karen

Religion: Christian

Marital Status: Married

Occupation: Farming a hill field and plantation

Position: Village head

I which township and district was your village located?

Daw Pa Koh Township, Toungoo District.

How many children have you got?

I have five children.

How old is the oldest one?

The eldest child is 14 years old.

How about the youngest one?

Six years old.

For how many years have you served as village secretary?

Not one year yet.

As for being a village leader [village secretary], what are your responsibilities?

As I know, my responsibilities are to meet with my leaders and to stand up in front of the village [villagers] as a leader as much I can.

Did villagers elect you to be a village head, did SPDC Army elect you,[or] did KNU Army elect you?

Villagers elected me.

Could you explain to us about your experiences since you became a village head?

I have experienced with many things since I became a village head. I don't have enough time to explain to you, so I'll explain the main information to you. After we came back from Bper Kaw Der, cases happened one by one, or step by step. I have been experiencing this kind of things [*specific meaning is not clear*] until now.

How many households are in your village?

46 households.

How many populations are there?

321 people.

In your village, what kind of livelihoods do they do the most?

Most of the villagers farmplantations and hill fields.

Do any villagers not get enough food to eat from their livelihood?

Some people have got enough food, but some people do not get enough food by farmingplantations. Not everybody gets enough food.

How were you able to keep living withinadequate food? And whatdid you do?

Some people carried things as daily wage [work]. They are living from hand to mouth.

How much did people get paid forcarrying things for one time? For instance, ten visses.

They [employers] paid 200 kyat (US \$0.23) for the weight of one viss. They paid 3,500 kyat (US \$4.08) for one pack of rice.

In your village, which period do people get the most income?

People get the most income during the dogfruit harvest time.

You talked about dogfruit. For growing dogfruit, how many years do they take to be able to get their fruit to eat?

The fruit will come up after you grow for them over ten years.

How much do people buy one viss of them?

People bought them in an oil container.

How much did people pay for one big tin?

This year, the price is not better than last year. People paid only 6,000 kyat or 7,000 kyat (US \$7.00 or US \$8.17) [for one big tin].

How long has your village been established?

[Since] About 50 years ago.

Did your village face any problems?

We faced problems.

What problems were they?

In our village, the most difficult problem was that soldiers [Tatmadaw] stayed among us; this was difficult to travel. In addition, we had to cut firewood, cut bamboos, and carry food for them once per week. As for traveling to plantations, they shelled heavy weapon and this disturbed our travels back and forth. This is the biggest problem too.

You said you have to cut bamboos for SPDC Army once per week?

Yes, we have to cut [bamboo] for them every week. They ordered us to cut eight cubits long of Wah Doh²⁶⁶. Each household was ordered to cut one three big bamboos and two small bamboos. As for cooking, one person from each household has to cut [firewood] for them every week.

Their army camp is close to your village?

The army camp is located in the village, beside the school.

You mentioned about small bamboos. How long were the small bamboos?

The small bamboos were eight cubits long.

²⁶⁶Wah Doh is “giant” bamboo that has a diameter of around 8 inches, with narrow leaves that are less than an inch wide.

What kind of bamboos were they?

Thaw Kheh.

Did they order [ordered to do forced labour] only your village or did they order they other villages?

One or two years ago, they ordered villagers from Th' Ghoo Der and Htee Dt' Blu to cut [bamboo] for them. But, they did not order them within this year.

They only ordered your village?

Yes.

Do you remember the military number, which ordered you?

Last week, the army that ordered us, they were # 374 [villager did not mention whether it was LIB # 374 or IB # 374]. Currently, the other troops rotated, so I have no idea which army [is there now].

Did you know # 374 officer name?

Camp Commander Nyoh Hay.

How many soldiers are based in that camp?

Over ten or twenty soldiers are based in camp, but the active troops come back [to the camp] one or two times per week. Active troop areabout thirty or forty soldiers.

Do you remember the date of cutting bamboo?

I always noted down the date.

Now, do you remember it [date]?

Now, I do not remember it. But, I just remember that we always have to cut [bamboo] every Monday and every week.

What did they use the bamboo for?

They built the fence and small barracks.

Did they order villagers to help them while they were building the fence?

They did not order villagers. They just ordered villagers to cut bamboo and put them in the camp for them. They then built them [fence and barracks] by themselves.

A few days ago, did you hear that any villagers were killed by Burmese soldiers?

I did not hear about that.

Your village is close to SPDC Army Camp, so did they rape any women in the village?

They did not.

How about many years ago?

In the past, they [did] not. But, they stole people's chickens in the past.

Which year did they steal people' chickens?

They sometimes caught chickens when they entered in the village.

Did they not inform the villagers?

If chickens disappeared, people directly knew that chickens were stolen by Burmese soldiers.

Since you were a childhood, and until now, would you like to tell me about SPDC Army oppression, such as they oppressed villagers and ordered them to do forced labour?

Since you were a childhood and until now, the most oppression was [this]: in the West of our village, one river is there. On the other side of river is a place called Dt' Bay Gklah to a place called Thay Kay Day. LID troops took over our plantations that were there. They always destroyed things.

What did they take over? Plantations?

They took lands that are in their side. Those lands are to the West of our village.

They confiscated them?

Yes, they confiscated them.

Did you know the owners of the land, the land that was confiscated?

I did not know. Including me, the land owners.

How many landowners?

Over ten or twenty people.

How many big tins wide was the land for each person?

Each person's land was over ten baskets wide.

Was the land bare or land those people grew plants in?

The land is beside the car road. Most of the people earned livelihood by growing plants in them.

What kind of plants did they plant?

Most of the plants were dogfruits, cardamom and coffee.

You said that they confiscated all of the land. If we combine all the land and sell coffee and dogfruit, how much it will receive for one year?

I don't know how much. But, as for my land, I previously got at least 180 to 200 big tins of dogfruit for one year.

How much was it for 180 big tins?

As for the current price, it will cost about 700,000 or 800,000 kyat (US \$816.80 or US \$933.49). This is just from the cost of dogfruit.

As you said, did they also confiscate coffee trees?

Yes, including some betel nuts plantations.

As for coffee, after you grow them, how many years do they take to be ready for harvesting?

Some big vines of coffee would be ready to harvest after [growing] them for three or four years. As for small vines of coffee, they will be ready to harvest after growing them for five or six years.

How much did people pay for one viss of coffee?

People bought them for at least 1,000 kyat or 2,000 kyat (US \$1.17 or US \$2.33), for one viss.

As you mentioned, what did you have to solve after you attended the discussion [meeting]? What reason was that?

After I reached back [to the village], the reason was that SPDC troop which live in our village were attacked. I had to solve that reason [problem].

Any villagers get injured during the attack?

None of them got injured.

Any SPDC soldiers get injured?

Three SPDC soldiers died. People [KNLA took] two of their guns.

Did they torture any villagers after the attack?

I attended the meeting in Shwe Ng' Bpin at once, after the attack. They did not torture any villagers. I arrived to their place [immediately] when they ordered me.

What did they tell you about, when you arrived to [meet] them?

Before I went to meet with them, they informed me of the information about KNU Army. I just went to meet them without knowing anything. When I arrived there, I said, "*Bo Kyi [officer] sent me the information and Bo Kyi could not protect himself*". I just told them like that.

How did he reply you?

He said that the most important was he needed his guns. He ordered me to request to get the guns back. If impossible, then we have to buy the guns for them.

As they ordered you to buy the guns, how did you buy them?

After they told me that, I replied to them, “*In our country, holding guns is for torturing villagers and holding the guns is to protect and to take security for villagers. You ordered the guns from us after you fought each other, this is impossible for us to do. The only one thing which I can do for this is: I will request them [guns] from BBC and VOA and I will ask them to request them from KNU Army by their announcement.*” They were quiet after I told them that.

Did they not complain about anything?

They did not keep complaining about anything.

Did they order your village to carry food as forced labour in 2011?

[Censor for security].

While carrying things, how many of your villagers were involved there?

It always involved at least 18 or 20 people. They sometimes have to carry things once per week and sometimes have to carry twice times per week, including women and men.

How old were the youngest women involved there?

Most of the women were 18, 19 and 30 years old.

Regarding carrying food for them, did you remember the date?

I noted down the date but I could not remember them. They ordered us to cut trees and bamboo once per week and sometimes ordered us to do it twice per week. Sometimes, they ordered us to do that at the beginning of the week and sometimes at the weekend. I noted down them in the notebook.

How many kinds of things did they order you to do?

Had to carry food.

How many kinds?

Food was rice, salt, fish paste, tealeaf, cooking oil and yellow bean.

How heavy was what they ordered each person to carry?

Two people had to carry one packet of rice.

Where did you take things from, and to where did you have to send them?

We had to take them from Ker Weh village and we carried them to Ker Weh Camp.

How many hours did it take for the distance between Ker Weh and the camp, which is close to your village?

Two and half hours.

Did they provide food when they ordered you to carry things?

They did not provide food. They just fed us tea.

Do you have any school in your village?

Yes, we have a school.

How many standards?

Up to the fourth standard. There are three female school teachers.

Female school teachers are villagers or they are from the government?

Female school teachers are our villagers. The government supports them.

How much do the school teachers getinsalary per month?

I have no idea about that.

How many students are there?

There are 69 students.

Does a student have to pay money for enrolling their name?

They have to pay money to the mistress if they enroll their name.

How much do they have to pay?

Old students have to pay 1,000 kyat (US \$1.17). Students above five years have to pay 1,500 kyat (US \$1.75). Nursery students do not have to pay any money.

Was the school established by villagers or by the government?

The previous school was established by villagers. As for a school [made] with concrete, SPDC and UNICEF supported with 2,000,000 kyat (US \$2,337.22).

Dose the SPDC government give permission to teach Karen at Gk' Thaw Bpweh School?

We have not known whether Karen is allowed to be taught or not because we do not have a Karen textbook.

You do not have a Karen textbook yet?

No, we do not have it. After the [*censor for security*], Naw Th--- asked me to send the list of the number of students. I sent it to him. People said that some villages got it [textbook] but the books were not distributed to us, so we have not gotten them yet.

Did the KNU Army and SPDC Army disturb the school during class?

They [KNU Army] never did it. SPDC troops thatwere activesometime stayed at the school

and students were disturbed.

Do you have any clinic in your village?

There is no clinic.

If villagers are sick, where do people send them?

We carry and send them to town. Some people goto Than Daung [Than Dauns Town] for treatment and some people goto Toungoo for treatment.

Does the SPDC Army allow villagers to bring medicine for the sick with them?

The SPDC does not allow them to bring medicine with them. In the village, some people used to attend medical training and they understood a little bit about medicine. They brought medicine secretly and used them like that. They [SPDC Army] did not give permission to freely bring medicine.

As for your personal opinion, why did they not allow villagers to bring medicine with them?

They worried that we would bring medicine for KNU soldiers but KNU soldiers have more medicinethan us. This is my personal opinion. They wanted us to go for treatment in their side and they would get money from us.

You said that if villagers were sick, they had to go to Than Daung for treatment. How much money did they have to pay to the hospital for one week?

It depended on the disease. One of my cousin, when he went to Thaw Thi Khoh for treatment, he was asked to pay 8,000 kyat per night (US \$9.33), without the cost of medicine and food. He stayed there for two weeks.

What kind of diseases arethe most in your village?

In the mountain place, there are many kinds of diseases. I could tell you specifically. One person suffered this kind of disease and the other person suffered with other kind of disease.

In your village, could villagers do livelihoods freely [without difficulty]?

In our village, we could say that we could work freely. Just only the disturbance was; we had to work every Monday. We had to cut trees and bamboos for them. One person from each household had to serve *set tha* every day [they have to serve *set tha* every Monday]. This is the only disturbance.

In your village, where did you buy the main food from?

We bought everything from Shwe Nyaung Bpin.

How much do you have to pay for one big tin of rice?

If the rice arrived in the village, we have to buy at 8,500 kyat (US \$9.92).

How about the meat such chicken?

[One viss of] pork is 4,000 kyat (US \$4.67), [one viss of] chicken is 5,000 kyat (US \$5.83) and [one viss of] beef is 4,500 kyat (US \$5.25). This price was limited by the village.

Did you see that the SPDC Army has done any development for the village?

I did not see SPDC Army do development for our village. They destroyed things. They cut plants around the houses when they traveled back and forth.

In your opinion, why did the government not do any development for the village?

They said they are a government but they did not do any development for the village. This is the government that controls themselves to get food to eat. They hold weapons and torture villagers. They rule thing [the country] as they want. This is comment for them.

What is your opinion on KNU Army?

There is no specific information for KNU Army. We have not suffered anything by them, so we could not mention anything about them.

Is there any information that would you like to report?

I reported about carrying things already. In our village, the most fearful thing is that people [KNU Army] attacked the Burmese Army and took their guns but we were not afraid solve the problem. One Burmese soldier got married there and this is the only thing that we are afraid of, because he said that he was an officer and he wants to be a powerful person over people. He never does things for the village. No one dares to ask him to do anything.

Regarding the two guns, they [Burmese soldiers] were quiet and they just ordered us to carry things and the problem was solved, but that Burmese soldier was not satisfied. His name is Maung HtwayHt---. He wanted to pay money to Burmese Army, for the price of the guns. He found my mistake until he almost cut me by knife. But, as I am a village head, I made an apology to him. If I have to fight with him by fist, I am totally unafraid of him. I considered about the law and I did not know his position. I stayed quietly and I reported it now.

What is his name?

Maung Htway, 39 years old.

Was he a soldier or a deserted soldier?

In front of villagers, he said that he was a deserter. He did not want to meet with Burmese soldiers and did not want to carry things. But, I checked his situation when I travelled along, he always went to Burmese Military Camp every evening when the darkness came. How was the situation and what happened in the village? The safety was not good for our village because of him.

Thaton Plantation Agriculture

Source document/ThatonPlantationAgriculture/2012/1

Project name:	Thaton plantation agriculture
Type of project:	Plantation agriculture
Karen District:	Thaton
Government Region:	Mon
Actors:	Thein Lin Myaing Company and Border Guards #1014 commanders Tin Win and Thaw M'Nah; Hein Naing Win Company
Company/Investors:	Domestic
Government/Military:	Border Guard
Trends:	Land confiscation
Consequences:	
Collective action:	
KHRG Log #:	12-81-P1
Publishing info:	"Photo Set: Thaton and Bilin Townships, Thaton District, March to June 2011," KHRG, March 2013 (First Publication)

Testimony:

This Photo Set includes 13 still photographs selected from images taken by KHRG field researchers between May and June 2012. Photos were taken in Thaton and Bilin Township, Thaton District. These photographs depict mining stone, plantation and forced labour.

Photo Set | Thaton and Bilin Townships, Thaton District (March to June 2011)

The following photos were taken by a villager in Thaton District who has been trained by KHRG to monitor human rights conditions. They are presented below, censored where necessary for security purposes. The 13 photos below were received along with other information from Thaton District, including 139 other photos, a general update on the situation in Thaton District, five incident reports and four interviews.





The above left photo was taken on May 30, 2012, by a community member trained by KHRG. It showed the red sign board and it is the rules that are created by the mining owner Ko Cho and Hla Win. People mining stone in between a place of Lay Hpoh Hta village and Htee Hsee Baw village and it is also a place between two districts which are Thaton district and Papun district. The mining stone process is allowed by both brigade leaders and the stone that is produced is antimony. The above right hand side and the bottom left hand side photo showed the people who are mining the stones. They are mining many different kinds of stones. The bottom right hand side photo showed the places that the stones were mined and which destroyed many the forest and the rivers. Moreover, it also destroyed many natural environments. [Photos: KHRG]



This photo was taken on May 30th 2012, by a community member trained by KHRG. It showed the photos of the first stones that people have got from mining in Lay Krah Hkhee village, Khaw Hpoh Pleh village tract, Belin Township, Thaton District. [Photo: KHRG]

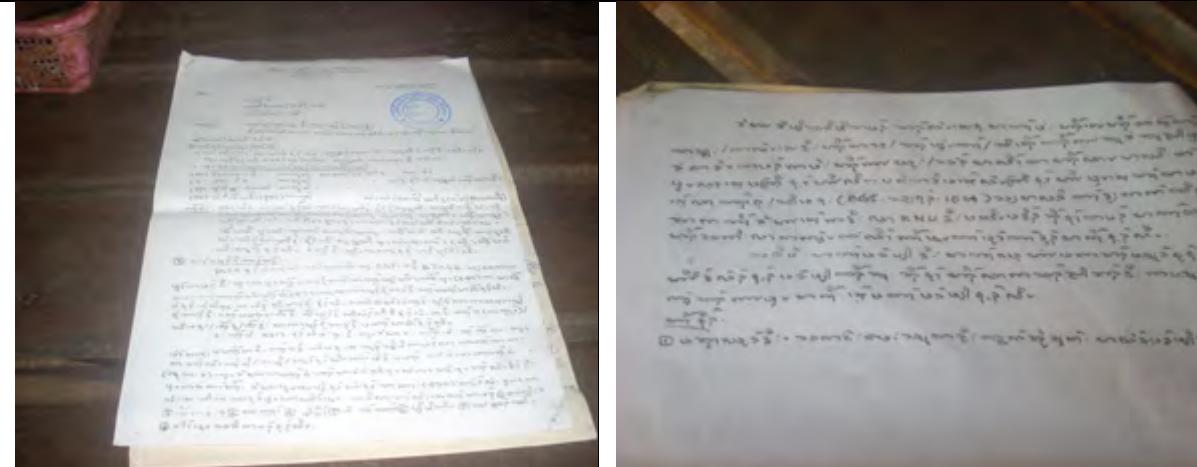


These two photos were taken by on June 2nd 2012, by a community member trained by KHRG. These are the photos of a place between Noh M' Kwee village and Htee Meh Baw village which are in T'Kaw Boh village tract, Pa'an Township. The business man had planned to buy this land with the purpose of coming and building up the shop on the land. [Photos: KHRG]



These four photos were taken by a community member trained by KHRG and were taken on June 4th 2012. The above left hand side, right hand side and the bottom left hand photos are the photos of a 500 acres teak and rubber plantations that are cooperated and built by the Thein Lin Myaing Company and Border Guards #1014 commanders Tin Win and Thaw M' Nah which is in between Meh K'Nah Hkee, Htee Kyaw Hkee, Htee Kyuh Hpah and Paw Doo places. The bottom right hand side photo showed the photo of the villagers who suffer for their land being confiscated and they had to do force labor and report about it to the Township

leaders. [Photos: KHRG]



These two photos were taken by a community member trained by KHRG and were taken on June 5th 2012 at Meh Kroo Hkee village, Ha Ta Reh village tract, Pa'an Township. These photos are the report to the KNU, Pa'an Township leader and reported about the company called Thein Lin Myaing and Hein Naing Win cooperated with the Border Guard and confiscated the villagers' lands. [Photos: KHRG]





These photos were taken by a community member trained by KHRG and were taken on January 10th 2012. It showed the photos of logging in Noh Ber Baw village tract, Belin Township, Thaton district, which is a place that close to Meh Baw Hkee, La Kyoh Hkoh and Suh Hkee village. The perpetrators are the business man, Hla Aye, Kyet Mway who are allowed by the district leaders in 2011. The logging also include La Kyoh Hkoh and Suh Hkee's community forests so, the logs in the photos are logs of the community forests. The photos also showed the forest committees, the forest department leaders and the district leaders while the rounded the forest. [Photos: KHRG]

Source document/ThatonPlantationAgriculture/2012/2

Project name:	Thaton plantation agriculture
Type of project:	Plantation agriculture
Karen District:	Thaton
Government Region:	Mon
Actors:	Tatmadaw #314 under control of LID #44; Max Myanmar Company
Company/Investors:	Domestic
Government/Military:	Tatmadaw
Trends:	Disputed or lack of compensation; Land confiscation
Consequences:	Impact on livelihoods; Forced labour and exploitative demands
Collective action:	
KHRG Log #:	12-95-S1
Publishing info:	"Thaton Situation Update: Thaton Township, January to June 2012," KHRG, March 2013 (First Publication)

Testimony:

This report includes a situation update submitted to KHRG in June 2012 by a community member describing events occurring in Thaton District, during the period between January and June 2012 specifically villagers' situation, villagers' livelihood, education, health care and land confiscation in the areas. It contains updated information concerning military activity; specifically military in the areas travel around with carrying their weapons and live among the civilians so the civilians have to stay in worry and for the details of the following human rights abuses regarding land confiscation: the Artillery (ah ma ta) #314 under control of LID #44 came and based in G--- village and near to T--- village, Thaton Township since 2001 and confiscated 30 villagers' lands and it wide 517 acres in order to built their army camp. Because they built the army camp, they confiscated villagers' lands, cultivations, farm lands and rubber plantations. And also since 2005, the Max Myanmar Company which own by U Zaw Zaw cooperated with General Myit Aung came to Shwe Yaung Pya village tract, Th'htoo Township and looked for the places where villagers do not do [farming or cultivation] yet and they said the land is uncultivated land then, they confiscated the land in order to plant a rubber plantations.

This situation update also documents villagers' concern regarding the ceasefire, if there is no Burmese government army in their villages, in their areas it would be peace for them.

Situation Update | Thaton Township, Thaton District (January to June 2012)

The following situation update was written by a community member in Thaton District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Thaton District, including five interviews and 43 photographs.

Thaton Township is near Bilin, Pa'an, Kyaikto townships and also reaches to Thaton, Kyon Kaung, Bilin towns. So, there are many ethnic groups living there, such as Karen, Burmese and *kaw la thoo* [Muslim] people. But, the most people living in [the area] are Karen people.

Villagers' livelihoods

Most people in the area [Thaton township] are farmers; farming flat farms is their main livelihood, but not all people have farms. There are more people who do not have farms than people who do have farms. So, people who do not have farm [land] have to work and hire themselves out [as daily wage labourers] to the people who have farms each rainy season; they earn their livelihood in this way. Even if they work on the farm in rainy season, their families do not eat enough, so they have to start doing [cultivating] plantations in the summer, such as [cultivating] long beans, chilli, aubergine, cucumber and tobacco plants. We have seen that they do [farm] plantations, and if the fruit and vegetables grow, they sell them and buy rice. They struggle to live for a year. Also, some are *taw hsah* [villagers who carry fruit or vegetables on their heads for sale], such as bamboo shoots. They also find natural food, such as types of mushrooms, and after they sell them, they get money to buy rice.

They do not have reliable business work. Only for the people who can set up a shop, and are able to sell things, have income. But, if we look at the whole village, there are fewer people who are like this. Most people have to do very difficult [work]. Because there are no businesses to work at, parents ask their children to go to find the jobs in other places [countries], such as Thailand and Malaysia to get money. Because parents asked their sons and daughters to go to find jobs in other countries, some sons or daughters lives are ruined in many ways, so it becomes a problem for the parents.

But, now we see that rubber has price [value], so people who own some land make rubber plantations so they have more income. But for the people who do not own land, they hire themselves out to the people who own land as daily workers. Some [villagers] also raise pigs and chickens. Even if they do raise [livestock], they could not raise [enough] to do business. They keep [the animal] as a toy-savings box, and they sell it if they needed it for an emergency issue. So, there is no reliable business work for the civilians.

Education

Additionally, if we look at the education [system], there are a lot of things that are needed. We knew that in this township [Thaton], there are 33 schools that work together with KSEAG

[Karen State Education Assistance Group]. In 2011 and 2012, there are 186 schoolteachers and 4,481 students. Most of the schools are the SPDC²⁶⁷[Burma] governments' schools and there are fewer of the civilians' schools [locally maintained schools]. We saw in every place and in every school, there are many children who are of school-age²⁶⁸, but they cannot go to the school. Some [children] have to look after other peoples' cows and buffalos, and some have to stay with their parents in the flat farms and hill farms. When we tried to find out the [reason] for these issues, we found it is because those children's parents are poor, so their parents could not send them to the school. The SPDC government set up order/rule, that there is a free education system in the lower standards, but in 2011-2012 in the [grades] when [children] would begin school, which starts from kindergarten to fourth standard, a lot of school fees and books fees were demanded. So, the children who were of school-age could not study because their parents were not able to send them to the school. I do not know about the coming 2012-2013 [school year], because the school has not started yet. We also saw that some of the SPDC schoolteachers and principals do not put effort [into their work] because the head of education in township could not reach them to assess [the school], so they do as they like. They attended school only ten days in the whole month. That causes a problem for the children. Regarding help in education, we have seen KSEAG help students [by providing] notebooks, pens, pencils and many kinds of games. For the schoolteachers, they support them with pocket money. If it is the SPDC's schoolteacher, they give 2,000 baht and if civilians' schoolteachers²⁶⁹, they give 4,000 baht [Thai currency] per person in a year. We tried to find out the reason why they give different salaries to the schoolteachers, and they said because the SPDC schoolteachers get salary [from the government], but for the civilians' schoolteachers, they do not have salary so they provide it in different way.

Healthcare

If we also look at the health [situation], there is a problem. Some villages in the area have a clinic that provides medicine, but there is no medic to give the medicine and treat the patients. There is only an [empty] building. So the villagers have to rely on female medics (midwives) in the village. Of the female medics in the village, some are placed there by the government and some go to study by themselves and come back to look after the patients. There is a clinic, but there is no medic. When the villagers become sick, they have to go to the villages where there are medics, so they have to pay a little bit more for the medical costs. However, if the medic and medicine is not enough for their disease, and if their disease becomes serious, then they have to go to the city hospital. Because of this, if the citizens who are poor face a serious disease, it causes a big problem for them. To be able to heal their illness, they have to go into debt and repay it later, little by little at a time. They could not rely on Backpack [Backpack Health Worker Team], because Backpack has not arrived in their area. So, they need the medicine box that is empty to be full with the medicine and medics to solve and help their illnesses and problems.

²⁶⁷ In Karen, the Burmese phrases Na Ah Pa (SPDC) and Na Wa Ta (SLORC) are commonly used to refer to the Burmese government or to Burma's state army, the Tatmadaw. Many older Karen villagers who were accustomed to using the phrase Na Wa Ta (SLORC) before 1997 continue to use that phrase, even though the SLORC has not officially existed since 1997. Similarly, despite the official dissolution of the SPDC in March 2011, many Karen villagers continue to use the phrase Na Ah Pa (SPDC) to refer to the Burmese government or to the Tatmadaw; see: "Mission Accomplished as SPDC 'dissolved,'" Myanmar Times, April 4-10th 2011. The term Na Ah Pawas used by the villager who wrote this conducted this interview and interviewee and "SPDC" is therefore retained in the translation of this interview.

²⁶⁸In Burma, children begin to attend school when they are about age 5.

²⁶⁹In Burma, if a schoolteacher is selected by the government or education coordinator, people called them government schoolteacher. But if a schoolteacher is selected by the civilians then, people call them "civilian schoolteacher".

We have seen that there is some other help [available] in this area. The assistance that reaches the area is the UNDP [United Nations Development Programme] and UNICEF [United Nations International Children's Emergency Fund]. UNDP is from the government and entered to help the civilians. We have seen that they mostly provide educational assistance. They [UNDP] entered and built many schools in many places for the civilians. Also, for transportation, they built two or three brigades. Moreover, they helped villagers by supporting them with money to solve any kind of problem, and they created a *ngway su ngway chin* [credit society]. They placed groups [working team] in the villages to [help them] cooperate. UNICEF has mostly assisted with healthcare. We have seen them provide the polio vaccine and antihelminitics medicine. They have also provided mosquito nets to the families.

Military situation

The SPDC [Tatmadaw²⁷⁰] is still based in many places in Th'htoo Township. The places where they base are P'nweh Klah, Wa Pa and Htee Hpoh Nya Lee, (Ta Ta Ka Kyon, Ka Zaing #1). LID #44 is based in P'nweh Klah. LIB #9, which is controlled by Brigadier Ko Ko Lwin, is based in Wa Pa, and LID #44, under the control of Artillery (*ah ma ta*) #314 control by brigadier Kyaw Tha based in Htee Hpoh Nya Lee and LIB #3 controlled by brigadier Yan Naung So based in Ta Ta Ka Kyon (Ka Zaing #1).

If we look at the military activities, there is no special military activity in P'nweh Klah, but the other military [troops] still conduct activities. Since the ceasefire agreement [January 2012], some soldiers from Wa Pa army camp came to live in M'yah Koh village, in Shway Yaw Pya village tract. They have stayed until now. Even though they do not disturb people who travel to work, it bothers civilians because they are posted in the middle of the road. Also, the government soldiers, which are based in Ta Ta Ka Kyon (Ka Zaing #1), come to visit in Noh Ba Er village, Khoh Th'nyay village tract, and they carry their weapons; therefore, the villagers are worried because of them. The government soldiers [Tatmadaw], which are based in Hkeh Maw army camp, came to T'raw Meh and Kyeh Hkyee Hka villages, K'dee Poo village tract, and they all carry weapons, so the villagers always have to remain worried.

On Many 26th 2012, the Bilin township governor asked the village heads in K'dee Poo village tract to collect population numbers (census) and basic information related to the village location (villages' history). [People] do not know yet what they will do, so the villagers worriedly wait to hear. The civilians are delighted regarding their leaders' arrangements for a ceasefire, but when they see that the government soldiers, their location and activities are the same as the past, they worry that fighting will happen again.

We have seen the abuse of civilians' rights because some land has been confiscated in the areas in this township. Between 2001 and 2002, the [Tatmadaw battalion] artillery *ah ma ta* #314, under the control of LID #44, came and based in G--- place, which is near to T--- village. When they came to be based in the area, they immediately established the army camp. Because they built the army camp, they confiscated villagers' lands, cultivations, farmlands and rubber plantations. When they first came, they limited the area of their army camp to be 500 acres [wide], which resulted in confiscating 30 villagers' lands. Since they limited their area, the villagers whose durian and jengkol plantations were confiscated were not allowed to go to take their fruit. Because it [the land] became part of the military area, the military did not allow them to work anymore. They did not get compensation. As with the durian and jengkol plantations, there are many people whose rubber plantations are

²⁷⁰ The Tatmadaw is the Burmese state military.

included [confiscated due to the military camp demarcation]. Some [villagers] planted new [rubber trees], but some are nearly to be tapped,²⁷¹ so they are sad but they could not say [complain] to anywhere. Because they could not say [report the problem] anywhere, they have to stay like that and go back. The Burmese soldiers allow them to tap the rubber plantations, but if they go to tap them, they have to pay 200 kyat(US \$0.23) per rubber tree, so that they do not go to work anymore. This armed group [Tatmadaw] keeps the villagers lands until now. Moreover, on May 28th 2012, they [Artillery ah ma ta #314] made sure the area [of their camp] and measured it; there are 517 acres [of land] so it reaches to the T--- village side.

Furthermore, there island that has been confiscated by companies as well. In 2005, MaxMyanmar Company entered Shway Yaung Pya village tract in Th'htoo Township. They came and made rubber plantations. When they started doing this, the company owner, U Zaung Zaung, cooperated with General Myit Aung; they came to the villages and looked for the place where the villagers have not done [anything with the land] yet, and then they said it is uncultivated land, then they started doing it [planting rubber trees]. Later, step-by-step, they started buying peoples' lands until now. There are some villagers who lack knowledge [about their rights to land] so they sold their land but some [villagers], because they are not able [to keep their land] so they sold. Currently, there are only companies' lands. It causes a problem for the villagers, even to find firewood. Because the company cooperated with the government army, it is not easy for the villagers to forbid them [from using the land]. The company also expanded the area the land. Therefore, the villagers are worriedly waiting to see what things the government and company will do in the future.

Later, we did research about the civilians' views about the dictator military government army; they dare not believe them. Even if they continue the ceasefire, they have not reduced their soldiers. Their activities have not changed. Because they travel with weapons, the civilians are afraid and worry that the battle will happen again. All civilians in the area want there to be no government army in their villages; then there would be peace for them in their areas.

Source document/Thaton Plantation Agriculture/2012/3

Project name:	Thaton plantation agriculture
Type of project:	Plantation agriculture
Karen District:	Thaton
Government Region:	Northern Mon State
Actors:	Tatmadaw LID #314; Max Myanmar Company
Company/Investors:	Domestic
Government/Military:	Tatmadaw
Trends:	Lack of consultation; Land confiscation
Consequences:	
Collective action:	
KHRG Log #:	12-95-P1
Publishing info:	"Photo Set: Thaton Township, Thaton District (May 2012)," KHRG, March 2013 (first publication)
Testimony:	
<i>This Photo Set includes 14 still photographs selected from images taken by KHRG field researchers</i>	

²⁷¹Rubber tapping is the process by which the sap (latex) is collected from a rubber tree by making an incision into the tree's bark to drain the sap.

in May 2012. Photos were taken in Thaton Township, Thaton District within locally-defined Karen State. These photographs depict land confiscated by the Tatmadaw Artillery a ma ta #314 and also companies bought the lands and plant rubber plantations.

Photo Set | Thaton Township, Thaton District (May 2012)

The following photos were taken by a villager in Thaton District who has been trained by KHRG to monitor human rights conditions. They are presented below, censored where necessary for security purposes. The 14 photos below were received along with other information from Thaton District, including 43 other photos, a general update on the situation in Thaton District, and 5 interviews.



These photos were taken by a community member trained by KHRG and were taken on May 29th 2012 in Kyeh Hkyee Hka village, K'Dee Poo village tract, Th'Htoo Township, Thaton District. They show the areas where Max Myanmar Company bought land and planted a rubber plantation, between Kyeh Hkyee Hka and Kya T'Raw villages. [Photos: KHRG]



These photos were taken on May 29th 2012 in Kya T' Raw village, Shwe Yaung Pya village tract, Th'Htoo Township, Thaton District, by a community member trained by KHRG. They show the villagers' rubber plantations and some of the villagers' lands that was confiscated by the artillery LIB #314 under the control of Light Infantry Division (LID) #44. The bottom left photo shows the army camp in Kya T'Raw village, Th'Htoo Township, where #314 is based. The bottom right hand side photo was taken on May 30th 2012 in Lah Aw Kher village, Th'Htoo Township, and is of a list of the villagers whose lands were confiscated by #314. [Photos: KHRG]



The photos on the top were taken on May 29th 2012 in Shwe Yaung Pya village tract, Thaton District, by a community member trained by KHRG. They show rubber plantations that companies established between Kya T' Raw and Lah Aw Kher villages. The photos on the bottom were taken on May 31st 2012, in Shwe Yaung Pya village tract, Thaton District. They show rubber plantations between Lah Aw Kher and Shwe Yaung Pya villages, which were established by Max Myanmar Company. [Photos: KHRG]

Source document/Thaton Plantation Agriculture/2012/4

Project name:	Thaton plantation agriculture
Type of project:	Plantation agriculture
Karen District:	Thaton
Government Region:	Mon
Actors:	Shwe Than Lwin Company; Hein Naing Win Company; Thein Lay Myaing Company; past DKBA leaders U Tha Htoo, U La Ba, U Kyaw Than, U Hein Soe; Border Guard Battalion #1014 Commanders Tin Win, Thaw M'Nah and Moe Nyo
Company/Investors:	Domestic
Government/Military:	DKBA; Border Guard
Trends:	Land confiscation
Consequences:	Impact on livelihoods
Collective action:	
KHRG Log #:	12-81-S1
Publishing info:	"Thaton Situation Update: Hpa'an Township, January to July 2012," KHRG, March 2013 (First Publication)

Testimony:

This report includes a situation update submitted to KHRG in June 2012 by a community member describing events occurring in Thaton District, during the period between January to July 2012, specifically about villages' education, their livelihood where it explains about some of the villagers who have to go and work in other countries for their livelihoods because of the hard situation in their area. This report also presents detailed information about companies that have cooperated with former DKBA leaders to confiscate land for rubber and teak plantation and consequently, forcing the civilians to clear and plant trees in the plantation for no wages. Also reported is forced recruitment committed by one former DKBA leader, Moe Nyo. This report describes changes in the activity of the government army and contains information on the villagers' concerns about Tatmadaw troop movement following the 2012 ceasefire.

Situation Update | Hpa-an Township, Thaton District (January to July 2012)

The following situation update was written by a community member in Thaton District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Thaton District, including five incident reports, five interviews and, 139 photographs.

Introduction

This report is written by a community member who works in his own community and it is written about his community situation, his experience, surveys and what he faced. Upon the incidents that occurred in the villages, they were surveyed, and after confirming them carefully, they were written down. There are three main [categories of] information, and they are:

- (1) the situation of the civilians;
- (2) the situation of the armed groups and the rich people;²⁷² and
- (3) the situation of the changing of the military government

The situation of the villagers' livelihood

In Hpa'an township, most of the villagers in the area earn their livelihood by farming flat fields, hill fields and by cultivating rubber plantations. Nowadays, as the environment is being emptied [deforested] and the fertility of the land has decreased, the climate is abnormal and it lessens the production of rice farming and cultivation, so that the insufficient food situation, which the civilians are faced with, increases yearly. Because these places [villages] do not have any other opportunities to earn money, some of the people leave their young children with old parents, then go and work in other countries, such as Malay [Malaysia], Bangkok [Thailand], and most of their children become orphans.

The situation of education

In this district, there are three types of schools, such as: (1) public schools, (2) mission schools, and (3) government schools. Public schools are built by the public, and the salary for the teachers and the different kinds of [things] required for the students are provided by the public. For the mission schools, the salary for the teachers is provided by the

²⁷²In the context of this report, it is likely that the community member uses the term "rich people" to refer to individual people and people affiliated with companies that have the resources to fund business enterprises in the area.

missionaries who go to and fro, but the food and the teachers' requirements are provided by the public. For the government schools, the government chooses the teachers and sends them [to the village], and it also provides the salary for the teachers and the materials for the school. This year [2012], according to a teacher's statement, the Township Education Coordinator from Pa'an [Township] said that, there should be "*Learning, free of charge, in primary schools,*" in all of the government schools. However, nothing is discussed related to private schools or the mission schools.

Civilians face difficulties related to the income of the rich people

In this year, 2012, starting from January to June, more companies entered our area; the companies are the Shwe Than Lwin Company, Hein Naing Win Company, and Thein Lay Myaing Company. These companies came into the area and confiscated the civilians' land as "disputed land," and they planted rubber and teak. Starting in April, the companies, Shwe Than Lwin and Thein Lay Myain, worked with the former DKBA [Democratic Karen Buddhist Army] leaders who are U Tha Htoo, U La Ba, U Kyaw Than, U Hein Soe. These people called themselves [members of] Karen State Democracy and Development Party (KSDDP). The companies gave them [KSDDP] money and they used their people, Tin Win, Thaw Ma Na and Moe Nyo, from the Border Guard Battalion #1014. Tin Win and Thaw Ma Na, from the Border Guard, went in and confiscated 500 acres of land from V--- village, T--- village, and W--- village. Starting in April until now, they forced the villagers to go and clear the bushes, clear the fields and plant rubber and teak. They did not give any wages for this. Food and all the materials have to be brought by the villagers themselves. For the Hein Naing Win Company, they confiscated the KNU's [Karen National Union] forest reserve, the land that they bought and got documentation from the government. Then, they planted rubber and made the land theirs. We have known and have seen that the companies came into the area by working together with the armed groups, and they have authority over the civilians and abuse the rights of the civilians a lot. Due to the companies' coming and confiscating the land where the villagers work, villagers from T--- village, W--- village and V--- village do not have places to do cultivation or herd their livestock, and it causes a great problem for their livelihood.

Forced recruitment

On May 29th 2012, the leader of *Tha Ka Hsa Hpa (Thaung Kyaun Thu San Kyin Yay)* [anti-insurgency group], who is called Moe Nyo, called five villages to a meeting in F--- village, and he said that his soldiers from *Tha Ka Hsa Hpa (Thaung Kyaun Thu San Kyin Yay)* should not be lost, so he gave the order to select five people from the five villages. On the same day, he held a meeting in H--- village and he ordered that if the villagers cannot send the people, they have to give 50,000 kyat²⁷³ (US \$57.67) each month. The villages that are forcibly being asked for soldiers are: (1) D---, (2) B---, (3) F---, (4) E---, and (5) H--- villages. The villages are in Kyon Mon Thwe village tract, Pa'an Township.

In the past, the leader of the people's militia, Moe Nyo, was a leader in the DKBA. In 2010, after the election, the DKBA was transformed into the Border Guard and he came back and lives as he wants and formed *Tha Ka Hsa Hpa(Thaung Kyaun Thu San Kyin Yay)*from 2011 until now, because he was old and was not registered on the Border Guard age list.²⁷⁴ The

²⁷³ As of September 17, 2012, all conversion estimates for the kyat in this report are based on the official market rate of 867 kyat to the US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the kyat, thus replacing the previous fixed rate of 6.5 kyat to US \$1.

²⁷⁴ Border Guard battalions of the Tatmadaw were established in 2010, and they are composed mostly of soldiers from former non-state armed groups, such as older constellations of the DKBA, which have formalized ceasefire agreements with the Burmese government and agreed to transform into battalions within the Tatmadaw. Border Guard battalions are assigned four digit battalion numbers, whereas regular Tatmadaw

second thing was, because he was not interested much [with the Border Guard]. However, he later worked together with the leaders from DKBA, who are U Tha Htoo Kyaw and U Kyaw Than, and he later became one of the Border Guard advisors. He worked on both sides, to have more benefits for himself.

The villagers from the five villages complained because they have to give their children to *Tha Ka Hsa Hpa (Thaung Kyaun Thu San Kyin Yay)*, or they have to give 50,000 kyat (US \$5.67) monthly for one year if they do not send their children. Therefore, the villager who is called S---, reported that there are four or five households that left their village and went to live secretly in another country. The villagers who are left, also don't want to follow [the order] but they said that they would discuss it together and they would go report [it] above. However, some of the villagers felt afraid and they did not accompany their friends [to report it]. Moe Nyo became fierce and, therefore, the village head and some of the villagers [who left to report] had to return.

Changes in the military government's activities

After the 2010 election, because the SPDC [Tatmadaw]²⁷⁵ military government changed its name [and turned] into a civilian military government, we can say that the activities of the battalions under its control became less [and they don't] go and fight with an ethnic [people's] group, the KNU. However, there is no change regarding building [army] camps; it is still the same.

We know that, beginning when the KNU and the military government entered a ceasefire in Pa'an District area,²⁷⁶ their army group, the Border Guard, which guards the border, they set up their camp in K--- village. Officers Tin Win and Thaw Ma'na, from Battalion #1014, manage this [area].

Since the KNU and the military government entered the ceasefire, each army has known the

infantry or light infantry battalions are identified by two or three digit battalion numbers. For more information, see "DKBA officially becomes Border Guard Force" Democratic Voice of Burma, August 2010, and, "Exploitation and recruitment under the DKBA in Pa'an District," KHRG, June 2009.

²⁷⁵ In Karen, the Burmese phrases Na Ah Pa (SPDC) and Na Wa Ta (SLORC) are commonly used to refer to the Burmese government or to Burma's state army, the Tatmadaw. Many older Karen villagers who were accustomed to using the phrase Na Wa Ta (SLORC) before 1997 continue to use that phrase, even though the SLORC has not officially existed since 1997. Similarly, despite the official dissolution of the SPDC in March 2011, many Karen villagers continue to use the phrase Na Ah Pa (SPDC) to refer to the Burmese government or to the Tatmadaw; see: "Mission Accomplished as SPDC 'dissolved,'" Myanmar Times, April 4-10th 2011. The term Na Ah Pawas used by the villager who wrote this conducted this interview and interviewee and "SPDC" is therefore retained in the translation of this interview.

²⁷⁶ The ceasefire agreement signed between the KNU and RUM officials on January 12th 2011 in Pa'an Town, was an agreement in principle on '11 key points', to be followed by more in-depth talks after 45 days. Senior KNU officials had since announced that the deadline of 45 days was unlikely to be met; see: "KNU ceasefire meeting with government behind schedule," Karen News, February 23rd 2012. Meanwhile, as-yet-unpublished KHRG information received on February 19th 2012, suggests that there have been clashes between government forces and non-state armed groups in Pa'an District in February 2012 and that recent re-supply operations carried out by Tatmadaw forces in Nyaunglebin District exceeded the amount of supplies usually sent, and included heavy artillery. Local media sources have also reported ongoing fighting in Pa'an and Nyaunglebin Districts since January 12th 2012; see: "Killings and attacks between DKBA and BGF drives villagers from their homes," Karen News, February 24th 2012; "Ceasefires, Continued Attacks and a Friendly Encounter Between Enemies," Free Burma Rangers, February 3rd 2012.

limited areas [of operation]. The military government gave them a chance only to go 100 miles²⁷⁷ away from each side of the main road. However, we know that they do not follow [the boundary] as it is limited, but they violate some of the orders. On June 7th 2012, LIB [Light Infantry Battalion] #211, which is from Ta Paw Camp, came to P--- village and they did not let the KNU know, so one thing is that it might create conflict.

The military camps that the military government built, and their unit numbers

On January 26th 2012, LID [Light Infantry Division] #44 came and changed places with LID #11 in Pa'nweh Klah camp.

On January 27th 2012, TOC [Tactical Operations Command] #442 came and changed places with TOC #111 in Meh Pray Hkee camp.

On January 28th 2012, TOC #443 came and changed places with TOC #112 in Ka'ter Tee camp.

On January 27th 2012, LIB [Light Infantry Battalion] #118 came and changed places with LIB# 220 in Meh Pray Hkee Hkoh Thu Hta [army camp].

On January 27th 2012, LIB #9 came and changed places with LIB #211 in Pa'nweh Klah Ta Paw camp.

On January 27th 2012, LIB #207 came and changed places with LIB #215 in Lay Kay Yoh Klah camp.

Note: These military groups have not changed their places [again] yet, and they are still there until now.

²⁷⁷Although the community member uses “miles,” it is known that in other districts, troop movements are limited to 200 yards from the roadside. See “Papun Situation Update: Dweh Loh Township, January to March 2012,” KHRG May 2012.

Thayetchaung Plantation Agriculture

Source document/ThayetchaungPlantationAgriculture/2012

Project name:	Thayetchaung rubber plantation agriculture
Type of project:	Plantation agriculture
Karen District:	Tenasserim (Mergui-Tavoy)
Government Region:	Tanintharyi
Actors:	Oil Palm Company
Company/Investors:	Domestic
Government/Military:	
Trends:	Lack of consultation; Disputed or lack of compensation; Local benefit; Land confiscation
Consequences:	Environmental impacts
Collective action:	Reporting to authorities; Negotiation
KHRG Log #:	12-73-T2-I1
Publishing info:	"Mergui/Tavoy Interview: Saw K---, April 2012" KHRG, July 2012, http://www.khrg.org/khrg2012/khrg12b64.html

Testimony:

This report contains the full transcript of an interview conducted during April 2012 in Ler Mu Lah Township, Mergui/Tavoy District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed 40-year-old G--- village head, Saw K---, who described abusive practices perpetrated by the Tatmadaw in his village throughout the previous four year period, including forced labour, arbitrary taxation in the form of both goods and money, and obstructions to humanitarian relief, specifically medical care availability and education support. Saw K--- also discussed development projects and land confiscation that has occurred in the area, including one oil palm company that came to deforest 700 acres of land next to G--- village in order to plant oil palm trees, as well as the arrival of a Malaysian logging company, neither of which provided any compensation to villagers for the land that was confiscated. However, the Malaysian logging company did provide enough wood, iron nails and roofing material for one school in the village, and promised the villagers that it would provide additional support later. Saw K--- raised other concerns regarding the food security, health care and difficulties with providing education for children in the village. In order to address these issues, Saw K--- explained that villagers have met with the Ler Mu Lah Township leaders to solve land confiscation problems, but some G--- villagers have had to give up their land, including a full nursery of betel nut plantations, based on the company's claim that the plantations were illegally maintained.

Interview | Saw K---, (male, 40), G--- village, Ler Mu Lah Township, Mergui/Tavoy District (April 2012)

The following interview was conducted by a community member in Mergui/Tavoy District, and is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Mergui/Tavoy District, including eight incident reports, and 13 other interviews.

Ethnicity: Karen

Religion: Christian

Marital Status: Married

Occupation: Village Head and Hill field farmer

How many years ago did you get married?

I got married 28 years ago.

How many children do you have?

I have five children.

How old is your oldest child?

17-years-old.

How old is your youngest child?

Three-years-old.

How many years have you been the village head?

I have been the village head for four years.

What is your responsibility as you are village head?

I have to look after the village and develop the village.

When you became the village head, was it because you were willing, or did the SPDC [Tatmadaw]²⁷⁸ select you, or did the KNU [Karen National Union] select you?

About becoming the village head, I didn't want to, and it was not the KNU that selected me; it was because the SPDC selected me.

Did you know the SPDC brigade which selected you?

I don't know.

What about the battalion?

I don't know.

Did you know the officer's name who came to select you?

They didn't come to select [villagers] by themselves, but they sent an order. His name is *Bo mu* [Major] Tin Hton, and the villagers agreed with him, so they selected me.

Which month was that?

In 2008.

²⁷⁸In Karen, the Burmese phrases *Na Ah Pa*(SPDC) and *Na Wa Ta*(SLORC) are commonly used to refer to the Burmese government or to Burma's state army, the Tatmadaw. Many older Karen villagers who were accustomed to using the phrase *Na Wa Ta*(SLORC) before 1997 continue to use that phrase, even though the SLORC has not officially existed since 1997. Similarly, despite the official dissolution of the SPDC in March 2011, many Karen villagers continue to use the phrase *Na Ah Pa*(SPDC) to refer to the Burmese government or to the Tatmadaw; see: "Mission Accomplished as SPDC 'dissolved,'" *Myanmar Times*, April 4-10th 2011. The term *Na Ah Paw* as used by the villager who wrote this conducted this interview and interviewee and "SPDC" is therefore retained in the translation of this interview.

Can you tell us the brief story of your experience, and your job role since you became the village head, please?

The experience from dealing with the SPDC from 2008, 2009 and 2010, I suffered very badly. But this year [2012] became much better.

Why did you have to suffer?

We suffered because at that time, [because] the KNU [Karen National Liberation Army (KNLA)] came to operate in the area, so the SPDC came to find themout [their whereabouts] and questioned us.

Have you ever been punched or beaten?

I haven't ever been punched or beaten.

Which armed group was that [that came to locate the KNU]?

That armed group was the Burmese soldiers [Tatmadaw], but I don't remember the officer's name.

Did you remember the date when they did that?

I don't remember the date because I didn't notice the date. It already passed one year ago.

Do they still demand money in your village?

Yes, they still demand money.

Why do they demand [it]?

They demand [it from] us because when they ordered us to porter, we didn't go, so they fined us, then we had to pay them.

Did they demand [money] per village or per person?

They demanded it per household; 5,000 kyat²⁷⁹ (US \$5.69) per household.

How many households are in your village?

There are [censored for security] households.

How many villagers do you have?

[Censored for security] villagers.

What are your villagers' occupations?

They just do hill farming. There is no other work.

²⁷⁹As of July 3, 2012, all conversion estimates for the kyat in this report are based on the official market rate of 878 kyat to the US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the kyat, thus replacing the previous fixed rate of 6.5 kyat to US \$1.

Do they all have enough food from doing hill farming?

Not all of them have enough. Some have enough but some don't have enough. There are more villagers who don't have enough.

What do the villagers who do not have enough [food] do for their livelihood?

They have to hire themselves [out] and they eat anything they get in a day.

What kind of jobs do they hire [for]?

In the past, the villagers were hiring each other but since the companies entered the village [G--- village], the villagers haven't hired each other. The company entered and hires people so the villagers go to work for the company, but they don't have enough [money] from hiring themselves [out] to the company.

Did you remember the date when the companies entered?

The companies entered in September 2011.

What was their plan when they entered? Will they plant something?

In the beginning, when they entered, they said they would do logging. But later they didn't only log, they deforested lands to plant oil palm [trees]. But in the beginning, they didn't include [in their plan] to plant oil palm. After they started logging and they built the road, they planned to plant oil palm. They deforested 700 acres of land to plant oil palm. They already deforested the land but they haven't planted oil palm yet.

When they deforested [the] land, did it include the villagers' lands?

Yes, it included many villagers' land.

Did they pay compensation?

They haven't paid compensation yet. But later, when we had meeting with the township [Ler Mu Lah]leader, because it relates to the township leader, the township leader met with them, so they said they would pay. They would buy if the villagers sold [land]. But at the beginning, they – the rich people – wholly didn't want to pay.

So now, if they really pay, how will they pay? Will they pay per acre?

Yes, they said they would pay per acre depending on how many acres. If the villagers report ten acres, they will pay for ten acres. They don't pay more than that.

How much they will pay for one acre?

One acre costs 40,000 kyat (US \$45.56).

How many of the villagers' land in your village are included?

There are five villagers' lands [that] were included. They are Naw P---, Saw B---, Saw H---, Saw D--- and Saw C---.

Do your villagers do business [from] which [they] get incoming money in other ways?

They don't have any extra work. They just hire themselves [out] and they eat what they get. They just do it like that. I haven't seen a villager who created a special business or do their own business.

How long has your village been established?

Since 2008.

Does your village have any problems?

We don't have special problems to face. There is just [that] we have to avoid when the SPDC enters the village. We don't face [anything] like physical injury.

When the SPDC enters the village, do they still take villagers' pigs, chickens, cows or buffalos?

If [there are] buffalos and pigs, they do take like that, but if [they want] chickens, they do ask [permission] from the villagers.

Do they pay the [fair] price?

They don't pay for the price often, but sometimes, if some Battalion Commander is kind, they do pay. But some Battalion Commanders don't pay. They just demand like that.

If they pay, do they pay per viss²⁸⁰ or per chicken?

They paid per viss.

How much do they pay per viss?

They pay 2,000 kyat (US \$2.28) per viss because one viss of chicken costs 2,000 kyat, but they do give [it] sometimes.

Do you see the SPDC kill any one of the villagers a few days ago?

Over the past one or two years and currently in our area, we haven't seen or heard that they bullied people to death.

Did the SPDC order you to come back to build up the village, or did you come back to build up the village by yourself?

At the beginning, we escaped. And after that, we came back to stay in HpgayPlaw, Ta Day LuhHkoh and K'WawHta, but we couldn't suffer [it] because these places were other people's areas, so we asked to set up the village. When we went and asked them [the Tatmadaw], the Operation Commander gave us the opportunity to set up [the village]. It is not like they ordered us, but we asked their permission to live [there].

Did you have to pay money for setting up this village?

No, we didn't have to pay money for the lands. We only had to pay when we went and drank

²⁸⁰ A viss is a unit of weight equivalent to 1.6 kg. / 3.52 lb.

tea with them. We had to spend a little bit when we met with the leaders [Tatmadaw officers].

Have you ever portered for them?

Yes, I had to porter [for] three years. Only this year we haven't had to porter, because we don't have portering duty this year. In the previous three years, we had to porter the whole three years, once or twice per year.

When you had been portering, did they order per village?

Yes, they ordered per village. For our village, they ordered ten people per year because our village is small.

How did they arrange for people who weren't able to go?

For people who weren't able to go, we, the villagers, had to arrange it by ourselves because we had sympathy for them, so we left them [in the village] and also they [the Tatmadaw soldiers] didn't tell us anything. We looked for our villagers who are poor and who are sick, then we leave them.

Did they have to hire someone else because they weren't able to go?

No. We don't have that [practice] in our area, but there is [the practice] in T'PgohHkee and K'Weh villages. Only in our village, we don't force people who aren't able to go. Sometimes, we asked 3,000 (US \$3.42), 4,000 (US \$4.56) or sometimes 5,000 kyat (US \$5.69) from them as assistance.

Did you pass any village when you portered for Burmese soldiers?

We passed only U ThooKloh village.

Did they [Tatmadaw] make trouble for the villagers when they entered the village?

I didn't see them make trouble for the villagers when we went.

Did you see them take villagers' chickens?

No, I didn't see that.

Did they rape female villagers?

No.

Was there any fighting happening when you were portering?

No, there was no fighting happening when we were portering. We could go smoothly.

Is there a school in your village?

Yes, the school opens every year.

How many standards [are taught] in the school?

We extend to three standards.

How many students are there in the school?

There are only 20 students in [the school] this year. Most students are in kindergarten, and there are 2 or 3 students in Grade 1, amongst 20 students.

Did the villagers, or the SPDC, or the KNU build up this school?

The SPDC ordered us to build up the school, then we built [it] up. It looks nice if there is school in the village so we built [it] up by our self.

How many teachers are there in the school?

There have been three teachers; one [new] teacher per year.

How much do the villagers have to pay for teacher's salary, per year?

For the teacher's salary, the SPDC government doesn't hire for us. We, the villagers, have to hire [them] by ourselves. We have to provide 40 baskets of paddy²⁸¹ (836 kg. / 2,816 lb.) to only one teacher per a year.

Are you able to provide [paddy] every year?

For some teachers, we can provide every year, but for some we can't.

Is there any help from other [groups of] people?

No, only the villagers have to provide [paddy]. For the 40 baskets of paddy [they] are just paddy seeds. We also have to provide one big tin of paddy grain (10.45 kg. / 23.04 lb) and a half viss (0.8 kg. / 1.76 lb) of shrimp paste and one viss of salt per household. We have to help them by our selves. It means we hire a person who is worth hiring.

How much is the school fee per student?

For the school fee, we have to give 2,000 kyat (US \$2.28) per student.

Who do you have to give [it] to?

We have to give to a female schoolteacher. We give her money and send students to her.

How does she use it?

She uses it for to buy books for the students, and provides them to the students.

Can your school run peacefully?

Yes, the school can run peacefully if the female schoolteacher is nice. There is no difficulty in studying.

Is there any opportunity in your school to teach the Karen language?

²⁸¹ Unit of volume used to measure paddy, milled rice and seeds. One basket is equivalent to 20.9 kg./ 46.08 lb. of paddy.

We have not done that before. I did it [taught in Karen] in 2001 and I prepared for [teaching in] Karen language, but the SPDC hasn't allowed us since. They said, they don't want to hear [about teaching the Karen language]. But in 2002, I didn't hear any information about that. We didn't hear anything from them.

Does the SPDC or KNU [KNLA] ever come to make trouble, or bother your school?

No, that never happens. The KNU never come to make trouble for us; they come to encourage us to develop the school²⁸².

Do your students receive any special help from the Burmese government, SPDC, someone, or any rich people?

No, that never happens. The parents have to struggle by themselves. There is no outside help.

Is there a hospital in your village?

No, there is no hospital.

Where do you go to heal the villagers who are sick, if there is no hospital in the village?

We look after each other in the village but if [an illness] becomes worse, then we go to the HteeHpohHta [village].

What kind of disease most occurs in your village?

Mostly, malaria and hypertension.

Can the villagers work peacefully?

I think they can do hill farming peacefully, but flat farms we don't even do. Since the village was built they have been able to do hill farming peacefully. It depends on the person who tries to work.

Do they have enough food?

No, they don't have enough food. Most people don't have enough food. There are fewer people who have enough food, but more people who don't have enough food. For example, if there are 20 households then, [there will be] only five households which have enough food. There are no more than ten households that have enough food.

How much do you have buy for one big tin of rice?

One big tin costs [between] 4,500 kyat (US \$5.13) to 5,000 kyat (US \$5.69), but I haven't bought any yet; I saw other people buy one big tin for 5,000 kyat.

How much does one viss of meat cost?

²⁸²While the villager said Karen National Union, in this context it is likely he is referring to the political party's armed forces, the Karen National Liberation Army (KNLA).

One viss of meat costs 2,500 kyat (US \$2.85).

Since you became the village head, have the villagers provided you with food or have you had to work by yourself?

There is no way for the villagers to provide you [with food] as you become a village head. We have to work by our self. We [village heads] have to do [work] even when we aren't available. The villagers don't look after us, but sometimes they help us with extra work one time per a day. The villagers don't [provide] support for food or paddies. We have to think of the way, and do it by our self.

Have you seen the SPDC come to develop the village?

That never happens. They give orders only, but they don't come to do [anything] by themselves. They order [us] to build up the school and clean the village. They never come to develop it by themselves.

How do you see the attitude of the KNU?

For the KNU, when they come, they don't act badly towards us. Everything goes smoothly. They don't ever say something bad to us.

Do they come to demand villager's things in the village like SPDC?

No, they don't ever demand anything by force. They do eat when we provide [food] for them, but they don't eat if we don't provide [food] for them.

Do you want to tell more information about your experience, or your feelings about the SPDC, KNU, or problems with your livelihood?

I don't have any special problem to report; we suffered in the past, but now we don't have to suffer anymore. Now, they [Tatmadaw] don't come and treat us badly, [such] as scold us. I don't know about the other villages, but in my village they don't come and scold us. I haven't seen the SPDC come to our village and scold us, so I can't report anything that is special. We do say the truth. We never say things wrong. I haven't seen the SPDC come [to my village] in 2012. I haven't heard them scold us. I even went to their place [an army camp near G--- village], but they didn't tell me anything. I also met with their Operation Commander, but he didn't say anything special or bad to us. He said the time now is peaceful; they don't have to fight anymore.²⁸³

What about the company? Is there any support for the village when they come to the village?

²⁸³ It is likely the Tatmadaw Operations Commander was referring to the ceasefire agreement signed between the KNU and RUM officials on January 12th 2011 in Pa'an Town, which was an agreement in principle on '11 key points', to be followed by more in-depth talks after 45 days. Senior KNU officials have since announced that the deadline of 45 days is unlikely to be met; see: "KNU ceasefire meeting with government behind schedule," Karen News, February 23rd 2012. Meanwhile, as-yet-unpublished KHRG information received on February 19th 2012, suggests that there have been clashes between government forces and non-state armed groups in Pa'an District in February 2012 and that recent re-supply operations carried out by Tatmadaw forces in Nyaunglebin District exceeded the amount of supplies usually sent, and included heavy artillery. Local media sources have also reported ongoing fighting in Pa'an and Nyaunglebin Districts since January 12th 2012; see: "Killings and attacks between DKBA and BGF drives villagers from their homes," Karen News, February 24th 2012; "Ceasefires, Continued Attacks and a Friendly Encounter Between Enemies," Free Burma Rangers, February 3rd 2012.

We don't get any support from the oil palm company. But from the logging company, which is a Malaysian company, they support us with wood for the school. They said, "*These trees are growing here, so while we enter your places we will help you as we should.*" And this year, they would give enough wood to build a school, and also roof. We don't have to buy iron nails, and they provided everything. We only have to build. In the next year, they planned that if the school is built, they would support us with money. Currently, they said they would [provide] support for only one school. If there is anything needed, they would support when it is needed.

When the company and rich people enter your village, do they confiscate villagers' lands ruthlessly, including lands where villagers have sown seeds?

That does not include sown-seed land, but it does include two villagers' [individual] land, where they already planted nursery betel nut²⁸⁴ plantations, approximately 100 to 200 betel nut plants. It does not include plantations that can produce fruits.

How many acres of land do you think there were, including nursery betel nut plantations?

I think there were six acres of land, which include nursery betel nut plantations, with two owners.

Do you think they will pay?

No, they won't pay. They said that they won't pay. And also, vegetation in the nursery plantations has not been cleared yet; they [the plantations] are in the bushes, so they [company] said it is illegal. When they said it was illegal, the villagers didn't say anything.

Do they demand villagers' pigs or chickens for free when they enter the village?

No, they never demand [those] for free. If the rich people come, they buy by [those] themselves. The chickens become fewer because they buy [them] often.

How much do they pay for one viss?

They pay 4,000 kyat per viss (US \$4.56). Now, the chickens' price increased, so they pay 4,000 kyat per viss.

Is there anything else you want to report?

I don't have anything else to report because this relates to the rich people and their own jobs.

Thank you for telling me information from your experience and suffering.

Source document/ThayetchaungPlantationAgriculture/2011

²⁸⁴In Burmese, "betelnut" and "betel leaf" are referred to as "konywet" and "kontih," as if they are from the same plant. The Burmese names are also commonly used by Karen language speakers. "Betel nut" is the seed from an Areca Palm tree, areca catechu; "Betel leaf" is the leaf of the Piper betel vine, belonging to the piperaceae family. See "Attacks on cardamom plantations, detention and forced labour in Toungoo District," KHRG, May 2010.

Project name:	Thayetchaung plantation agriculture
Type of project:	Plantation agriculture
Karen District:	Tenasserim (Mergui-Tavoy)
Government Region:	Tanintharyi
Actors:	Unidentified domestic actors
Company/Investors:	Domestic
Government/Military:	
Trends:	Land confiscation
Consequences:	Impacts on livelihoods
Collective action:	
KHRG Log #:	11-78-S1
Publishing info:	"Mergui-Tavoy Situation Update: Ta Naw Th'Ree Township, June 2011," KHRG, March 2013 (First Publication)
Testimony:	
<p><i>This report includes a situation update submitted to KHRG in June 2011 by a villager describing events occurring in Mergui/Tovay District, and details excessive taxes and demands, land confiscation, forced relocation, restrictions on trade that villagers face due to private parties who have coordinated plantation projects in the area. Villagers have difficulties securing work near their homes and face increased costs for food and transportation as a result. Additionally, villagers are still required to pay the salaries for local militias, which was increased from 200,000 kyat to 500,000 kyat per month, which the villagers attempted to negotiate because they did not believe the militias were necessary.</i></p>	
<h3>Situation Update Ta Naw Th'Ree Township, Mergui-Tavoy District (June 2011)</h3> <p>The following situation update was written by a villager in Mergui/Tavoy District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security.²⁸⁵</p> <p>The situation in Peh area, Peh Da village tract</p> <p>The location - Peh area is located in Thayet Chaung Township, Ta Naw Th'Ree Division (Thayet Chaung Township, Tavoy District, Tenasserim Division).</p> <p>In the past, there were 11 villages on the eastern and western side of the vehicle road, which goes from Tavoy to Blee, [and is] between 57 and 62 mile long. These villages are:</p> <p>On the eastern side of vehicle road</p> <ol style="list-style-type: none"> 1. Htee Hsaw Buh 2. Htee Oh Oh 3. Pee T'Ka 4. Lu Kwa Daw (Hsin Kwan Chaung) 5. T'Kaw Hta (T'KonTaing) 	

²⁸⁵KHRG trains villagers in eastern Burma 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 writing situation updates, villagers are encouraged to summarise recent events, raise issues that they consider to be important, and present their opinions or perspective on abuse and other local dynamics in their area.

6. Koh Hkee Kwee (Leik La Aing)

On the western side of vehicle road

7. P'Taw Poh (P'Tauk Ngaing)
8. Peh (Peh Da)
9. K'Mah Kwee (Th'Yet Tauk Kyi)
10. Hsa Mah Taw (Hsin M'Tan)
11. Peh Hta (Peh Wa)

In 1997 -1998, the six villages, which were on the eastern side of the road, had to move next to the vehicle road. Now, their places seem to be sustainable, but for the working places, they have to go to the source of a river as they get permission. Some [locations] are close and some are far [from the working place]. For the western side of the road, the distances [land] between the sea is about over four miles, so there are only three villages there.

Ethnicities

In Peh area, there are three Burmese villages and 8 villages for Pwo and S'Gaw Karen.

Occupation

In Peh area, there are few farms and people who live here are mostly farming hill fields, doing plantations, daily wage labour and some are running a small trade. Most trees are betel nut trees, coconut trees, mango plantations (Thee Hoh) and dog fruit trees (Th'Ba Wa Min). These are the main works. Now, they started to plant rubber plantations. However, the political situation is not normal so the prices are not stable either. Goods from the city are expensive, and goods from the mountain area are cheap, so income and expenses do not balance.

Now many civilians move to plant rubber plantations and they can do a little [work]. Rich people are using their money and work together with people who have power, so it worries them [villagers]. We cannot say that this is not happening because it has been happening for seven or eight years already. Lands were confiscated, and oil plantations (Hsee Aon) were planted, started from the West of the road, [and is] between 52 to 60 miles [long]. To the West of road, there are about ten thousand [confiscated] acres. Now, the news from wind comes softly [rumors] that rich people will take over land, which remains from the western part of the road, to plant rubber plantations. We cannot say that is impossible. A few months ago, a village close to there had to move because their lands were confiscated.

The difference in price between city and mountain areas is that goods in the city are never a low price, and the prices increase and increase. In the mountain area, goods are not regular, for example, one big tin of dog fruit cost 2,000 kyat (US \$2.33) in the city, but in the mountain area, the cost is 1,200 kyat (US \$1.40). To pay for a taxi is also expensive, and also the roads are not good. Sometimes, the low price for one viss (91.6 kg. / 3.52 lb) of dog fruit costs eight hundred [kyat] (US \$0.99). [We] have to pay for a carrier, so [we] can get only little profit. As a result, income and expenses are not balanced, and furthermore, you have to pay tax so it is not easy.

Facing encounters

If we look back in the past few years, it is much better and we can say that there was no fighting, carry loads [portering], or forced labour. This is finished but we cannot say that it is peaceful, because villages have to pay a lot as militia (*pyithu sit*) salaries and for

Township²⁸⁶. [Villagers] have to pay two times, so for one month, it is about 200,000 kyat (US \$23.34) and sometime more than 200,000 kyat. Villagers who live under the militia (*pyithu sit*), which was paid and controlled by the government, see that they don't need a militia (*pyithu sit*) anymore, so they report [that], but the main village is a Burmese village, Peh, responded that higher leaders do not allow [non-payment of militia salaries], so they [villagers] can do nothing. Sometimes, officers travel and stop and eat in the main village, Peh, and then this is distributed to villages [to pay back the cost for officers]. For militia (*pyithu sit*) salary, higher leaders assess [them]. A village that has 80 households has to pay for 4 people. A village that has less, 30 households, has to pay for one and a half people. For one person now, they increase salary up to 500,000 kyat (US \$583.43).

²⁸⁶Although the community member did not specify the Township, it is likely that Ta Naw Th'Ree Township was meant, because it was the location of other events discussed earlier in the Situation Update.

Bu Tho Plantation Agriculture

Source document/BuThoPlantationAgriculture/2012/1

Project name:	Bu Tho plantation agriculture
Type of project:	Unconfirmed
Karen District:	Papun
Government Region:	Kayin
Actors:	Tatmadaw LIBs #434, #340, #642; IB #19; Commander Aung Toe
Company/Investors:	
Government/Military:	Tatmadaw
Trends:	Lack of consultation; Disputed or lack of compensation; Land confiscation
Consequences:	Forced labour and exploitative demands
Collective action:	Non-compliance
KHRG Log #:	12-91-S1
Publishing info:	"Papun Situation Update: Bu Tho Township, received in June 2012," KHRG, March 2013 (First Publication)

Testimony:

This report includes a situation update submitted to KHRG in June 2012 by a community member describing events occurring in Papun District. It includes about the military sending more rations and ammunitions, planting landmines, the demands of the soldiers such as food, money and porters that the villagers have to fulfil, collecting taxes, land confiscation that the Burmese Military confiscated 111 acres of land which is from different villagers, and also includes about the difficulties of the villagers related to their healthcare and education.

Situation Update | Bu Tho Township, Papun District (Received in June 2012)

The following situation update was written by a community member in Papun District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Papun District, including ten incident reports, ten interviews and 36 photographs.

Situation Report

Presently, the government military [Tatmadaw] and the military armed group [Border Guard] that are active in Buh Thoh Township, Papun, to Khoh Nee Hkoh, are LIB [Light Infantry Battalion] #343, LIB #341, LIB #340, IB [Infantry Battalion] #19 and IB #642. The person who takes responsibility for the Operation Command is Commander Auang Htun. For the Border Guard, they are active in three village tracts from the mouth of the river called Kyaw Pah, Htee Meh Pree, Htee Th'Daw Htah village tracts. The Battalions that are active, are Battalion # 1012, Battalion #1013 and Battalion #1014. The Battalion Commander for #1014, Maung Chit, leads and takes responsibility of the group that is active in Meh Pree, and is [locally] led by Nyo Tin, whose position is as Company Commander. There are 30 Burmese Government soldiers also included, when the military group [Border Guard] is active.

The Border Guard army camp is based in Paw Htee Hkuh, and these army camps are

permanent. The Burmese Government military is based from Tee Kuh Taing to Papun Town, and it comes close to the permanent [Border Guard] army.

Presently, there is no government military that will come more [often] and take new places, but there are activities, such as sending rations and ammunitions. We don't know the exact time of their arrival, as there is no investigation for their vehicles coming or returning, as the military vehicles travel freely. If we look at the norm for sending things, their sending materials and rations this time is more than in the past. Now, there are one to three soldiers who are guarding at the gate.

- For the above situations, there is nothing that the villagers can do in response.
- My opinion on this situation is that the Burmese Military try to send more rations and the ammunitions when they have good opportunity, in order to be able to resist when they face their enemies again.

[We] heard something that is related to building a new army camp in the Meh Pree area and [they] also set up a check point. The army camp is the Border Guard Battalion #1014, which is led by Maung Chit, [I] didn't hear of any army camp that is being abandoned. By building the checkpoint, it seems like they will build it for permanence, but we can't say for sure.

There is no fence yet, but there are soldiers who wait at the check point. Regarding planting landmines, there are [landmines] beside the camp, on a road which is next to the camp and in the jungle and near the village. For the place near the check point, the villagers can't travel freely, but they have to go as ordered.

- For the above situation, the villagers can't do anything in response. The villagers just have to follow [orders] for present time.
- The situation which is happening, seems like the Border Guard has to do [things] according to what the Burmese Government asks them, because they accept their salary from the Burmese Government. They saw the KNLA and KNU enter the area deeper and closer to their camp, so they entered Meh Pree and based their camp [there], and also built a gate where they request taxes. This is also a difficulty and concern for the civilians.

The soldiers who live in the camp do not do anything, but they just do the needs of their camp, and they go outside and guard [the camp]. The soldiers ask for food, money, porters, *set tha* and they ask the villagers to guide them travel routes and to weave thatch. The Battalion #1014 [which is led by] Battalion Commander Maung Chit which is from the Border Guard, is the group which causes most of these things. They have to do [as the Tatmadaw requires] as they accept the Burmese Government's salary.

- The villagers dare not do anything in response to the situation mentioned above; they just need to follow the orders of the Border Guard.
- These situations mean that the Border Guard army group accepts the salary from the Burmese Government, so they come to the villagers and bully the villagers in order for the villagers to work together with them, but they frighten the villagers to not work together with the KNU or KNLA.

Presently, there is no fighting amongst the two military groups but there is planting of landmines and the villagers have no way to respond. The only thing that [the villagers] can do is show the places where they [the soldiers] should plant the landmines and the places which are not close to the working area. However, for the Border Guard, they don't let civilians know that they have planted landmines.

- The villagers cannot do anything in response to the situation, which is mentioned above. Regarding the KNLA, they [the villagers] can work together, but it is a big difficulty for the villagers to work together with the Border Guard, because they don't let the villagers know what they are going to do.
- The two military groups, the KNLA and the Border Guard, are planting landmines in order to protect against each other. My point of view is a little bit different because the KNLA plants landmines as properly as they can, but the Border Guard and the Burmese military would not let the civilian know.

The authorized people who create difficulties and harm the villagers' daily livelihood are the Burmese Government Military group. I don't know their leader's name exactly.

- The situation mentioned above happened, but there is no way for the villagers to respond.
- The situations means that the villagers whose work is beside the road, could not go and do their work. They have to do things according to orders from the Burmese government.

The people who get authority to harm the villagers, are measuring land and confiscating the land where the villagers work.

- The situations mentioned above means that the Burmese Military and the Border Guard will bully the civilians to not let them to be able to support the KNLA. The Burmese Government and its military see that if the civilians can support KNU and KNLA, they perceive that they will be attacked, so they will weaken the civilians' work places.

The [work] opportunities that the civilians get are to do plantation work, and to send things from the countryside or from the mountain to the towns for trading. It has become a little bit better starting in 2012, because the Burmese government gives more opportunities.

Regarding hunting or seeking food in the jungle, [they] are not so different and are the same as in the past.

- For the situation mentioned above, the villagers can't do anything but they get the opportunities and they can just try hard, as [they did] in the previous years.
- As the Burmese government and the KNU leaders made a ceasefire for peace, the civilians get more opportunities for their livelihoods and the opportunities for travelling have become better. However, for hunting, there is nobody who will do [so] for their livelihood in this area.

There is nothing for the villagers' health. There are more diseases occurring, there are expenses for medicine, there is no transportation for taking care of their [villagers'] health. There is no disruption to cure the diseases. Permissions [to travel] are given. For the Burmese government, they blocked so that [the villagers] need to give money. If they don't give money, they can just take the medicine which is not good [quality]. Regarding healing with traditional ways, they [Burmese government] do not disturb. However, the T--- came and was active, so instead of healing with traditional ways, they [the villagers] took medicine once or twice [from T---] and, because they are getting better, it [the traditional treatment] becomes less used. There is no disturbance for this [traditional treatment].

- There is no way for the villagers to respond to the situation that is mentioned above.
- These situations mean that the Burmese Government set up a plan, which is when the civilian go to [the hospital] for medicine, they have to give money which they call a donation, but people have to spend at least 5,000 [kyat]²⁸⁷ (US \$5.75) or more.

Change in education

The teachers are not stable in the government schools that are set up in U--- village, V--- village, W--- village and X--- village. Even though the salary has increased, they mostly just attend school two or three days per week. The Burmese Government set up the schools, so [they] are not allowed to teach Karen in the schools. They don't provide much chance for the students who passed the school in that area to go and learn other things. For the Karen people, if they pass tenth standard, they don't get the opportunity to learn [further] and get higher standard work.

- For the situation that is mentioned above, the villagers can do only one thing, which is when the teachers do not attend school regularly, they send their children to another place. There is nothing else they can do.
- These situations mean that the Burmese Government wants to make the Karen ethnicity to disappear. Moreover, the teachers are also satisfied if they [only] earn salary. Most of the children are Karen, and if they do not pass the exam, they [the teachers] just leave it as if finished; the teachers just finish their job. This is my opinion.

Presently, there are some changes in the situation for women, but for forced labor, sometimes, still sometimes they have to do hardly any work for the Burmese government military, but there is no oppression at the present time; there is no rape either. When they deliver their baby, they also get care and protection. Regarding village leaders, among many villages there are still women who become village leaders. Regarding livelihood, women also have to work. Regarding the KNU side, all of the boys and girls can get education; I don't see any differences.

- For the situation that is mentioned above, the villagers don't do anything in response.
- For the meaning of the [above] situation, what I know is that the Burmese government blocks [opportunities] for some of the minority groups. If the Karen or Thai people go and work [in the country], they need to change their name into Burmese, but on the KNU side, they do not talk about ethnicity.

In present time, there is no disturbance of culture. But for expressing opinions, if they are not compatible with the regulations of Burma, they may not like it or accept it. They also do not disturb the religion, the traditions or culture. However, I can't say anything about communicating [cooperating] and discussions related to get education [for children]. They also do not disturb with anybody who wants to believe in any religion.

- There is nothing for the villagers to do in response to the situations that are mentioned above.
- In my opinion, the Burmese government also gives opportunities for people in order

²⁸⁷ As of September 12, 2012, all conversion estimates for the kyat in this report are based on the official market rate of 869 kyat to the US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the kyat, thus replacing the previous fixed rate of 6.5 kyat to US \$1.

to increase the number of their population.

The land that the Burmese government confiscated is in Meh Klaw village tract; the land was not regained by the owners. A representative of the villagers mentioned that a Battalion Commander from IB #19 said that, if they have to give [the land] back to the owner, they [the owners] have to pay 5,000 kyat (US \$5.75) for one field. The owners of the lands that are being confiscated are as mentioned below:

No.	Name	Acres of land
1	Saw B---	6
2	Naw D---	4
3	E---	5
4	F---	5
5	H---	6
6	J---	4
7	K---	5
8	L---	8
9	M---	6
10	N---	3
11	P---	4
12	R---	2
13	S---	3
14	Ep---	5
15	Eh---	4
16	Sh---	4
17	Bp---	3
18	Kh---	3

These fields are within [areas controlled by] Burmese government military LIB #434, IB #19 and # 642 and Operations Command, and also included are some of the school buildings of Y--- School.

The owners of the land and the number of the acres that are in the area of Burmese Government Military's administration are as below:

No.	Name	Acres of land
1	Saw B---	6
2	Naw D---	4
3	E---	5
4	F---	5
5	H---	6
6	Th---	6

The fields are in Way Moo administration and the military which administers them is in the LIB # 434 area, but [I] don't know the name of the leader.

The landowners, and the land areas which are under the Military administration are:

No.	Name	Acres of land
1	Ah---	4
2	S---	4
3	N---	3
4	P---	4

5	R---	2
6	S---	3

The land is East and West of Y--- road, and the military government which administers the land is Battalion #642, but [I] don't know the leader's name.

The fields that the Military Government administer are:

No.	Name	Acres of land
1	Ep---	5
2	Eh---	5

These are in Y--- school area and [the Burmese government] does not buy [them], but they are confiscated:

No.	Name	Acres of land
1	Sh---	4
2	Bp---	3
3	Kh---	3
4	M---	6

This land is under IB #19's administration and [I] don't know the name of the leader.

No.	Name	Acres of land
1	Hs---	8

It is in the camp of LIB #340 and [I] don't know the name of the leader.

No.	Name	Acres of land
1	K---	5

These are in the Operation Command camp, and the Operation Commander is currently Aung Toe.

The [number of] fields that the Burmese Government Military confiscated are 111 acres and [they] are under the administration of the military government.

Source document/BuThoPlantationAgriculture/2012/2

Project name:	Bu Tho plantation agriculture
Type of project:	Unconfirmed
Karen District:	Papun
Government Region:	Kayin
Actors:	Tatmadaw LIBs #434 and #341
Company/Investors:	
Government/Military:	Tatmadaw
Trends:	Lack of consultation; Disputed or lack of compensation; Land confiscation
Consequences:	Lack of alternative livelihoods; Forced labour and exploitative demands

Collective action:	
KHRG Log #:	12-91-I7
Publishing info:	"Incident Report: Land Confiscation in Papun District," KHRG, March 2013 (First Publication)
Testimony:	

The following incident report was written by a community member who has been trained by KHRG to monitor human rights abuses. The community member who wrote this report listed the names of the land owners whose land were confiscated and the amount of land which were confiscated by the Burmese Military. They also reported about difficulties faced by landowners after their land was confiscated, and the Tatmadaw's demand for villagers to go and clear plantation land without any compensation.

Incident report | Bu Tho Township, Papun District (May 2012)

The following incident report is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Papun District, including nine other incident reports , ten interviews, one situation update and 36 photographs.

Part 1 – Incident(s) detail

Type of Incident	The report of the V--- village leader [Land Confiscation]
Incident Location (Village, Township and District)	V--- [village], Meh Klaw [village tract], Bu Tho [township] , Papun [District]

Victim Information								
Name	Age	Sex	Nationality	Family	Occupation	Religion	Responsible	Village
Saw B---	62	Male	Karen	Married	Farmer	Buddhist	Village Leader	V--- village

Perpetrator Information				
Name(s)	Rank	Company/Battalion/Division	Based at	Commander's Name
N/A	N/A	LIB[Light Infantry Battalion] #434	Way Moo, Ta Kun Taing	Operations Commander Aung Toe
N/A	N/A	LIB[Light Infantry Battalion] #341	N/A	N/A

Part 2 - Information Quality

1. Explain the specific manner how you collected this information.
For this incident, the V--- village head reported about [his] village situation and in this report, it included about how the Burmese Military confiscated some of the villagers' land. The military group that confiscated the land was LIB #434, and the land is under the control of Way Moo.
2. Explain how the source verified information accuracy.
The one who reported this information knows about the event because 6 acres of his land, and the land of his civilians, were also confiscated.

PART 3 – Incident Details

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 attach if needed.

In the past several years, the Burmese Government military confiscated the land of the civilians from V--- and Kyoh Hklee Loh village.

From V--- village:

- | | |
|--------------|---------|
| (1) Saw B--- | 6 Acres |
| (2) Naw D--- | 5 Acres |
| (3) E--- | 5 Acres |

From Kyoh Hklee Loh village:

- | | |
|-----------|---------|
| (1) F--- | 5 Acres |
| (2) H--- | 6 Acres |
| (3) Th--- | 6 Acres |

The land is under the control of Way Moo, and the military [group] that took control is LIB #434, but the name of the commander can't be reported because they always change their commander. The names of the ones who have suffered are as presented. These people just have to do hill farm and plantation and they still don't have any way to respond. These people are trying to barely live because they have to work and hire themselves out in different places, during one year or one month, and to their friends who still have farms.

Now, in May [2012], the Burmese Government Military LIB #341 demanded 6 villagers from V--- village to go and clear [the land] and they will give 50,000 kyat²⁸⁸ (US \$57.54) as wages for cleaning one acre. They are not sure whether they will give [payment] or not because they haven't gone to clear yet.

Part 4 - Permission for Using the Details

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

The victims allowed us to use the information. They want to report about this information because, in the future they want to get their land back and want to have freedom in travelling and in working.

Source document/BuThoPlantationAgriculture/2012/3

Project name:	Bu Tho plantation agriculture
Type of project:	Unconfirmed

²⁸⁸ As of September 12, 2012, all conversion estimates for the kyat in this report are based on the official market rate of 869 kyat to the US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the kyat, thus replacing the previous fixed rate of 6.5 kyat to US \$1.

Karen District:	Papun
Government Region:	North Kayin
Actors:	Tatmadaw LIB #434
Company/Investors:	
Government/Military:	Tatmadaw
Trends:	Lack of consultation; Disputed or lack of compensation; Land confiscation
Consequences:	Lack of alternative livelihoods
Collective action:	Non-compliance
KHRG Log #:	12-91-I9
Publishing info:	"Incident Report: Land confiscation in Papun District," KHRG, March 2013 (First Publication)

Testimony:

The following incident report was written by a community member who has been trained by KHRG to monitor human rights abuses. The community member who wrote this report described an incident about the changes of the situation related to Tatmadaw LIB [Light Infantry Battalion] #434 activities in Bu Tho township, Papun District, specifically that about the confiscation of 11 acres of land from two villagers. Also described are the problems that the villagers face because of their land was confiscated.

Incident report | Bu Tho Township, Papun District (January 2012)

The following incident report is presented below translated exactly as originally written, save for minor edits for clarity and security. This report was received along with other information from Papun District, including nine other incident reports, ten interviews, one situation update and 36 photographs.

Part 1 – Incident(s) detail

Type of Incident	Report of Z--- village leader
Incident Location (Village, Township and District)	Z, Meh Klaw, Bu Tho, Papun

Victim Details								
Name	Age	Sex	Nationality	Family	Occupation	Religion	Position	Village
Saw X---	42	Male	Karen	Married	Farming	Buddhist	Village head	Z---

Perpetrator Information					
Name(s)	Rank	Company/Battalion/Division	Based at	Commander's Name	
N/A	N/A	Light Infantry Battalion# 434	Papun Area	N/A	

Part 2 - Information Quality

1. Explain the specific manner how you collected this information.
I took this information from a portion of the Z--- village leader's report, which includes information about [how] the LIB [Light Infantry Brigade] #434 confiscated peoples' farms.

2. Explain how the source verified information accuracy.

This person knows the exact information because he is the representative of the civilians and he also has records of all the events that have happened in the village.

PART 3 – Incident Details

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 attach if needed.

From 2010 to 2012, there have been changes [in the village] because the Burmese military doesn't come anymore, and their demands have also decreased. In the past, they confiscated the peoples' farms, and they haven't returned [them] yet. In Z--- village, the Burmese government confiscated the land of (1) Naw H--- (5 acres) [and] (2) Naw T--- (6 acres), and the land is under the region controlled by LIB #434. These people can't do anything related to this case, because the Burmese government uses its authority and violence. These people are trying to live by hill farming, hiring themselves [out], and they transport and sell seasonal fruits. There is no market for them to get money.

Part 4 - Permission for Using the Details

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

The victims gave us permission to use this information. We will use the permission, which he gave us, to solve political problems and [allow villagers to] escape from being ordered to serve as slaves by being forced to labour.

T'Nay Hsah Plantation Agriculture

Source document/T'NayHsahPlantationAgriculture/2012/1

Project name:	T'Nay Hsah plantation agriculture
Type of project:	Unconfirmed
Karen District:	Hpa-an
Government Region:	Central Kayin
Actors:	Tatmadaw LIBs #547, #548 and #549; Border Guard Battalion #216 Commander Mya Hkaing, Battalion #217 Commander Saw Dih Dih, Battalion #218 Commander Saw Maung Win and Battalion #220 Commander Sah Lay
Company/Investors:	
Government/Military:	Tatmadaw; Border Guard
Trends:	Lack of consultation; Disputed or lack of compensation; Land confiscation; Development-induced displacement and resettlement
Consequences:	Impact on livelihoods; Forced labour and exploitative demands; Physical security threats; Migration
Collective action:	Reporting to authorities
KHRG Log #:	12-71-S1
Publishing info:	"Pa'an Situation Update: T'Nay Hsah Township, September 2011 to April 2012," KHRG July 2012, http://www.khrg.org/khrg2012/khrg12b62.html
Testimony:	
<p>This report includes a situation update submitted to KHRG in May 2012, by a community member describing events occurring in Pa'an District during the period between September 2011 and April 2012. It describes the planting of landmines by Border Guard soldiers near Y--- and P--- villages, resulting in villagers from B---, N--- and T--- being injured, and some villagers committed suicide after sustaining injuries. It also includes demands for forced labour by Tatmadaw LIBs #358, #547 and #548, in which villagers were required to harvest paddy on government land; this information concerning forced labour is also described in a news bulletin published by KHRG on June 22nd 2012, "Forced labour and extortion in Pa'an District." <i>This report also includes information about the removal of 30 landmines by the Border Guard, before a landmine injury to one soldier halted the removal operations. In order to deal with problems related to insufficient landmine removal, villagers have taken precautions to limit their activities to areas unlikely to be mined. Due to limited opportunities for villagers to earn their livelihoods, some have begun to commercially produce charcoal and alcohol, or breed their livestock for consumption. Parents in these areas are also reportedly sending their children to Bangkok to assist the family income; young girls have also begun to work using their vocational skills to weave traditional bags.</i></p>	
<p>Situation Update T'Nay Hsah Township, Pa'an District (September 2011 to April 2012)</p> <p><i>The following situation update was written by a community member in Pa'an District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security.²⁸⁹</i></p>	

²⁸⁹ KHRG trains community members in eastern Burma 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 writing situation updates, community members are encouraged to summarise recent events, raise issues that they consider to be important, and present their opinions or perspective on abuse and other local dynamics in their area.

The suffering of villagers as a result of landmines planted beside their village, their farms and their plantations by the Border Guard

On September 21st 2011, Border Guard Battalion #999 Commander Dee Dee and some of the Government [Tatmadaw] soldiers gathered together and went to fire at the KNLA [Karen National Liberation Army] Battalion #101 in W--- place, [which is between] Y--- village [and P--- village], Htee Wa Plaw village tract, T'Nay Hsah Township. The Border Guard and the Government soldiers conquered the KNLA Battalion #101's base in W--- place. After they conquered the base, the Border Guard started to plant landmines beside Y--- village, beside the villagers' farms, and beside P--- village. They [landmines] hit many villagers, and many of the villagers' cows and buffalos were also hit.

Later on, KNLA Battalion #101 withdrew to the other side of a heavily forested mountain. The forests are called P'Keh Hkee forest and Htee Klay Hkee forest. This place is next to Noh Kay village tract, and near to the villages of A---, N---, T--- and B---. These villages are in T'Nay Hsah Township. Border Guard Battalion #3, [commanded by] Battalion Commander Mya Hkaing and Battalion Deputy Commander Maung Ngway Heh, gathered with LIB [Light Infantry Battalion] #358, LIB #547 and LIB #548, and went again to attack KNLA Battalion #101. From November to December 2011, they fought by the P'Teh stream, which is next to N--- village.



24.03.2012



24.03.2012

These photos were taken on March 24th 2012 in N--- village, T'Nay Hsah Township, Pa'an District. It shows where villagers hid their rice, salt and other things when the KNLA and Border Guard were fighting on September 21st 2012. The villagers did not dare to keep their food inside their houses because they were worried that their village would be burnt down. The villagers came to this conclusion after the Border Guard soldiers threatened the villagers saying that "*the N--- villagers were disobedient, so we will burn your whole village.*" [Photos: KHRG]



These photos were taken on April 18th 2012 in Htee Klay Hkhee place [at the mouth of the river], O--- village, T'Nay Hsah Township, Pa'an District. The photos show a paddy field that was deserted by its owner after the Border Guard planted landmines on the border of the paddy field. Three cows were hit by landmines while they were grazing in this farm, so the villager no longer dares to work there anymore. [Photos: KHRG]

Then, the Border Guard started to plant landmines beside the village, beside the villagers' farms, beside the well, on the boundaries of the farms, in betelnut²⁹⁰ plantations, durian plantations and rubber plantations, and on the road that the villagers use for traveling. The villagers have been hit by landmines, and their buffalos and cows have also been [hit], so the village head went and asked the Border Guard soldiers, "*Why didn't you tell the villagers that you planted landmines?*" The Border Guard [soldiers] replied, "*Village head, we didn't plant the landmines, they were planted by the KNLA.*" One of the village heads responded, "*The KNLA soldiers planted landmines in the forest and they told the villagers where they had planted them. You [the Border Guard] planted landmines in our farms and in our plantations; why didn't you tell us?*" Border Guard Company Commander Hpah Maw Hkoh replied to the village head, "*You are disobedient and assist the KNLA soldiers, so we have to do things like this to you.*" Another village head replied, "*We do not only assist the KNLA soldiers, we assist any troops that come into our village, and if they need something, we help all of them.*" Border Guard Company Commander Hpah Maw Hkoh told the village leader, "*Ask the KNLA soldiers to remove all the landmines that they have planted and we will also remove all of our landmines.*"

²⁹⁰In Burmese, “betelnut” and “betel leaf” are referred to as “konywet” and “konthih,” as if they are from the same plant. The Burmese names are also commonly used by Karen language speakers. “Betelnut” is the seed from an Areca Palm tree, areca catechu; “Betel leaf” is the leaf of the Piper betel vine, belonging to the piperaceae family. See “Attacks on cardamom plantations, detention and forced labour in Toungoo District,” KHRG, May 2010.



The photos were taken on April 22nd 2012 in T’Nay Hsah Township, Pa’an District, and show a Border Guard landmine like those that have killed villagers and hit villagers’ animals, such as cows, buffalos and goats. This landmine was made using a plastic pipe and is reported to be about one locally-defined ‘hand span’ (22.86 cm. / 9 in.) in length. The landmine is filled with one and a half tins of milk worth of gunpowder, and pieces of iron and nails, and then sealed on both sides with a locally-produced glue. The firing mechanism is created on the pipe by drilling a hole and attaching a detonator. In order to create a firing mechanism on the pipe, a hole is drilled and a detonator is attached. When it is planted, it is also covered with two layers of plastic bags, and after a landmine such as this one has been planted, it can be said to be operational for one, two, or even up to three years; thus, villagers remained concerned about the landmines they are aware of throughout this period. [Photos: KHRG]

On January 11th 2012, the KNU [Karen National Union] held a meeting about a cease-fire [with the Tatmadaw], and on January 12th 2012, they signed an agreement in Pa’an Town.²⁹¹ In February 2012, KNLA Battalion #101 and Border Guard Battalion #3 worked together following an order to remove the landmines. Those who came and removed the landmines were Border Guard Company Commander Hpah Maw Hkoh, with Sergeant Kee Kyaw, Private Htwee Heh Kay and Battalion Deputy Commander Maung Ngway Heh, and they managed it with 20 of their soldiers. With regards to the KNLA, 2nd Lieutenant K’Loo Koo and Hpah Htwee Maw managed it with about 15 soldiers. Some of the village heads accompanied them. They were able to remove 30 landmines altogether. At 3:00 pm on that same day, February 11th, a Border Guard soldier named Htwee Heh Kay was hit by one of their own landmines; because of that, the removal of landmines was stopped. The places where they removed landmines were in N--- and B--- in T’Nay Hsah Township. The landmines have caused a big problem for the villagers.

On April 10th 2012, when I arrived in T’Nay Hsah Township, I saw many villagers who were complaining differently in many villages. Some [villagers] do not dare go to their paddy farms or to their plantation farms. A reason for this, is that the Border Guard had planted

²⁹¹The ceasefire agreement signed between the KNU and RUM officials on January 12th 2011 in Pa’an Town was an agreement in principle on ‘11 key points’, to be followed by more in-depth talks after 45 days. Senior KNU officials have since announced that the deadline of 45 days is unlikely to be met; see: “KNU ceasefire meeting with government behind schedule,” *Karen News*, February 23rd 2012. Meanwhile, as-yet-unpublished KHRG information received on February 19th 2012, suggests that there have been clashes between government forces and non-state armed groups in Pa’an District in February 2012 and that recent re-supply operations carried out by Tatmadaw forces in Nyaunglebin District exceeded the amount of supplies usually sent, and included heavy artillery. Local media sources have also reported ongoing fighting in Pa’an and Nyaunglebin Districts since January 12th 2012; see: “Killings and attacks between DKBA and BGF drives villagers from their homes,” *Karen News*, February 24th 2012; “Ceasefires, Continued Attacks and a Friendly Encounter Between Enemies,” *Free Burma Rangers*, February 3rd 2012.

landmines in their plantations, so some of the villagers were injured and many of the villagers' farm animals, such as cows, buffalos and goats were killed.

The people who gave [me] this information are Saw S--- from N--- [village], Uncle W--- from N--- village, W---'s mother from B--- village, Saw B--- from T--- village, Maung M--- from S--- village and Saw Y--- from Hs--- village. The villagers cannot identify all the villagers' names, including children. The six villagers whose names I reported are from different villages, and they all have to face the landmines problem. So, they complained that they need help from people to remove these landmines.

Since the [landmine] incidents started [to happen] in 2011 and 2012, landmines have detonated once a day or once every two days. The villagers who have suffered the most are from B---, N--- and T--- villages. The incidents [include] villagers who were hit by landmines and lost their legs, and some of their [B---, N--- and T--- villagers'] buffalos and cows also lost their legs. Some [of the villagers who] were hit by landmines and lost their legs, killed themselves, [some] by shooting [themselves] with "Peh Ploh", which is the [type of] gun that they use for hunting wild animals, and for others, by hanging themselves with a rope to die.

The perpetrators are Border Guard and the KNLA, and we can say that they are perpetrators because the two armies tried to fight against each other. This is a consequence of not removing the landmines, after they had planted them. Therefore, the villagers do not dare to travel and to find firewood outside of the village or near their farm, so they mostly find firewood in their village. Their buffalos, cows and goats are also tied up with ropes. As long as the landmines are not removed, the villagers have to protect themselves by renting farmland from other villagers in areas where there are no landmines, and helping other people plant paddy in order to get rice to be able to survive. As they have no other way [to earn] their livelihood, they have to make charcoal, produce alcohol and breed buffalos, cows, goats, pigs and chickens, but not in a large number, just for their daily survival. Moreover, they have sent their children to Bangkok [Thailand], and asked them to send their parents money. There has not been any improvement to the education system for the children and they cannot build a good school. The young girls work for their livelihood by [using] their vocational skills weaving bags; they [can] get 7,000 kyat (US \$8.56)²⁹² per bag.

Forced labour in T'Nay Hsah Township

The villagers have to do forced labour every day. The forced labour is ordered by the Government army [Tatmadaw], which stays in L--- village. They are LIB #358, LIB #547 and LIB #548. Twenty years ago, in L--- village, most of the population was Muslim and there were also villagers who were Pwo Karen and Sgaw Karen. When the government army arrived and set up their camp, they got rid of all the Muslim and Karen [villagers]. They invaded all the farms, the plantations, and the villagers' land. They turned farms that they invaded into *a so yah naing myin* [government appropriated land]. On April 26th 2012, I went and took photos of their camp located in L--- village, and [photos] of where the government got rid of the villagers, and where the villagers now have to go and do *loh ah pay*²⁹³ such as ploughing the confiscated farms.

The villagers had to go and plough every day. After they ploughed, they had to sow paddy [seeds], and after they had sowed them, the villagers had to harvest for them [the

²⁹² As of June 21st 2012, all conversion estimates for the kyat in this report are based on the official market rate of 851 Kyat to US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the Kyat, thus replacing the previous fixed rate of 6.5 Kyat to US \$1.

²⁹³ *Loh ah pay* is a Burmese term now commonly used in reference to forced labour, although traditionally referring to voluntary service for temples or the local community, not military or state projects.

Tatmadaw]. The villagers had to do everything until the paddy [that the villagers carried] arrived at the place where they store rice. When the villagers went and worked for them, they had to bring their own materials such as hand tractors and enough [farming] materials. One village tract had to take responsible for ten acres, ploughing, sowing and harvesting them until the paddy arrived at the place where the rice is stored. When the villagers went and ploughed, they [the government] gave them just three bottles of petroleum per day. When the villager worked for them the villager had to bring their own food each day. Moreover, the soldiers who were guarding the farm drove the cows that were eating nearby into their farms where they then detained them. After that they ordered the owner [of the cows] to come, they demanded money from them – 30,000 Kyat (US \$36.67) for one cow. During my journey this time, I saw and heard the villagers complain that there were still many instances of forced labour and oppression by the government army.









The above photos were taken on April 22nd 2012 in T'Nay Hsah Township, Pa'an District. These photos show villagers ploughing paddy fields for the Tatmadaw. Villagers from three village tracts are shown in the photos, including HteeHpohKyaw, Mya P'Deh and Noh Ta Pweh. Each village tract had to provide 12 hand tractors. However, villagers from Mya P'Deh village tract brought nine hand tractors and villagers from Noh Ta Pweh brought two hand tractors. The villagers who ploughed the fields for the Tatmadaw had to bring their own food and other necessary materials. [Photos: KHRG]

Border Guard forced villagers

I would like to report what a monthly village head from B--- village told me, included below. On April 1st 2012, I went to B--- village. I met a female monthly village head and we talked about the forced labour. She told me that last year, in 2011, she had the responsibility of being the monthly village head. That was the time when people were planting paddy, and Border Guard Battalion Commander Mya Hkaing, who at that time was a member of the DKBA, ordered the villagers to plant paddy. Ten villagers from B--- were ordered to plant paddy. Ten villagers were ordered from each of the villages in Noh Kay village tract. There are four villages in Noh Kay village tract, including A---, T---, E--- and N--- villages.

Moreover, [villagers from] the other village tracts that are in the village tracts of Yaw Kuh, Htee Klay, and Htee Hpoh also had to go on the same day. When they went they had to bring their own food. Each village tract was responsible for planting ten acres of paddy. They had to plant [the field] until it was finished.

In the past, [Border Guard Battalion Commander] Mya Hkaing was in the DKBA but now he is the commander of Border Guard Battalion #3. The [Border Guard] Battalion Deputy Commander is Maung Ngway Heh and their Battalion is located G--- village, K'Lah Koh camp in T'Nay Hsah Township. In the past, Muslim people lived in K'Lah Koh but they got rid of the Muslims and built their camp there. The place where Mya Hkaing ordered villagers to plant the paddy was near to Noh Hta Baw Mountain in L--- [village]. Now, the Battalion Commander Mya Hkaing has built an office near to Noh Hta Baw Mountain. The mountain has a big cave and he has opened several games such as cards, Ah K'Loh Wine and A'Nee Htaw Wine [types of Burmese gambling which are similar to roulette and slot machines] everyday. The Battalion also has a machine for Yaba²⁹⁴ at the top of Noh Hta Baw Mountain. Nobody can go to the place where they produce Yaba because their soldiers are always guarding it. The villagers who go and play [gamble] use it [Yaba], and the soldiers [asked] the villagers who [they] trust to sell Yaba, but in villagers who sell Yaba report it.

²⁹⁴Yaba, which means 'crazy medicine' in Thai, is a tablet form of methamphetamine. Introduced to East Asia during World War II to enhance soldiers' performance, methamphetamine has become increasingly popular in Thailand, Laos, Cambodia, Vietnam, and in Burma where it is typically manufactured; see *Yaba, the 'crazy medicine of East Asia*, UNODC, May 2008.

When the villagers who go and gamble, use Yaba and drink, they pawn their farms and cows. Battalion Commander Mya Hkaing invaded about 20 farms in the area including other properties as well. Many villagers became poor because of this. Mya Hkaing ordered the villagers to do *Loh Ah Pay* in which they ploughed, harrowed, sowed, and harvested rice, until the rice arrived at the rice store. This year, after the villagers worked for the Burmese [Tatmadaw], they had to work for the Border Guard. The villagers who were not free to go had to hire a person to work instead of them. They have to pay 4,000 Kyat (US \$4.76) for ploughing, 4,000 Kyat for harrowing and 3,000 Kyat (US \$3.57) for harvesting per day. Therefore, I see that this oppresses the villagers. The government gave the Border Guard a place to build their camp. They got rid of the villagers and built their camps. The Border Guard built their camps in 2011. One camp required 500 acres [of land]. This land was the villagers', but the villagers did not get any compensation.



The photos above were taken on March 25th 2012 in T'Nay Hsah Township, Pa'an District. They show a gambling and billiard venue, belonging to the villager who owns the billiard table. As the villagers do not have any work, they go to play pool often. [Photos: KHRG]

The Government army confiscated villagers' land for building camps for the Border Guard

In 2011, when the Government army transformed the DKBA into the Border Guard²⁹⁵, they set up four camps for them [Border Guard] in T'Nay Hsah Township: K'Lah Koh [camp] is located in G--- village, under the control of Battalion #216 Commander Mya Hkaing; Za Ya Phyu Koh [camp] is located in R--- village, under the control of Battalion #217 Commander Saw Dih Dih; Bu Gaw Kloh [river] is located in M--- village, under the control of Battalion #218 Commander Saw Maung Win; Battalion #220 Commander Sah Lay and his Battalion are located in Z--- village. The Battalions that are located here have damaged all the villagers' plantations. The Government army gave an order that their compound should be 500 acres. Therefore, the villagers whose places are damaged complained but they could not do anything and dare not do anything.

²⁹⁵While Tatmadaw and DKBA units have for years operated together, this operational hierarchy became formalised with the DKBA's transformation into a 'Border Guard Force' under control of the Tatmadaw and containing a fixed number quota of Tatmadaw officers. This transformation dates to at least May 2009, when commanding officers stated in high-level meeting of DKBA officers that the DKBA would transform itself into a 'Border Guard Force.' Leaked minutes from the May 2009 meeting are retained by KHRG on file.

Ceremonies attended by Tatmadaw commanders officially announced the transformation of large portions of the DKBA into Border Guard Forces in September 2010; see, for example: "Border Guard Forces of South-East Command formed in Paingkyon of Kayin State," *New Light of Myanmar*, August 22nd 2010; and "Border Guard Force formed at Atwinkwinalay region, Myawady Township, Kayin State," *New Light of Myanmar*, August 25th 2010.

The village tract which was affected the most is where Mya Hkaing, Battalion #216 is based because they got rid of all the Muslim people and set up their camp there. Moreover, they did not get any compensation for the 500 acres of farm land and the plantations land that they had inherited from their ancestors. This is in Kyeh Poh village tract, T'Nay Hsah Township. Another one is Saw Dih Dih, Battalion #217 which is set up in R--- [village], Za Ya Phyu Koh [camp], and the 500 acres included all of the villagers' land. The villagers also did not get any compensation. Even though the villagers complained, they could not do anything. The Border Guard, Saw Maung Win, Battalion #218 is also set up in M--- village, Buh Gaw *kloh* [river] and that also is on the villagers' farm land and plantation land; they took all the land. Battalion #220, Commanded by Saw Sah Lay, was located in Z--- village in such a way that the camp took up all of the villagers' land. Looking back, the government ordered them to take 500 acres, which is all of the villagers' land.

Source document/T'NayHsahPlantationAgriculture/2012/2

Project name:	T'Nay Hsah plantation agriculture
Type of project:	Unconfirmed
Karen District:	Hpa-an
Government Region:	Central Kayin
Actors:	Tatmadaw LIBs #547, #548 and #549
Company/Investors:	
Government/Military:	Tatmadaw
Trends:	Land confiscation
Consequences:	Forced labour and exploitative demands
Collective action:	
KHRG Log #:	12-69-D1
Publishing info:	<p>"Forced labour and extortion in Pa'an District," KHRG, June 2012 http://www.khrg.org/khrg2012/khrg12b59.html</p> <p><i>Note: this report does not include specific information about land confiscation, however, the land the villagers are forced to work on was confiscated; for more information see: 12-71-S1.</i></p>
Testimony:	<p><i>During March, April and May 2012, residents of five village tracts in Pa'an District were ordered to perform forced labour without payment and pay arbitrary fees in lieu of forced labour and for damage to crops by animals. Villagers from Htee Hpoh Kyaw, Mya P'Deh and Noh Ta Pweh village tracts in T'Nay Hsah Township were ordered to cultivate land for Tatmadaw and Border Guard troops, while TKaw Bee village tract residents were ordered to transport building materials from Kawkareik town and perform forced labour building a water well for the DKBA. Most recently, in May 2012, residents of Htee Wah Blaw village tract were ordered to pay a total of 600,000 kyat (US \$733.50) in lieu of sending six villagers to serve as porters for Border Guard troops.</i></p>

In the last four months, residents of five village tracts in T’Nay Hsah Township, Pa’an District faced demands for forced labour, including demands to plough and sow paddy crops and construct a water well, and the extortion of arbitrary fees in lieu of forced labour, for damage to crops and for participation in card games, from Tatmadaw, Border Guard and Democratic Buddhist Army (DKBA) troops.

May 2012

On May 23rd 2012, Tatmadaw Border Guard Battalion #1017 soldiers under the command of Battalion Commander Dih Dih²⁹⁶ based at Za Ya Phyu Camp, ordered villagers from P--- village, Htee Wah Blaw village tract to hire six porters in lieu of forced labour.²⁹⁷ The camp is based between R--- and K--- villages. It costs 100,000 kyat (US \$122.25)²⁹⁸ to hire a porter for two months of work, meaning that each household had to contribute 3,000 kyat (US \$3.67) in order to raise the 600,000 kyat (US \$733.50) demanded in lieu of six porters.



This photo, taken in April 2012, shows three villagers from T’Nay Hsah Township with a hand tractor they brought to L--- village in order to comply with an order from Tatmadaw LIBs #358, #547, and #548 to plough a paddy field and sow paddy crops. [Photo: KHRG]

April 2012

According to a local village head, during April 2012, Tatmadaw soldiers from Light Infantry Battalions (LIBs) #358, #547 and #548 ordered residents of Htee Hpoh Kyaw, Mya P’Deh and Noh Ta Pweh village tracts in T’Nay Hsah Township to bring 12 hand tractors from each village tract in order to plough a paddy field owned by the Tatmadaw.²⁹⁹ The villagers from Htee Hpoh Kyaw village tract brought 12 hand tractors, the villagers from Mya P’Deh village tract came with nine tractors, while, the villagers from Noh Ta Pweh village tract came with only two hand tractors, making the task of ploughing the paddy field difficult.

Each village tract was ordered to plough ten acres of land, and they were required to work

²⁹⁶ Further information on land confiscation and forced labour ordered by Commander Dih Dih can be found in “Pa’an Situation Update: T’Nay Hsah Township Sept 2012,” KHRG, May 2012, and, “Pa’an Situation Update: Nabu Township September 2011 to January 2012,” KHRG May 2012.

²⁹⁷ Border Guard battalions of the Tatmadaw were established in 2010; they are composed mostly of soldiers from former non-state armed groups, such as older constellations of the DKBA, that concluded ceasefires with the Burmese government and agreed to transform into Border Guard battalions within the Tatmadaw. Border Guard battalions are assigned four digit battalion numbers, whereas regular Tatmadaw infantry or light infantry battalions are identified by two or three digit battalion numbers; “DKBA officially becomes Border Guard Force” Democratic Voice of Burma, August 2010, and, “Exploitation and recruitment under the DKBA in Pa’an District,” KHRG, June 2009.

²⁹⁸ As of April 5th 2012, all conversion estimates for the kyat in this report are based on a rate of 818 kyat to US \$1. This reflects new measures taken by Burma’s central bank on April 2nd 2012 to initiate a managed float of the kyat, thus replacing the previous fixed rate of 6.5 kyat to US \$1.

²⁹⁹ This incident is also referred to in one as-yet-unpublished situation update that KHRG has on file. In order to increase the transparency of KHRG methodology and more directly communicate the experiences and perspectives of villagers in eastern Burma, 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. As companion to this, a redesigned website will be released in 2012. In the meantime, KHRG’s most recently-published field information from Pa’an District can be found in the interview “Pa’an Interview: Saw Bw---, September 2011,” KHRG, June 2012.

until they had completed the task without fail. Three villagers were required to drive and operate each hand tractor and only three bottles of petrol for each of the hand tractors were provided by the Tatmadaw soldiers per day. The Tatmadaw soldiers did not provide any food for the villagers while the work was being done, so the villagers had to bring their own food every single day until the work was completed.

After ploughing was completed, *the Tatmadaw soldiers also ordered villagers to sow paddy. When the seedlings had grown and the paddy plants had become larger, the Tatmadaw herded cattle, which were grazing nearby, into the paddy field, and the cattle ate some of the paddy plants. According to a villager, this was carried out deliberately by Tatmadaw troops in order to extort money from the owners of the livestock, who were subsequently fined 30,000 kyat (US \$36.67) per animal to compensate for the damaged crops.*



These photos, taken in April 2012, show local villagers using their hand tractors to plough a flat field in preparation for planting paddy, as ordered by Tatmadaw troops earlier in the month of April 2012. Villagers from each village tract were forced to plough ten acres of land with the use of their hand tractors. [Photos: KHRG]



These photos, taken in April 2012, show local villagers resting while ploughing a flat field for Tatmadaw troops. The villagers were not provided with any food whilst carrying out the work, and had to bring their own supplies every day until they had completed ploughing the ten acres of land that each village tract was tasked with. [Photos: KHRG]

The paddy field in which villagers were ordered to work is located near L--- village, beside the camp where LIB #547 and #548 are based. According to a community member, at one time Muslim villagers and Karen villagers used to live on this site, but about 20 years ago, the Burma government confiscated around 2,000 acres of land from the villagers, and this flat field comprises part of the land that was confiscated.

Older villagers explained that forced labour at this site is part of a predictable pattern of abuse, and that they have been forced to work on this paddy field every year for the past 20 years. One villager, Maung P--- from B--- village, T'Nay Hsah Township, predicted that villagers will again be ordered to harvest the paddy during the harvesting period in November 2012. He explained that villagers will again be forced to bring their own food and sickles for the purpose of harvesting the paddy crop. Maung P--- told the community member working with KHRG that he did not want his voice to be audio-recorded and did not want to be photographed.



These photos, taken in April 2012, show, on the left, L--- village, and on the right, the area of land in L--- village that the villagers from T'Nay Hsah Township were forced to work on. This land was previously occupied by villagers from T'Nay Hsah Township prior to being confiscated by the Burma government approximately 20 years ago. [Photos: KHRG]

According to that community member, villagers from Htee Hpoh Kyaw, Mya P'Deh and Noh Ta Pweh village tracts were likely to face further demands for forced labour following the completion of the ploughing and sowing of the paddy field described above. Villagers were informed that after the ploughing (pictured above) was complete, the villagers would be required to plough another paddy field, this time for the Border Guard.³⁰⁰ According to that community member, villagers have been forced to plough this field every year since the formation of the DKBA³⁰¹ in 1994. The paddy field is located at the base of Noh Hta Baw cliff, close to H--- village. Border Guard Battalion #1015 owns the field and is based in K'Lah Koh camp, under Battalion Commander Mya Hkaing and Battalion Deputy Commander Maung Ngway Heh.

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³⁰⁰ While Tatmadaw and DKBA units have for years operated together, this operational hierarchy became formalised with the DKBA's transformation into a 'Border Guard Force' under control of the Tatmadaw and containing a fixed number quota of Tatmadaw officers. This transformation dates to at least May 2009, when commanding officers stated in high-level meeting of DKBA officers that the DKBA would transform itself into a 'Border Guard Force.' Leaked minutes from the May 2009 meeting are retained by KHRG on file.

Ceremonies attended by Tatmadaw commanders officially announced the transformation of large portions of the DKBA into Border Guard Forces in September 2010; see, for example: "Border Guard Forces of South-East Command formed in Paingkyon of Kayin State," *New Light of Myanmar*, August 22nd 2010; and "Border Guard Force formed at Winkwinkalay region, Myawady Township, Kayin State," *New Light of Myanmar*, August 25th 2010. For further background on the formation of Border Guard battalions in Pa'an District, see also "Exploitation and recruitment under the DKBA in Pa'an District," KHRG, June 2009.

³⁰¹ The DKBA was formed in December 1994, led by Monk U Thuzana and with the help and support of the State Law and Order Restoration Council (SLORC), which was the name of the Military Government in Burma at that time. For more information on the Formation of the DKBA, see "Inside the DKBA," KHRG, March 1996.



This photo, taken on March 22nd 2012, shows the well under construction. Although the DKBA funded the project by providing all the materials, they forced the villagers from D--- village in T'Nay Hsah Township to build it. Villagers had to transport the necessary materials from Kawkareik town with hand tractors, which is an hour's journey from the site of the well. [Photo: KHRG]

on providing materials to build the well.

In D--- village, T'Kaw Bee village tract, T'Nay Hsah Township, the DKBA donated money for the building of a well in March 2012. However, they did not construct it by themselves, but instead ordered local villagers to work on it from the beginning of the construction process until the well was completed.

Although the DKBA provided all of the materials for the construction of the well, the villagers were required to transport the materials from Kawkareik town by hand tractor, which is an hour's journey from the site of the well.

After the construction of the well was complete, the DKBA held an opening ceremony in celebration, where they gambled with villagers. By charging locals to enter card games, they were able to collect fees and replenish some of the money they had spent

Source document/T'NayHsahPlantationAgriculture/2012/3

Project name:	T'Nay Hsah plantation agriculture
Type of project:	Unconfirmed
Karen District:	Pa'an
Government Region:	Kayin
Actors:	Tatmadaw LIBs #547, #548 and #549
Company/Investors:	
Government/Military:	Tatmadaw
Trends:	Lack of consultation; Disputed or lack of compensation; Land confiscation; Development-induced displacement and resettlement
Consequences:	Impacts on livelihoods; Forced labour and exploitative demands; Migration
Collective action:	Non-compliance; Negotiation
KHRG Log #:	12-114-S1
Publishing info:	"Situation Update: T'Nay Hsah Township, Pa'an District, May to July 2012," KHRG, March 2013 (First Publication)

Testimony:

This report includes a situation update submitted to KHRG in July 2012 by a community member describing events occurring in Pa'an District, during the period between May and July 2012. The update covers armed group activities, education, healthcare, infrastructure development and villager opinions on the ceasefire between the Burma government and the KNU. The community member also reported that methamphetamines are being sold in the area, which are reportedly produced by a Border Guard officer named Mya Hkaing, as well as land confiscation by LIB #547, 548 and 549, which are based in the area. The Border Guard and KNLA have planted landmines in villagers' working areas that have damaged livestock. Education remains very poor and the local school only teaches up to grade four. The Burmese Government built a medical clinic, but the medicine is not always free and a local NGO supplements the community's medical needs. Villagers have worked to

improve their roads, but remain uncertain regarding their continued development due to the ceasefire.

Situation Update | T'Nay Hsah Township, Pa'an District (May to July 2012)

The following situation update was written by a community member in Pa'an District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security.

From May to July, I went to survey and found out villagers' situation from four village tracts as Yaw Kuh village tract, Noh Kay village tracts, Htee Klay village tract and Htee Poh Kyaw village tract. The four village tracts are in T'Nay Hsah Township, Pa'an District; Pwo-Karen and Sgaw-Karen stay in those areas. There are five armed groups, which are the KNLA [Karen National Liberation Army], the DKBA [Democratic Karen Buddhist Army], the BGF [Border Guard Force], the KPF [Karen Peace Foundation] and the Burmese government soldiers [Tatmadaw]. I want to report what I have found and heard, below.

Villagers' situation

I want to report the villagers' locations and livelihood. The villagers are located in flat areas, at the base of mountains, so most of the places have flat fields and farms. The villagers earn their livelihood by working on farms, plantations and feeding pigs, hens, cows and buffaloes according to their abilities. When it is time for planting paddy, I saw the villagers help each other by planting paddy, and during the harvest time, the villagers also gathered together to help each other. Most of people in the village are Buddhist. When it is time for worship, they help each other in unity. In the summer, they make charcoal, wine, sell lottery [tickets] and do logging for a little [income]. There are no other businesses for the villagers whom I went and saw. The work that makes them hurt the most, is selling "crazy medicine"³⁰² that is produced by the Border Guard Commander Mya Hkaing in T'Nay Hsah Township. Many villagers complained that their children, students and young people are destroyed by the medicine. One villager told me that [either] lottery or "crazy medicine" makes the villagers become poorer.

Village leaders who control villagers are not elected by the villagers, but were elected by the Border Guard to take control of the villagers. Because of the above, the villagers experience taxes, and forced portering or recruitment; if the Border Guard orders them to give 100,000 kyat³⁰³ (US \$114.29), the village head collects 200,000 kyat (US \$228.57); the villagers have to deal with this.

Village heads selected by the villagers are one-month village heads. For the one-month village heads, the villagers help them for the month; they give three baskets³⁰⁴ of rice (32 kg./70.4 lb.) and 30,000 baht. Each village household has to take responsibility and be a one-month village head. The one-month village heads have to stay under the control of a supervising village head, who is kept by Border Guard.

³⁰²Yaba, which means "crazy medicine" in Thai, is a tablet form of methamphetamine. First developed in East Asia during World War II to enhance soldiers' performance, methamphetamine has become increasingly popular in Thailand, Laos, Cambodia, Vietnam, and in Burma where it is typically manufactured. See "Yaba, the 'crazy medicine of East Asia," UNODC, May 2008.

³⁰³As of August 23, 2012, all conversion estimates for the Kyat in this report are based on the official market rate of 875kyat to the US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the Kyat, thus replacing the previous fixed rate of 6.5 kyat to US \$1.

³⁰⁴A 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.

In some villages, the Burmese army stays in the village, such as S--- village, where the Burmese army has a base. The villagers' farms and planting lands are confiscated in S--- village. The Burmese armies based in S--- village are LID #547, LID #548 and LID #549; they are based in three areas within S--- village. The villagers' lands were confiscated by the Burmese armies, so they don't have places to work. There is one monastery in the area. There might be 20 acres [of land] and a monk allowed them [displaced villagers] to stay in the monastery's garden. There might be 30 households in the monastery's garden. The villagers can go and work on the land that was confiscated by the government armies last year, but they have to pay a tax. For hill fields, they have to give to the government armies five baskets [of product], and for farms, they have to give the government armies seven baskets [of product]. This year, the government armies had planned to take the lands "permanently". To "purchase" the lands, they created a "signed document" for the villager to "sign."

The villagers see that their land will be taken, so they are sad and try to find ways for their lands to not be thrown in the government armies' hand. Some cannot find other work, so if they do not have the chance to work on their farms, they will starve. Currently, as the time is for ploughing and farming, some villagers have already signed the document. One villager reported: "*Don't worry; regarding signing the document, I will not sign it. I have 50 acres of lands and, to lose this land, I will not do it. I have six children and I will ask them to go to Bangkok and look after us, and we can live like this.*" I went and asked people who can build their house with wood and a zinc roof, mostly the people ask their children to go work in Bangkok and send money to their parents to build a house. For their children to go to Bangkok, they have to pay 15,000 baht. Some go to Bangkok in secret, and if the [Thai] police catch them on the way, they arrest them and demand their money, then put them in jail. After that, they deport them to the other side of the river in Burma. They lose [the money] and have to repay it; mostly they have to sell cows and buffaloes. I heard and saw this, and it makes me think carefully that their [Thai people] government is not so well; Burmese citizens have to deal with many difficulties.

Armed groups' activities that impact villagers' livelihood

In A---, W--- and L--- villages, two armed groups planted landmines in farms, plantations and paths that the villagers used to travel at the bottom at the mountains where the villagers' farm animal pastures and food gathering sites are located. The two armed groups are the Border Guard and the KNLA. The two armed groups had conflicts beginning in 2011, so they planted landmines around the villages, farms and plantations to guard them. Now, it has become a big problem for the villagers. The villagers always have to tie up their farm animals. If any of them become untied, we hear a landmine explode. Many villagers have lost their farm animals for no benefit. Many of them dare not to go and work on their farms, so, for this year, to gain enough food they have to go and buy others' rice and work on others' farms.

One villager told me, "*Nephew, I don't believe in the ceasefire, because I don't see the two armed groups sit and drink tea together in our area. I also never see that they talk to each other, so I cannot believe [it]. Their situation is like two bulls that look at each other before they start fighting. For our villagers, we can breathe a little before they start fighting. If they fight each other, we will have to face the same things as in the past.*"

The villager also told me that, "*Nephew, if you can help us, please help us.*"

I responded to him that, "*Uncle, I cannot help but the only thing that I can do is advise you. You can gather each other, and the village head, and then go to people who are in charge and report this issue to them. They will think of something for you.*"

He told me that, “*You see and understand our problems so report [it] for us.*”

I told him, “*I could report [it] but it is not as strong as if you [reported it yourself].*”

Education situation

On June 2nd 2012, I went inside Noh Kay village tract and saw that parents were trying to send their children to school as much as they could. The houses are far from the school. The school teaches up to grade four. The students have to go to school in the rain. Some come back, and [when they] fall over, their books get wet.

I asked one student, “*Nephew, do you study Karen in your school?*”

He responded that, “*Karen is not taught; we learn Burmese, geography and science.*”

He showed me his books and his books were wet, and I told him, “*Nephew, what will you do, all your books are wet?*”

He responded that, “*I fell on the side of the farm boundary and all my books got wet, so I need to go back and dry them.*”

I asked him, “*Nephew, where is your house?*”

He said, “*It is on the other side of the farms.*”

I told him that I will go with him. Then I went with him to his house and saw no one, so I asked him “*Where has your family gone?*”

He said that “*My parents work on farms and my older sister went to look after the cows, and they have not come back yet.*”

I asked him, “*Who teaches you how to read?*”

He said, “*I read it myself.*”

“*Your parents don't teach you?*”

“*They cannot read books. [When] I go to school my teacher teaches me, and when I arrive home I read by myself.*”

I think because of their livelihood, they don't have time to look after their children.

Healthcare situation

The government has one clinic here. The clinic opens once a week for villagers to get free medicine. For the other six days, if villagers need medicine or need injections, they will have to pay whatever [amount] the medics ask for; the medicine is given by the government. The medics are responsible and get a salary. When I arrived there, there was a lot of rain, so many children got fevers and malaria that the medics could not follow up with them all.

I saw two nurses try their best to help the villagers. They told me that “*We try to help the patients and sometimes we get sick, but we cannot be sick.*”

For villagers who are injured by landmines, they are sent directly to Kaw T'Ree. For people who fell off trees or were injured by a motorbike, if they cannot treat them, they also send them to Kaw T'Ree. There is one NGO [non-governmental organization] in Kaw T'Ree that especially looks after people who get injured by landmines, or have broken hands or legs. They don't take villagers' money; they take good care of villagers and send them to their house safely. As I know, there are two nurses working with this group, so the villagers don't have to spend a lot of money to go and get treated in Kaw T'Ree. As the above information, I saw there is not a big problem dealing with healthcare, as the nurses and villagers are working together. But there is no permanent clinic, so they need one.

Village development

When I went [to T'Nay Hsah Township], I saw that the villagers had built roads to travel from village to village. Village heads, monks and villagers gathered together to build a bridge and road. They were working together in unity, including women and children. I saw that the children had to carry sand and stones. I saw this and thought that was a kind of abuse of child rights. Instead of the children having time to play, they had to work for the elder people.

I saw the villagers had planted lot rubber plantations, and the rubber plantations are very good. People who planted rubber there damaged lot of *t'la aw* trees. They make thatches for their house and hut roofs with the *t'la aw* leaves. However, now the places where they get *t'la aw* leaves are becoming rubber plantations, so it damages the villagers' work and living. One village head told me that, "*If we have t'la aw leaves, it is useful for our villagers. We villagers collect t'la aw leaves, and if we count, we get 50 or 60 thousand kyat in a year. Now, a hundred of t'la aw thatches cost 7,000 kyat (US \$8.00). Some women came and collected t'la aw leaves in this area, so they insulted each other. In your area, you remove all t'la aw trees and replace them with rubber plantations, so collect the rubber leaves to make thatches and build your house and hut roofs with the rubber leaves. Why do you come and collect t'la aw leaves in our areas?*" When I saw this, [I] thought that planting rubber is causing a problem for the villagers.

Villagers' opinions on the KNU and the government holding peace talks

I went to the areas and talked to many villagers. The old and young people talked about the ceasefire and peace process that the government and Kaw Thoo Lei [KNU]³⁰⁵ are holding. Based on their conversations, I can understand that they do not believe in it, and I support their views and opinions. Last year, in November 2011, the villagers had tried to stop the conflict between the Border Guard and the KNLA. The village head had tried to negotiate peace at one time, but it did not work and they [Border Guard and KNLA] fought against each other.

I saw that the villagers need real peace; they also try their best and in their own way. Based on their struggle, the armed groups do not perceive them [villagers] clearly, so they cannot stay in their village anymore and have to move to other villages. What the villagers have tried has impacted themselves. Now, the military government and Kaw Thoo Lei government hold a ceasefire, but the villagers do not have full trust yet. One village head said, "*The Border Guard, the DKBA [Democratic Karen Buddhist Army] and the KPF [Karen Peace Foundation] are not the main actors. The main actor is Kaw Thoo Lei. The upper leaders of Kaw Thoo Lei have done a good job. For the lower [ranking] people, I see none of them can arrange and make a peace process.*"

³⁰⁵The term "Kaw Thoo Lei" refers to Karen State as demarcated by the Karen National Union (KNU), but the exact meaning and etymology is disputed; see: Jonathan Falla. True Love and Bartolomew: Rebels on the Burmese border, Cambridge University Press: 1991.

Source document/T'NayHsahPlantationAgriculture/2012/4

Project name:	T'Nay Hsah plantation agriculture
Type of project:	Unconfirmed
Karen District:	Hpa-an
Government Region:	Central Kayin
Actors:	Tatmadaw LIBs #547, #548 and #549
Company/Investors:	
Government/Military:	Tatmadaw
Trends:	Disputed or lack of compensation; Land confiscation; Development-induced displacement and resettlement
Consequences:	Impact on livelihoods; Forced labour and exploitative demands; Physical security threats; Migration
Collective action:	Non-compliance; Reporting to authorities; Negotiation
KHRG Log #:	12-108-A2-I1
Publishing info:	"Hpa-an Interview: Naw L---, T--- village, Hpa-an District, July 2012," KHRG, March 2013 (First Publication)

Testimony:

This report contains the full transcript of an interview conducted during June 2012 in T'Nay Hsah Township, Pa'an District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed Naw L---, who described the following abuses: Forced labour, movement restrictions, theft and looting, attacks on livelihood and land confiscation. In the past, the LIB #547, 548 and 549 allowed villagers to work on their farms and pay tax to them [Tatmadaw]. However, in this year, they forced the villagers to sign the document which mean they will completely take the villagers' lands. Moreover, they forced the villagers to plant paddy for them. When they see villagers' cows and captured them. They ordered the villagers to come and pay money to get back their cows. Naw L---also raised concerns regarding food security.

Interview | Naw L---, (female, 54), T--- village, T'Nay Hsah Township, Hpa-an District (July 2012)

The following interview was conducted by a community member in Pa'an District, and is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Pa'an District, including, three other interviews, one situation update, 45 photographs.

Ethnicity: Karen

Religion: Buddhist

Marital Status: Married

Occupation: Farmer

What is your name?

[censored for security]

What is your real name?

Naw L---

Where do you live?

I live in T--- village.

Are you Buddhist?

Yes, I am Buddhist.

How many children do you have?

I have five children. Two are girls and three are boys.

How old are you?

I am 54 years old.

I heard about land confiscation. I want to know more about this issue. If you have any information and if you want to tell me, you can tell me now. It depends on you, you can say what you want to say.

In the past, the battalion [Tatmadaw] came and the battalion commander stayed at my house. He said “*We have confiscated all this land. You can't own the land anymore.*” We asked him, if the battalion confiscates our land then where are we going to live? He said that the leaders from the state gave orders. You guys have to leave. You have to sign. I told him “*We will not sign. The battalion owns the land, so we don't need to sign. Because the battalion will confiscate our land and we will not get it back so we will not sign.*” He said “*You can't refuse to sign. The battalion owns the land so you have to sign.*” He said “*The battalion owns the land so you have to sign*” but we do not sign. He said “*These [lands] are not belonging to you anymore. We own everything.*” They cut down the trees and I told them not to cut. We own the land so we can eat. But they said they have to cut and clean it all. I told them to leave the mango and jack fruit trees so we can eat the fruit. They said they “*have to cut it all down. We own the land and we will cut it all down. You own nothing. We will take all these [lands]*”. They said since the battalion owns the land, they can do what they want to do. We asked them where we will have to go and live. They [said that they] will arrange a place for us to live. They asked us to go and clean up the land where they are going to place us. We went and cleaned the land. Finally, the [village] chairperson demarcates land for us but he asked us to buy the land. We can't buy it. We can't afford to buy it. We don't have money. He demarcated the land and asked us to buy it but we didn't buy it because we have lost much land, so we do not want to buy it. He sold it and people from outside [from other place] came. No villagers of T--- villagers bought the land.

Did he ask you to buy the land he demarcated?

Yes. He asked us to buy [the land]. He said “*The Burmese [Tatmadaw] will take our land. They will arrange a place for us to live and stay there called section 1st now.*” They asked us to go and stay there. They demarcated the land and sold the land to villagers. We don't want to buy it. We don't buy the land and we don't stay there. People who bought the land went to build up their house with planks and roofs using galvanized iron sheets. We can't do it. They took all our land so we can't do anything. No one from T--- village can do anything. He said he “*Demarcated land but people don't want it. So people from outside came and bought the land and came to live there.*” For us if they give it us for free, we will take it, but if they don't give us it for free, we won't take it. For the farms, they said that they will confiscate all the farms. All are belonging to them. We have to give them a tax for each acre, one acre is 15

baskets.³⁰⁶ We gave it to them but now they make us have more difficulties. Because of this issue, one day, I argued with the village chairperson a lot. He said he didn't sell the land. He said he gave it to T--- villagers but T--- villagers didn't take it. I told him "You try and sell it to us, so we don't take it." He didn't ask T--- villagers. I told him you didn't ask T--- villagers. If you want to know, ask T--- villagers. You asked villagers from the other village. I asked him do you know how many problems T--- villagers face now. Some of them went to K--- and H---, they all live in different areas now. He said, just only a few houses. I told him it is not a few houses. Do you know, many T--- villagers live in here. Even you don't know how you can say that. I told him, we lost [our land]. We won't give up. Now the Burmese [Tatmadaw] took my [land] and they said let it be. But I told them, I won't let it be. The Burmese confiscated all my land. The Burmese took my house. The Burmese cut down all the trees. Nothing is left. All are gone. He said he did not know about that. I told him you don't know anything. You are the leader. So what do you know? Another commander came and he said the same thing. They said "*All this land belongs to the military. It does not belong to you at all.*" If any group [of Tatmadaw] come, they say the same thing. They said it belongs to them. If any commander comes, they say it belongs to them. They said all belongs to them. T--- villagers can't own the land. They said T--- is vacant land. It is not in their list [the land belongs to villagers]. They said that they will come and build [their base] on vacant land. Then I told them, we have worked on this vacant land since our grand-parents age. Is this still vacant land? They said it is vacant land on their map. So I told them if it is vacant land, all land must be vacant land. They said no, not all is vacant land, only the land where you live. I told them if it is vacant land here, it all must be vacant land as well in other places. I told them it is very strange because all farms here are vacant land. They have confiscated all in this river area. They left nothing.

How many acres do the lands add up to?

There are many acres if we can count.

I heard there are 2,000 acres. Is that right?

I don't know. There are already over 30 farms belonging to our grandparents since in the beginning but we present [to Tatmadaw] only five or six acres. They asked us how much of your land was included. We told them two or three acres from each of us. Like three of our siblings own each part of our grandparents farm. Some own three and some own six acres. There are many acres in reality. But people who own the land present only few acres [to the Tatmadaw].

I mean, not only farms, also including plantations and villages. How many acres do you think?

There will be many acres. We never note it down. Villagers are not sure how many acres are the lands that they own. I think there are about 10 acres only for my house compound, not including the farm yet. I have three farms and two houses. An acre of my land was included when they built the school. Probably, there are over 10 acres. My farms will have over 20 or 30 acres. But the acres of the farm are not accurate when villagers submit it to them [Tatmadaw]. They only submitted a few acres because people can't pay the tax. They ask for five or six baskets from each acre. For our lands, we have to pay seven acres and five acres for farm tax. We have to pay every year. This year, they asked us to sign but we didn't sign.

³⁰⁶ 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

Does this mean you have to pay them the tax from your own land?

Yes. We are farming and we have to pay them.

[Outside]: we have to pay them tax.

You have to pay farm tax?

Yes, we have to pay a farm tax.

But they are your own lands.

Yes. It is our land. Even for our land, we have to pay.

How much do you have to pay for each acre?

We have to give baskets of paddy grain. For us, we have to pay seven baskets. This year, they asked us to sign in order to work our farm. We didn't sign. My son already went to plough. They said we have to sign. If we don't sign, we can't work our farm anymore. And they said they will not allow us to go to our farm anymore.

Why do they ask you to sign? What do they want? Do they want to take the land?

They said this land belongs to the military. So we have to pay to work on their land. They own all the land. This is not our land anymore. Now if we don't pay, we can't do farming anymore. Now, it's like they own all the lands. Now, my son can't go and do farming anymore. I have already ploughed.

[Outside]. There are five baskets of *bu klee* [paddy prepared to sow].

Five full baskets of *bu klee* are kept stored. Now they said, you can't have access to land belonging to the military. Now, they don't allow us access to land belonging to the military. Now, no villagers from H--- come here. H--- villagers own lands in T--- as well. They can't come so they have to come in other ways. For us, there is no way we can go. There is no way we can go around from here. We just have to wait and listen. My son can't do farming anymore.

[Outside] [*inaudible*]

I argued with Burmese [Tatmadaw]. Win Oo pointed to me and I pointed to him. Win Oo told me and I told him. I told him the Burmese [Tatmadaw] occupy land here does not include your land so you can tolerate. For me, they occupy in my land so I can't tolerate. The Burmese [Tatmadaw commander] army asked him "*Don't you demarcate land for Taw Ta Ka Lu [people from mountain]?*" He said "*Yes, I did demarcate but no one takes the land.*" I told him "*You ask for money, who will take the land. No one will take. People from the mountains lost many things so no one will take it.*" He said "*No, I gave it for free.*" "*There is water, who will live there. No one will live.*" I told him. He said "*Watch your mouth when you speak. Do you know that I sell it?*" I told him "*If you don't know, you will know people who eat money. If you don't know, you are the one who eats money. Lands were sold and many people from section 1 bought the land, don't you know that?*" "*Aren't you a chairperson in section 1?*" I didn't know that he sold Maung S---'s land. If I knew, I will mention at that time. I didn't know that he sold the land. He said "*Do you know that I sell the lands?*"

[Outside] The previous year, he planned to come and demarcate the land in, the Monastery

compound. I asked him did you tell the monks that you are going to demarcate the land. You are the leader. You can go and ask the monk. Later, he doesn't dare to do it.

He told the commander that he gave [land] to T--- villagers but T--- villagers didn't take the land. He also donates the land to the monks. We donated to the monks and the monks sell the land.

[Outside]. It doesn't make sense.

I told him we lost this amount of our land so if we have to buy, we won't buy it. In the beginning when Soe Win came, we had to pay money. He would demarcate land for us. T--- villagers went and cleaned everything at section 1. I asked him to ask people who live in section 1 whether they cleaned the land. No one cleaned, only T--- villagers did it.

[Outside] [we have to pay] 200 (US \$0.23) kyat from each person.

Yes, 200 per person. He said I don't understand and I don't know who Soe Win is. I told him you don't know so why did you come and live in section 1.

[Outside] Tell him if you don't understand, fall and die.

[Outside] I heard if anyone wants to come and stay there, they have to roof their house with galvanized iron sheets.

Yes, if anyone wants to come and stay there, they have to roof their house with galvanized iron sheet. People can't stay there if they can't roof their house with galvanized iron sheet he said. T--- villagers don't have money. How can they afford a roof with galvanized iron sheet. You have to build it with cement and galvanized iron sheets. But they said T--- villagers don't take the land and stay on the land. So guests [outside people] come and stay on the land. Now he said T--- villagers cause complications. He told me one day about that. I told him, even now if you give T--- villagers now, they will take the land.

When did he tell you?

The day he told me

[Outside] June 3rd.

June 3rd?

Yes, I don't remember the Burmese month.

It is fine to tell me the English month.

[Outside] When he came this month [stop].

Yes, at that time.

On day 3 of this month?

Yes.

What did they tell you?

I went to the commander. I told the commander "Commander, my son will come and plough. People told me that we can't come. Can I come?" He said "No, you can't come." I don't speak Burmese very well. But I try to speak. He said "You can't come if you don't sign." I told him "This is my land. Why can't I come?" He said "if you sign you can come. If a person signs, that person can come. Two people sign, two people can come." So, I told him if only I sign, I will not become an astute person. How can I survive now? I am just working for my livelihood. Now, I have nothing so my son and daughter go and live in Bangkok. I can only eat when they send money to me. If they don't send, I can't eat. [Battalion] #549 confiscated all my plantations and farms. Kindergarten school is built in my house. School is built on my land. This farm is my farm. All belongs to me. No one knows. I have to give over my land and I feel distressed but no one knows. During while we were speaking, Win Oo, the section 1 leader arrived. The commander asked him "Didn't you demarcate land for the villagers?" He said "Yes, I did but no one took it." I can't tolerate it anymore when I heard this. It is coming up. Who told you that we didn't take it? No one said this. You sell it right? People from the mountains don't pay. They will stay for free. People from the mountains have to give up a lot, I told him. He said "When did I ask for money. I don't take money for the land in behind. [land in the West]" There is much water there. Who will live there? No one will live there. Villagers give up their land a lot so they have to live in the front [land in the East]. He said, "Watch your mouth when you speak." I told him, "I don't know. You will know someone who takes money if not you. If you don't know, you are the one who eat money." Then he said "This woman. Watch your mouth when you speak."

Who?

Chairperson Win Oo. He lives in section 1. I told him you live in Sa Ta Pyi. You are Mon. You live in Sa Ta Pyi. If you don't know about T---, come and ask people who live in T---. He said "*There are T--- villagers. Naw M--- and Naw A--- are T--- villagers. Naw M--- is a Y--- villager.*" I told him to go and ask to make sure. She lives in Y---. Naw A-- husband is a T--- villager. The place where she lives is her parents-in-laws land. Naw M--- is from Y---. Go and find out, I told him. She is not originally from T---. If you know T--- villagers, you must ask T--- villagers. You asked outside people. How can they know? You ask people who are not T--- villagers. Come and ask me and I will explain to you. I will show you how many T--- villagers house. I can show you all. I told the commander "*Win Oo is Mon. He is from Sa Ta Pyi. He comes and lives in section 1 and he is proud of himself. His son in-law is a major. People said they are afraid of him. I'm not afraid of anything. I will tell you everything.*"

Who do you talk to?

I talked to [battalion] #549 commanders.

What is his name?

The [battalion] #549 commander is Yeh Kyaw. We argued on the road. The commander looks at me. I argued and Win Oo told me "*This woman, watch your mouth when you speak.*" "I say thing that is true. I don't say thing that is not true. I shake my hands and he also shakes his hands as well on the road. If Burmese [Tatmadaw] kill me, I will die there. He shakes and I shake when I get angry. I told the commander that I lost my entire farm. I have no land. I dare to die if people kill me. I'm not afraid anything. I dare to die. I dare to die when people kill me. I don't own anything. My land is here. People cut all the bamboo trees, they give me nothing. People take it for free. I got angry and people asked me whether I remembered what I said. I don't know. I just continue it. Almost [battalion] #549 commanders, I have argued with them every year. I always argue with them. I'm not afraid of them. One of the commanders asked me "*You are good at speaking, do you dare to die?*" I told him "*I dare to die,*" I showed out my chest and told him "*Kill me. If you dare to kill me,*

kill me now." He fell silent for a while and asked me "*A'Moe, what reason makes you dare to die?*" I told him "*I lost my farm and my land. I dare to die if people kill me.*" He said that is true. I showed out my chest. I dare to do that. I told him I'm not afraid of anyone. Since battalion #549 came and based here, my properties are gone and no one pities on me. One thing starts to belong to the battalion, then two things belongs to the battalion. You go back to your plantation and they ask A'Moe, what kind of paper do you have? This is military land. It all belongs to the military. I told them I planted these plants. But they said these are not your plants. "*These are my grand-parents plants, this is my grandparents land, they said*". These words are very painful to me and it almost makes me die.

Do you know his name?

They are Burmese and someone's employees.

[Outside] Those people always say thing like this.

For Battalion Commander Tay Soe, he argued with me when he is going to confiscate one villagers land. He is [battalion] #549 Battalion Commander. He will plant rubber. He asked me to sign but we didn't sign. I told him "*Commander, this is not my land, I can't sign. This land has an owner. Go and ask the land owner.*" He said "*You have to get involved.*" I told him that I can't involve myself. He said "*Battalion can take everything but we feel pity to you so we call to meet you. We call to meet and inform you.*" I told him "*Even if you call to meet and inform me, I can do nothing because this is not my land. The land has an owner.*" He said he will inform the village head to meet him. He informed P--- village head. The village head came and signed. We didn't sign. Only the village head signed.

He signed for them?

He asked villagers to sign for him to be able to plant rubber on the land. They asked him [the village head] to sign for them like he owned this land.

[Outside] Did the land owner sign?

No, the land owner didn't sign.

[Outside] Only the village head signed. Not the land owner. The land owner knew nothing. Only the chairperson and secretary signed. He is R---.

Is it the same chairperson at the moment the one who's name you mentioned?

[Outside] He is R---.

[Outside] No, it is not him.

[Outside] He is B---.

[Outside] Is he not Saw Z---?

[Outside] Yes, he is Saw Z---.

[Outside] He is Christian.

After [the village head signed], they came and planted rubber. They planted rubber and after a year, that battalion commander was transferred. After he transferred, the next battalion

commander came.

[Outsider] Naw Ht--- said she always goes and pulls out the rubber they plant.

[Outsider] Did they already plant [rubber]?

No, they don't plant anymore. After he went back, the rubber plants disappeared and the villagers are farming on the land and use it for cattle grazing.

[Outsider] Do you have to pay them?

No.

Do you want to say anything more like other feelings? You can say that. These words come from you. You can say more.

They said "*This is not our land anymore.*" He said "*We pity you so we let you stay. We own everything.*"

You have lived there since the time of your grandparents age, isn't it?

Yes, we have lived here since our grand-parents age. They said this does not belong to your parents.

When did they come?

They came in 1995. From 1995 to now, it's already 17 years.

No, at that time did only person come, right? Or was it group by group right?

Three battalions came at the same time.

[Outside] They came and stayed in [our] houses at the same time.

Yes, they did.

[Outside] We have to leave in our village. They stayed in the house. If you don't want to stay in your house anymore, you have to leave your house. They did it in this way and they built their camp [in the village].

We stayed with Burmese [Tatamdaw] in the house for a year. When the summer came, they ordered us to move. Then we had to move.

Is this area lived in by Karen people only?

Yes, all are Karen.

[Outside] All are Karen villages that the two battalions occupy.

All are Karen.

What about Kaw La Thoo [Muslim people]?

No Kaw La Thoo.

[Outside] No Kaw La Thoo. Kaw La Thoo are [in battalion] 547.

Kaw La Thoo lived in another village.

[Outside] Only [battalion] #547 occupy in Kaw La village. Here are [battalion] #548 and [battalion] #549. The two battalions [battalion] #548 and [battalion] #549 base their two camps inside the village. [Inaudible] one or two people is fine.

[Outside] On the village, they built two armies camp. There is no place we can stay. In the past, [battalion] #549 stayed in the [battalion] #548 area.

[Outside] Now, T--- villagers don't have their land even maw keh tha [a round seed]³⁰⁷. [Battalion] 547 battalion also took T--- villagers land. It reached to new section.

How many households of you come and stay in the monastery compound?

[Outside] Over 30 people.

Is this households?

[Outside] Yes, over 30 households.

Some people moved to K---, H--- and D---. There are seven households in [battalion] #549 occupied area. We live between [battalion] #549 and [battalion] #548.

[Outside] There were about 50 or 60 or over 70.

[Outside] It is more than 70. It could be 80 households.

When they establish their battalion, our house [stop].

There are over 30 households. How many are the population?

[Outside] There are probably over 100 people including children.

Don't you have the household list?

There are household lists.

People who come and live here as refugee because they don't have anything.

[Outside] We are really refugee. Even a small piece of land, we don't have. There is no place to work on. We only have to do for Burmese [Tatmadaw land]. You work and you have to pay them.

The land where we live now, they said it is their land. The farm we do, they said it is their farm. Nothing belongs to us.

How many years ago did you move to the monastery?

³⁰⁷maw keh tha is a small seed, the villager in this instance is referring to the amount of land that he has left being comparable to the size of the maw keh tha seed..

[Outside] Since the Burmese came, some of villagers went to live in their farm.

[Outside] It has been 16 to 17 years.

The year when the Burmese [Tatmadaw] came, we couldn't move because it was the rainy season. We couldn't move so we stayed together with Burmese [Tatmadaw]. We moved and stay apart from Burmese [Tatmadaw] when summer come.

[Outside] We came here in 1996-97. In the past, we moved to the place at the back of DKBA base, the area occupied by Mya Hkaing. Some people live here and some people live there in the past. Then they came together to live here.

[Outside] Some people live in P--- village.

[Outside] The battalions were established on July 28th, 1995.

July 28th?

[Outside] Yes.

[Outside] He is the one who keeps the records.

People who live there keep records. For us, we don't keep records.

[Outside] They came on Saturday. They also cleared [a place to build their camp] on Saturday.

Yes, they always give religiously every year on Saturday. I don't know why. Now they will do it again on July. They came in July.

[Outside] The time when they come, we already plant paddy. We had to go and do *loh ah pay*. [voluntary work]

So you have been staying here for 17 years?

[Outside] Not 17 years yet. I am the one who came and lived in this monastery compound only 15 years ago. I am the one who built the house first.

This year will be 16 years because we stayed one year together with the Burmese [Tatmadaw]. We separated from the Burmese one summer.

[Outside] We stayed together with Burmese [Tatmadaw] for one year. Next year, we don't dare to stay with them anymore.

[Outside] We always face difficulty since the Burmese [Tatmadaw] came.

[Outside] You faced with difficulty. I always have to tie my cows in every season.³⁰⁸

I could not build my house, the planks that I hadn't used yet, they took them all.

[Outside] In all words if we have to say, even the cows, the Burmese [Tatmadaw] fuck their

³⁰⁸The villager is referring here to the fact that the Tatmadaw often use other people' cows as an excuse for taxing the money from local villagers as will be apparent further on in the interview.

ass.

Not only the cows arses. They fuck the pigs as well and the pig screams “goo goo”.

[Everyone laughs].

[Outside] You have to say all these things.

I called Tha Pa. “*Tha Pa*³⁰⁹, the Burmese [Tatmadaw] fuck the pig.” Do you dare to go and stop? Just let them do. “Hey! Who fuck the pig?” I shouted. Then they go back with bending back [ashamed walking]. [Everyone laugh]. When your cow howls “bawww”, your cow disappears. They go to the bushes and fuck your cow. Then they release your cow.

They fuck cows?

They fuck cows and pigs. [Everyone laughs].

[Outside] You have to say everything. They will become an animal in the next life.

One of the girls told me “*Aunt, your cow has disappeared and did you check their legs and hands? if the cows legs are scratched, it is true that the cow was fucked.*” They tie the cow’s legs. The cows come back after they untie the cow then the cows legs are scratched. I think, there is no female cow they don’t fuck in T--- village. That’s why Saw O-- Pa said “*I can’t sell my female cow. I will see whether it will give birth to Burmese [human] or a cow.*”

[Outside] Saw E--- cow was tied last week. So you have to tell everything.

Aung Myint Sein said the Burmese [Tatmadaw] came and fucked his cow and his wife will shout but he said “*Don’t scream. The Burmese [Tatmadaw] will hear.*” He just watches. His wife told him “*Aung Myint Sein, I will shout.*” He said “*Don’t shout, the Burmese [Tatmadaw] will know us.*” They were trembling in the house. When the Burmese [Tatmadaw] has gone and the next morning, he tied up his cow and said “*Cow, the Burmese [Tatmadaw] fucked your ass.*” He beats the cow and said the Burmese [Tatmadaw] fuck your ass and you don’t move. He said the cow is tame. The cow stays straight when you stroke the stomach. I saw many things. My cows disappear and I go to ask Burmese [Tatmadaw]. My cow disappeared and I know the Burmese [Tatmadaw] will fuck my cow. I told the officer “*Officer, my cows disappeared. Help me to find the cow. My cow moves forward to [battalion] #548.*” He said “*Your cow disappeared, it is not Burmese [Tatmadaw], it is Karen.*” I told him it is not Karen. “*Give me one or two of your soldiers. I will go and find it in the bushes. My cows will have been moved to the bushes.*” He said “*I can’t give to you.*” He said “*You will find your cow tomorrow.*” I told him “*It is true that I will see but if my cow was fucked tonight, my cow will die.*” He said “*No one will do this.*” Next morning, I called other villagers then we went to the bushes two people each team. Then the cow howls. I went and looked for the cow and I saw the cows *na pa* [the nose of cow] on the high position and the butt of the cow is between the trees. They fucked the cow until they didn’t want to anymore. You look around and all the grass has been flattened down. I asked my cow “*You get enough fuck tonight?*” [every one laughs].

I heard they fine you when the cows eat their paddy.

Now, we plant paddy. Their cows came and ate our paddy. We go and tell them. They said their cows don’t eat [the paddy]. It was the villagers’ cows. Now we tie our cows but our

³⁰⁹Husband

cows escape. They capture our cows then they fine us for 20,000 to 30,000 kyat. They don't fence their plantation. For us, we fence our plantation. I tie my cows up but he asked his soldiers to capture my cows. His soldiers can't capture the other cows because the other cows don't have rope. So they took my cows to their commander. They said my cows ate their plants. They ordered the cows owner and I have to go. I told him "*Commander, I tie my cows. It is not my cows that ate your plants. Many cows come*" He told me "*If your cows didn't eat, then the soldiers wouldn't take your cows.*" I told him my cows didn't eat [the paddy]. He said "*Give me 10,000 kyat*". I told him "*I can't give. I tie my cows. My cows don't eat the plants.*" He said "*If you don't give, you can't take back your cows.*" I didn't take my cows and I left my cows there for two days. My cows howling and howling then he asked me to take back the cows. I didn't pay them. For the H--- villagers' cows, they don't give them water for two or three days. They ordered villagers to come and *Yway* [pay money and take back the cows]. The owner has to pay 30,000 and 50,000 kyat, depending on the amount of cows. It happens every summer.

In the previous year, they captured my buffalos.

For my buffalos, how much it cost. For my female cows, I had to pay 50,000 kyat and 30,000 kyat for my buffalos. The last time cost 20,000 kyat. I have to pay three times for my cows and buffalos. None of T--- villagers was fine by Burmese [Tatmadaw]. Everyone was fined for one or two times.

It happens in their farm confiscated by Burmese [Tatmadaw]?

Yes, it is in our farm that they confiscated. Sometimes we tie our cows up. Our cows escape. The cows go back to the house for mango. They capture the cows and they said the cows ate their plants. They capture the cows and they demand money. Sometimes they demand money and sometimes they demand bamboo and logs. Villagers have to give them. There are many mangos in our house. The cows go there for mangos they capture the cows and they said the cows came and ate their plants. They capture the cows and they demand money. Now they plant kyet Su Pin [Jatropha]. We have to buy the seeds. They plant it. If the cows go there, they said the cows destroyed their plants. You have to pay them. You have to pay everything. When your chickens disappear and you go and inform them they say it is not their soldiers. I told him "*Many of my chickens disappeared, but you never know. Many of my machetes disappeared but you don't know. Many of my hoes disappear but you don't know. I know some of you who come and take my hoes.*" But they said they didn't come and take. They refused me. Since [battalion] #549 came, I lost 5 hoes, and ten machetes. You guys come and eat rice at my home and over ten baskets of rice have gone. You came and asked A'Moe, lend me a bowl of rice. How much did I give you, but you don't know and you never paid me. Now you ask for hay as well. "*A'Moe, give me a little hay*" I told them, when you don't save hay. You have large farm. You take including hay. Sometime, they give religiously and they come to steal my wood. They really do it to us. They said they will harm the Karen until there is no Karen. You can only see Karen in the museum. They do us until we can't stay anymore. They said Karen has no knowledge. They don't have a country. They stay in Burmese country now. They will have to accept what we do.

Who said that?

It is Burmese but we don't know.

Is it Burmese soldier?

Yes, Burmese soldiers.

Burmese soldiers from #548 or #549?

It is [Battalion] #549 because we live close to [Battalion] #549. There are 7 houses in [the area Battalion] #549 base. We live between the areas. They said they are kind to us. If not, they will move us away. We told the first battalion who came this is our place. We will live here. He gave us [the land] and other villagers move to other place. They moved to the place where their relatives live. For us, we refused to leave. We refuse but we can't. Now they said, Karen is useless [people]. They have no understanding. One day Karen will be in the museum. We will do until there is no Karen. They said they will do this until there is no Karen.

Source document/T'NayHsahPlantationAgriculture/2012/5

Project name:	T'Nay Hsah plantation agriculture
Type of project:	Unconfirmed
Karen District:	Hpa-an
Government Region:	Central Kayin
Actors:	Tatmadaw LIBs #547, #548 and #549
Company/Investors:	
Government/Military:	Tatmadaw
Trends:	Consultation; Disputed or lack of compensation; Land confiscation; Development-induced displacement and resettlement
Consequences:	Impacts on livelihoods; Forced labour and exploitative demands; Physical security threats; Migration
Collective action:	Non-compliance; Negotiation
KHRG Log #:	12-108-A1-I1
Publishing info:	"Saw N---, (male, 60), T--- village, T'Nay Hsah Township, Hpa-an District, June 2012," KHRG, March 2013 (First Publication)

Testimony:

This report contains the full transcript of an interview conducted during June 2012 in T'Nay Hsah Township, Pa'an District by a villager trained by KHRG to monitor human rights conditions. The community member interviewed Saw N---, a 60 year old, T--- villager who described information pertaining to land confiscation and forced labour in T'Nay Hsah Township Pa'an District. According to information provided by Saw N--- land confiscation is perpetrated against villagers from T---, M---, W---, and H--- by Tatmadaw LIB #547 548 and 549. Saw N--- describes how in the past, villagers working these farms were taxed in order to continue to farm them, now however, they have been put under pressure to sign the land away completely and been forced to move to a nearby monastery. Saw N--- also describes how battalion 548 in particular are forcing villagers who have tractors to work the land without pay. Information is also provided on past Tatmadaw abuses toward villagers to do with killings, forced portering, and extortion.

Interview | Saw N---, (male, 60), T--- village, T'Nay Hsah Township, Hpa-an District (June 2012)

The following interview was conducted by a villager in Pa'an District who has been trained by KHRG to monitor human rights conditions. It is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Pa'an District, including four other interviews, 45 photographs and 5 video clips.

Ethnicity: Karen

Religion: Buddhist

I want you to tell me how many acres of land were confiscated in there.

Between 1995 and 1996, the Burmese [Tatmadaw] came and built two camps in a village. [They] built three camps because the other one took some part of our land as well. They built two army camps in our village. It is [battalion] #548 and #549. The two battalions built their camps and confiscated all T--- villagers' lands. Not only T--- villagers, M---, W--- and N--- [villages] as well. They confiscated all lands in this area, including all farms. They didn't confiscate the land systematically in the past. We did farming and we could pay them a percentage. They demanded 5 or 6 baskets of paddy from an acre. They didn't demand the same each time. Now, in 2012, they will completely confiscate the land. They came and asked us to sign it away. We don't want to sign and we are against them now. Since then, the T--- villagers have had to move here, in the Monastery. There is no place for us. They didn't demarcate land for us. They don't give back our farms. They said it belongs to them. It belongs to the state. T--- villagers have no rights.

How many households moved to the Monastery?

One group moved to T--- monastery. Some people also went to live beside the river, M--- village, N--- and W--- villages. Some moved to the closest village, but only a few people did this. Most people moved to the Monastery. There are over 30 households.

So they don't have land to work on anymore?

We have nothing. We only worked on Burmese [Tatmadaw] land but we had to give them a percentage. This year, they will completely confiscate the land and ask us to sign it away. Here you see, they type the words as if they are the land owner. They ask us to sign but we don't sign. We discussed this and we think we will never sign. Now, they pressure us and they said if we don't sign, they will report us to the police, DKBA and Peace Council³¹⁰ who will arrest the villagers. Some of the women said if they want to arrest us, they can come and arrest us. We have nothing.

How much of the population have you counted?

Currently, there is much [population]. There are 62 [land owners] who [will] have to sign. They have to sign it now. There will be over 100 villagers whose lands were confiscated by [battalion] #547, #548 and #549. There are 77 people whose land was confiscated that we collected in the past. Now there are 62 people who will have to sign.

How many households are [being affected]?

Now, only [battalion] #549 has started [completely] confiscating villagers' land. Not [battalion] #548 yet. [Battalion] #547 has already started as well. The three battalions, they are like "three stones stove."³¹¹ They take for themselves all the land around the area that is

³¹⁰ The KNU/KNLA Peace Council (also called the Karen Peace Council or KPC), is an armed group based in Htoo Gkaw Ko, Pa'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: "KNU/KNLA Peace Council," Mizzima News, June 7th 2010 and "KPC to be outlawed if it rejects BGF," Burma News International, August 30th 2010.

³¹¹ The villager is using the "*three stone stove*" metaphor to explain that the Battalion camps are set up in a triangular formation.

close by their camps. They give us nothing. All the people, who come and live there, are guests. People never mention T--- village. People who have gone and lived there, including the Chairperson, they are not T--- villagers. They came from a low part.³¹² They came and sold T--- villagers lands. They sold the land to guests. All the people who live there are guests. None of them are original T--- villagers. T--- villagers live here, in the monastery compound only a few live outside.

So the monks let you stay here.

If the monks didn't let us stay here, there would be no place where we could go and stay. So we all come and stay here together. There is no place [we can go and stay]. Not all are included in this list. There are many [people] still left.

Can you collect it all for me later? I want it all.

I think I can collect it all [victim names].

I will come and collect it next time when I come. Is that fine?

Yes.

So you worked your own farm but [now] you have had to give it back to them [Tatmadaw].

Yes. We had to give them [Tatmadaw]

Now, it is not the same as before. They don't do the same as before. Before, they said "we confiscate all your land. If you want to use it, you have to pay a percentage". They demanded us to pay them 7 baskets of paddy from every acre as a tax. Even though we had to pay one acre for 7 baskets of paddy, we can do this. They didn't say that this is their farm. They just said they confiscated the land or the land belongs to the Military. Now, they will completely take it. They asked us to rent the land. This year, we don't need to pay the percentage. They asked us to sign. Next year, if they give us a chance to work on [the land], we can work but if they don't give us chance to work on it, we cannot work on it anymore. This year, they will take all the farms so they become their farms. They become like the land owner and we become the people who rent the land to work on the land. We have to sign. They become like land owner and we become people who rent and work on their farm.

I will bring it back and read carefully. Now I want you to report with your voice.

Yes.

Is there anything more you want to say based on this issue?

Based on this issue, T--- villagers face serious difficulties. We are currently homeless. We can do nothing. Since our grandparents age, we support our livelihoods working on farms. We can't do other things. If there are no farms in this area, all of us will die. Not many people will survive. Currently, even if we don't have land, we can still do farming. We can support our livelihood. Then some of our children go to Bangkok and they support us so we can stay alive. But now they will completely take our land. We can do nothing. We live in a monastery compound, we can do nothing. We can do nothing with our lives.

³¹²The "low part" the interviewee is referring here to are lowland areas where larger towns and cities exist.

The monks will get no more food. [Outside people asking]

The monks are not important to have no food, only for donors [any Buddhist who provide food to monk].

If donors have no food, then the monk has no food. [Outside people asking]

If possible, we want our leader to help us in the best way.

I think this is the issue; we have to consider the most.

Yes, that's right.

I will try my best as much as I can.

Thank you very much for coming and meeting us. We have no one to reply to. We have to be afraid of everything. In the past, if you go and complained to them, they arrested us and put people in the stocks and threatened us. They *ma der* [ill-treated] people. Before they can build their camp, many lives disappeared. People who witnessed didn't dare to say anything. If you said something, they used their power then no one dared to complain to them. We saw many things in the past. Many lives disappeared before the army camps were set up. They shot [villagers] and they said it is *nga bway* [KNLA soldier]. So no one dare to do anything. When you reported things to them, they didn't agree.

Did they shoot at you?

Yes, many people have to die when they build their camps, and it was war time. They came and arrested people to force them to porter. If you ran, they shot you. When villagers die, they said it was the enemy [KNLA]. You couldn't say anything. We just had to suffer.

What did they tell you, related to signing the paper?

They will completely take our farms and we will become like people who rent and work on their land. To let their leader know, they asked us to sign. They are like the land owners and we have to sign as we are renting the land. They will take our farms so they will not be our farms any more. It becomes their farm. We have to sign.

I came and took a photo yesterday. I saw villagers having to plough farms for them. What is that?

That is [battalion] #548. We always have to do this. It was worse in the past. It's calmer now, but only this year. In the previous years, we have had no time to rest. We had to go and do it for them every day. They gathered villagers, and every village had to do *loh ah pay*. [Voluntary work] For this year, we don't have to do with human strength. Only people who have machines [tractors] have to go every day but not as many people have to go as in the previous years.

I heard people said they spread paddy seeds and then they gather villagers' cows and let the cows eat the paddy, then they fine villagers. Is that right?

They did it in the past and it still happens now. If they don't like their paddy, they let villagers buffalos eat the paddy and they fine the buffalos' owner 60,000 kyat (US \$68.80)³¹³ to 70,000 kyat (US \$80.27). There are many such cases like this. Villagers always have to pay. They catch villagers' cows and they tie them up. Then they fine 5,000 kyat (US \$5.73) to 6,000 kyat (US \$6.88) or 10,000 kyat (US \$11.46). Now they said if we don't sign, we can't go and do our farming. They said they will take even the paddy that is already planted.

The one that you already planted?

Yes. It is the one that villagers planted beside the river. It is the area where they asked villagers to sign over. They said we can't do our farming if we don't go and sign. They asked us to sign. If we sign, we lose everything. We don't sign. We try our best. We report it to [inaudible] group and we think the information will go further. We went and took a photo one day.

If they help us, we are very grateful. Now you come to us and we are happy.

We are happy. We wanted to meet you a long time ago.

If we have a friend like you, we will have a chance to stay as we have stayed as in the past. If no one helps us, we can't stay as we live in the past.

The difficulty reaches to T--- villagers now. They can do nothing. They can't go forward and backward [move freely] we are happy and delighted when we meet with our leaders like you. There is no one we can rely on. We try.

³¹³ As of August 16th 2012, all conversion estimates for the kyat in this report are based on the official market rate of 872 kyat to the US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the kyat, thus replacing the previous fixed rate of 6.5 kyat to US \$1.

Tantabin Plantation Agriculture

Source document/TantabinPlantationAgriculture/2011

Project name:	Tantabin Plantation Agriculture
Type of project:	Plantation agriculture
Karen District:	Toungoo
Government Region:	Northwest Kayin
Actors:	Kaung Myat Company, U Kin Maung Aye; MSP Company
Company/Investors:	Domestic
Government/Military :	
Trends:	Land confiscation
Consequences:	
Collective action:	Reporting to authorities; Organizing a committee or protest
KHRG Log #:	11-62-A-I1
Publishing info:	"Toungoo Interview: Saw H---, April 2011", KHRG, September 2012, published, http://www.khrg.org/khrg2012/khrg12b72.html

Testimony:

This report contains the full transcript of an interview conducted during April 2010 in Htaw Ta Htoo [Tantabin] Township, Toungoo District by a community member trained by KHRG to monitor human rights conditions. The community member interviewed, a 37 year-old township secretary, Saw H---, who described abuses committed by several Tatmadaw battalions, including forced relocation, land confiscation, forced labour, restrictions on freedom of movement, denial of humanitarian access, targeting civilians, and arbitrary taxes and demands. Saw H--- provided a detailed description of three development projects that the Tatmadaw has planned in the area. The other two projects involved the confiscation of 2,400 acres, against which the villagers formed a committee to petition for compensation and were met with threats of imprisonment. Saw H--- also described how 30 people working on the dam die each year. Saw H--- provided many details on villagers who were forced to relocate their villages by both the companies involved in the projects, and the Tatmadaw. Also mentioned is the Tatmadaw's burning of villagers' cardamom plantations, and the villagers' attempts to limit the fire damage using fire lines. It is also described by Saw H--- how some villagers have chosen to remain in KNLA/KNU-controlled areas and produce commodities for sale, despite the attendant increase in the price of goods purchased from Tatmadaw-controlled villages, while others have fled to refugee camps in other countries.

Interview | Saw H---, (male, 37), B---village, Tantabin Township, Toungoo District (April 2010)

The following interview was conducted by a community member in Toungoo District, and is presented below translated exactly as it was received, save for minor edits for clarity and security. This interview was received along with other information from Toungoo District, including one incident report and 201 photographs.

Can you tell me about the situation in your township area [Tantabin Township]?

There are five village tracts in our township: Khoh Kee, Kaw Thay Der, Maw Nay Pga, Per Tee and Day Loh village tracts. There are five regions.

There are five regions. Is there any region that you can't administrate and have lost?

All five regions, especially the Day Loh region; we can't completely administrate it because the enemy [Tatmadaw] fully controls the Day Loh area and there is a project there; they are building a dam in the area. There is a dam project and a dam will be built there.

When was the dam built?

The dam project was started in 2005.

Where did they [the Tatmadaw] plan to build a dam?

They planned a dam project, which will be in the Day Loh area, in a place called Toh Boh.³¹⁴ Toh Boh is located on the shore of the Day Loh River. Upstream from Toh Boh, there are two mountains; Hsay Shoh and Pa Nah Wah mountains. In Burmese, we call them Shan Taung and Kwyet Pyu Taung [respectively]. The river flows between these two mountains and there is a bend there. The river bends to the west of the Day Loh area. It [the river bend] is close to Naypyidaw. There is a long bend, and they will build it [the dam] between the Shan Taung and Kywet Pyu Taung [mountains].

Have they starting their project yet?

No, they haven't started yet. To build the dam, they will have to divert the waterway. They will divert the waterway through Hsay Shoh Mountain. The water will flow to the other side of Hsay Shoh Mountain and flow back to Day Loh River. They will construct buildings at the bend.

Why are they going to build the dam?

Their plan to build the dam is to produce electricity. They will build it in the place between the two mountains. They will excavate the mountain and let water flow through the mountain to the Day Loh River. They will build one dam there and another one downriver. It means they will divert and stop the water upriver, and build another one downriver.³¹⁵

You said they will construct the buildings at the bend?



This photo, taken in April 2011, shows 37-year-old Saw H--, a secretary of Tantabin Township in the township office, while explaining a map of the dam project to a community member trained by KHRG. Saw H--provided information about the situation in the village as it relates to the dam construction such as the number of displaced villages, land that was confiscated, as well as a detailed summary of the buildings that were constructed to accommodate the workers and equipment.[Photo: KHRG]

³¹⁴ The site of the dam is near 18° 55'N, 96° 37'E and a satellite view gives some perspective on the amount of construction involved with this project.

³¹⁵ The villager is likely describing plans to construct a hydroelectric dam and a power storage facility, rather than two separate dams.

For the buildings, they will build them a little upriver. They will construct the buildings inside the village, which is inside old Tuh Boh village.

The Day Loh River flows this way, toward Toungoo, Baw K'Lee comes up to here. It comes back to the Day Loh River. Here is the place they call P'Leh Wah, and there is a big bridge there. Then, there is Yaw Loh River on this side. Yaw Loh River flows downriver from P'Leh Wah, to a place called Kyauk Kon; there is no bridge or village there. The vehicle road comes to the other side of Day Loh River. Here is Taw Koh, and here is the entrance to Day Loh River. There is a big bend here. Here is Hsay Shoh, and P'Nah Wah Soh is here. They will build the dam from here to here. They will let water flow through Hsay Shoh Mountain and let water flow down river to Tuh Boh village along Day Loh River, and they will block [the water] again, here³¹⁶.

Can you explain to me the aim or objective for building the dam?

Their objective is to produce electric power.

Have they been successful?

No, they have not been successful at producing electric power. For this project, they planned very carefully. They started it in 2007, and it won't be until 2010 when they are successful with this project.

But now 2010 has already gone; do they still have a future plan to build the dam?

Yes, 2010 has gone, but according to their plan, they would finish the project in 2010. But, they can't do as they planned. Currently, they haven't been successful, but they have a plan. Now, they will excavate the mountain to make a hole through to the other side of the mountain, but they haven't done that yet. Their [main] plan will start if they finish excavating the mountain. They planned to excavate the mountain within five years, but it hasn't finished yet. I don't know if they just have a plan to produce electric power, or other purposes, because within five years, they haven't finished excavating the mountain. Some workers who have been inside said, "*the hole they make takes two hours round-trip by car.*" They have excavated the mountain for five years. The miners include Chinese, Burmese, Shan and Karen. But they only allow Chinese workers enter to work inside the hole; no other ethnicities have been allowed to enter.

What about SPDC [Tatmadaw]³¹⁷ army leaders, are they allowed to go?

No, they can't go, but I think they [the company] will let the people who cooperate with them [the company] enter.³¹⁸

³¹⁶ At this point in the interview, Saw H--- explains the project to the community member by drawing a map. KHRG was unable to acquire a copy of the map for publication, and thus is not presented here.

³¹⁷In Karen, the Burmese phrases Na Ah Pa (SPDC) and Na Wa Ta (SLORC) are commonly used to refer to the Burmese government or to Burma's state army, the Tatmadaw. Many older Karen villagers who were accustomed to using the phrase Na Wa Ta before 1997 continue to use that phrase, even though the SLORC has not officially existed since 1997. Similarly, despite the official dissolution of the SPDC in March 2011, many Karen villagers continue to use the phrase Na Ah Pa (SPDC) to refer to the Burmese government or to the Tatmadaw; see: "Mission Accomplished as SPDC 'dissolved'", "Myanmar Times, April 4-10th 2011. The term Na Ah Pa was used by the villager who wrote this conducted this interview and interviewee and "SPDC" is therefore retained in the translation of this interview.

³¹⁸While it is not entirely clear, it is likely the villager is explaining that only the Tatmadaw soldiers in direct contact with the foreign company building the dam are allowed to enter the excavated mountain site.

So, only Chinese people can enter the hole?

Yes, only Chinese people. They let Chinese [workers] mine the mountain and they have excavated it for five years. Even though they are mining carefully, some Chinese workers who went and worked inside, remained, and died because of a slippery landslide.

How many people died?

Sometimes, four or five people die [at once], and about 30-40 people die in a year. When outside [of the excavated mountain], they came out and fought; they blamed the people who were in charge [saying], "*Your plan is not well organized, so the landslide occurred, and people have died because of you; people have died.*" They fought, cut and killed each other outside. Just in this hole, about 100 people have died.

They keep a place for the workers to stay in Toh Boh village. As I told you before, Toh Boh village is located in the place where they will build the dam, between Shan Taw and Kyew Pyu Taung. Toh Boh village is located to the west of Day Loh River and close to the Baw K'Lee, Toungoo [town], and the vehicle road. They built a lot of buildings in Toh Boh village. I visited last year, and I know there was a graveyard for Toh Boh village. The companies and their workers came and forced the Toh Boh villagers to move all [the bodies]. They destroyed the graveyard, and they constructed four or five huge buildings in the graveyard. The graveyard was very large and the area is flat. There are only the workers' houses there. There are about a thousand workers.

Upstream from Toh Boh village, they constructed a very beautiful building. The leaders come and stay there. The highest ranks among the Tatmadaw leaders come and stay there. If a minister comes, they are welcome there. They come, stay, sleep and eat there. For the downriver part there [in Toh Boh village], there are many buildings. These buildings are for the people in charge, like managers or officers' staff, and others.

Toh Boh is located on the bank of Day Loh River. They [the company] set up a rope bridge. They connected it to the other side of Day Loh River. There is the other river on the other side of Day Loh River. That river flows to the downriver side of Day Loh River. They constructed many buildings on the other side of Day Loh, like buildings to keep cars, trucks, petrol, rice, oil and machine tools.

The buildings they built in Toh Boh village for ministers are very beautiful. There is a big office. They stuck [a sign] in front of the office [showing] how much this building will cost. They stick those kinds of things in front of the office. They don't write in Burmese. They write in Chinese and English. The workers who go and work there see what they write down, [but] they don't understand the language because they did not go to school. Even though, they see [the signs], they don't understand them.

Is the project only for a dam, or are there any other activities that they plan to do?

There are three projects in this area. [The] first project is to produce electric power, [the] second is to plant teak and *pway* [Ironwood tree], and the last one is a rubber [tree] planting project.

Do they have a plan to mine gold?

For gold, in the workers' experience, they said it takes one hour to travel from the outside to the inside of the hole, and another hour to come back, even by car. So, we don't know

whether they really want to produce electricity or if they want to go and mine gold at the other part of the mountain.

Are they still digging?

Yes, they are still digging.

How many cars can travel in the hole?

Only one car can go.

Do they use electric bulbs?

I heard they don't use electric bulbs. They carry light when they travel in the hole. They dig the hole and they don't do it carefully, so the earth slides from the top of the mountain. They cover the hole with *moeka* [a large tarp].

Will civilians face problems or difficulties if the dam is successful; for example, like flooding of the village or plantations?

It is too early to say. I think you already understand a lot about the dam from the information that I have told you. I will tell you. They will build the dam here, and here is Toh Boh village. Here is Day Loh River. There is flat land on both sides of the river, so people plant betelnut³¹⁹ trees, dog fruit trees, coffee and many other farms, like betelnut plantations and banana plantations in the area. There are many kinds of plantations. Swah Loh village is on the other side of Day Loh River. Around Swah Loh village, there are farms and a lot of betelnut plantations, durian plantations, dog fruit plantations, lemon plantations, banana plantations and other farms.

Can you tell me step-by-step?

I will tell you one-by-one about the three projects. After one, we will go to another one. There are five regions in our Tantabin Township. Among the five areas, especially the Day Loh area, we definitely can't step down [from the hills] because the enemy [Tatmadaw] came and set up many camps. They brought companies to do projects such as producing electric power, and planting valuable timber and rubber [crops]. There are three projects, so they came and set up a lot [of structures]. We can't step down.

I will tell you exactly how many people are in each village, and how many houses are in each village. We know the number of villages in that area. I will tell you now the house numbers that I recorded in 2005. There are 15 villages in the region.

No	Village Name	Households	Population		Total
			M	F	
1	Keh Doh Lu	44	102	118	220
2	Tun Boh	45	117	110	227
3	Ta Lay Loh	9	18	13	21
4	Kheh Der	17	27	30	57
5	Leh Pah Kway	33	72	90	162

³¹⁹ In Burmese, "betelnut" and "betel leaf" are referred to as "konywet" and "konthih," as if they are from the same plant. The Burmese names are also commonly used by Karen language speakers. "Betel nut" is the seed from an Areca Palm tree, areca catechu; "Betel leaf" is the leaf of the Piper betel vine, belonging to the piperaceae family. See "Attacks on cardamom plantations, detention and forced labour in Toungoo District," KHRG, May 2010.

6	Noh K'Maw	33	72	85	157
7	Zin P'Lay Gon	28	64	72	136
8	Hsaw Ee Hkee	7	12	16	28
9	Thay Khee Kla	17	30	38	68
10	Kler Mu Kha	27	49	61	112
11	Ywa Tah Hsin	9	29	30	59
12	K'Neh Tee Der	30	72	88	160
13	Pyon Chaw	27	52	61	115
14	Tee Ber Loh	33	82	98	180
15	Leh Pa Kway	27	56	70	126
Total	15 villages	388	844	984	1830

This is just in the Day Loh area. I will just tell you the villages in Day Loh area. I will tell you a little bit about the villages' histories.

The villagers' occupations are working on betelnut plantations, farms, banana plantations, lemon plantations, coffee plantations, dog fruit plantations and other farming. These villages are located in flat areas on the foot of the mountains. If you go down, the land is flat, and if you go up, it is mountainous. These villages are in the area close to the vehicle road near Toungoo and Baw K'Lee, between Day Loh, Toungoo and Baw K'Lee. These villages are located in this area.

As I recall, these villages were forced to move five times. In 1975, they were forced to move, but they were not told the place they had to relocate to, so they went and stayed close to other villages. They went and stayed at K'Yay Kon. They stayed there for one year and they came back [to their villages]. They came back and stayed for several years. They were forced [to relocate] again, and they had to go back and stay at an army camp. They had to stay there for four years. It would be until after 1980; it took four years. They came back again to their villages when the situation was okay. In 1985, they were forced to move again. In 1994, they came back and stayed in their village again. One year, after staying in the village, which was in 1995, they were forced [to relocate] again. They stayed in their village until 2001 and, in the beginning of 2002, all villages were forced to move. In 2004 or 2005, they came back to their villages again. There were several villages that came back.

For Toh Boh village, they can't come back to live in their village. They were not allowed to come back to live in their village. They were kept in another place downriver along the Day Loh. If you go down from Toh Boh, a little over one hour along Day Loh, you will see a village. The village is located on the bank of the Day Loh River; the village is called Noh K'Maw village. Toh Boh villagers were ordered to live downriver from Noh K'Maw village. They had to set up their new village there. Some other villagers also came and stayed there.

[Villagers from] two villages, Toh Boh and Law Hsaw Loh, can't come back. They were not allowed to come back to live in their village. At that time [during the relocation], a group came and they checked the whole area here, but local people didn't know anything. After that, people in charge from the Tantabin [Township] office came and met with local people. They said "*Toh Boh village is located in the project area, so you can't come back to live [there]. Your properties, cultivations, plantations, land and other things are in the project area. All of your properties will be destroyed when their [the company's] project starts. Base upon on your ownership of properties or land, the government and companies will pay compensation.*" The people in charge from Tantabin said: "The electric project [team] will come and build the dam upriver from the village. The project will take five years. After five years, villages here will get electricity for village use in many ways, for their business. Villagers' businesses will become better and [there will be] more options for income. So, we

will build the dam upriver from your village. If the dam accidentally breaks, the villages downriver will flooded, so we will build the dam soundly."

They said they will give compensation for land or plantations, but later, the people in charge from Tantabin didn't send anything, and said nothing. There was no answer, so the local people formed a committee with 30 people. These 30 people signed [a petition] to receive compensation. They formed a committee with 30 people. They went to the Tantabin office and the people in charge said, "*This is not a Tantabin project. The project comes from headquarters, so we can't do anything. If you want compensation, you have to go to the Division. If you go to Division, I will tell you: this project is run by the military government. Even if you go to them, they won't give you [compensation]. Furthermore, they will arrest you and put you in prison.*" The people in charge from Tantabin told the villagers this.

Based on what the people in charge from Tantabin said, the 30 people who formed the committee did not dare to pursue the case anymore. They were afraid and they stayed like that. They got nothing from losing their land and properties.

Now, the project has started. They surveyed the two mountains, Hsay Shoh and the other one. Hsay Shoh, called Shan Taw [in Burmese], is 1,800 feet (548.64 meters). They excavated this mountain. The other mountain, called Pa Nah Wah, is 2,100 feet (640.08 meters). The area that they surveyed to build the dam is 500 feet (152.40 meters). The dam will use 300 feet (91.44 meters). The area of the project that they decided [to use] is 2,600 acres. They have added 543 acres. If we combine it, there are 3,143 acres of land, which they have decided [will constitute] the project area inside and outside of Toh Boh village. It is very large.

The area included the Toh Boh betelnut plantations and banana plantations. As I know, one [plantation] is three or four acres. One person has a betelnut plantation, a banana plantation, and a lemon plantation. Some people have one, two or three acres. The total land that the village lost is 3,143 acres.

Based upon on what I know, this project [company] is called Asia World Company.³²⁰ In Burmese, they call it Shwe Swan Yin Co.Ltd. This is the company that comes and does the project.

Local people here don't know, but I know that the chair person of this company is the grandson of Kung Za. He is from Shan state. He is a descendant of the kings. He has many companies everywhere in Yangon and others. He has a ship for travelling abroad and he has hundreds or thousands of workers.

The manager of this project is U Wan Maung. He has a healthy body. He is big and tall. He is the current manager, and his assistants are U Aung Maw, U Aung Sein, U Sein Win, A'Ban Wa, U Wan Maung and U Wan See; there are six assistants. They have a big objective. They constructed the buildings for workers in old Toh Boh village;³²¹ there are thousands of workers. They constructed a beautiful building in Toh Boh village. They house ministers when ministers visit there. The manager and office staff are all housed in there.

³²⁰ Asia World Co Ltd is a division of Asia World Group, and is one of Burma's largest and most diversified conglomerates with interests in industrial development, construction, transportation, import-export and a chain of local supermarkets; see "One the march to do business in Myanmar," Asia Times, August 26th 2009. Founded in June of 1992, Steven Law is the managing director of Asia World Co Ltd and is also the son of Lo Hsing Han, the infamous drug lord and chairman of Asia World; see "Burmese Tycoons Part I," *Irrawaddy Magazine*, June 2000, Volume 8, No. 6, pp. 2-3.

³²¹ The community member sometimes refers to the dam construction site as "old Toh Boh village", as this is where the village was located before the project began.

They connected Toh Boh to the other side of the Day Loh [River] with a rope bridge. The river is big. You can't cross in the rainy season. Machine boats used to travel in this river. They constructed a lot of buildings on the other side. Those buildings are only garages, like an ice garage, oil garage, and car garage, including all other tools that are necessary for completing the project.

They constructed a vehicle road for this project. The vehicle road runs between Toungoo [town] and Zin Ya Gyi. The road diverges at Toungoo and Baw K'Lee. This road comes from Toungoo, but it diverges with one side going to Baw K'Lee and another one to Zin Ya Gyi. You have to come back to Zin Ya Gyi. If you continue on the separate road from Toungoo to Baw K'Lee for a while, you will arrive at one place; this place is not a camp, it is a place of worship. They call it Myat Swan Nyi Naung P'Ya. If you go down from there a little, there is a place they call Shu Kin Tha; there is a police checkpoint there. They call the checkpoint, 'Number 11 Checkpoint'.

Beginning in Shu Kin Tha, they [Tatmadaw] constructed a new road. The road goes to the project site, in old Tun Boh village. The road started from Number 11 Checkpoint to the project site. They placed several army units along the road to the project site. They divide *baka* [checkpoints]³²² 1, 2, 3, 4, 5, 6 and 7; this is along the road to the project. There are seven *baka*. They keep a checkpoint at the entrance of old Tun Boh village; they fully-man the army camp there. Some army camps are big and some are small.

They set up a big army camp close to these two mountains, P'Nah Wah Soh and Hsay Shoh specifically, which is on the mountain that is closer to Hsay Shoh. They set up a big army camp there; the battalion deputy commander stays there. They set up another big army camp close to Kya Phyu Mountain and the battalion commander stays there as well. They go and carry water from the Day Loh River and there is another camp there.

I will tell you details about the army camp. Number 11 Police Checkpoint is in Shu Kin Tha, and there are seven *baka* between Shu Kin Tha and the Toh Boh project site. There is one sentry place in Toh Boh. There is one big camp in the Shan Mountain and another one at Shwe Mountain; Karen people call Kywet Pyu Mountain, P' Nah Wah Soh; there is a big army camp there. There is another big army camp at Swah Loh village. Swah Loh village is located on the bank of Swah Loh River. The river flows to the Day Loh River, a little downriver from Toh Boh. There is a big army camp at Swa Hta and another camp in Wah Loh village. Then they constructed another road. They constructed it from the other side of the rope bridge [in Toh Boh village] to Swah Loh. There are two small camps on the way.

There is another big army camp beside old Toh Boh village. The enemy who conducts security is the local army. In 2009, [Tatmadaw] IB [Infantry Battalion] #73 conducted security [operations]. It joined with some units from LIB [Light Infantry Battalion] #440. I have heard that Battalion [IB] #39 conducts security now, but I am not sure whether that is correct or not. In Tantabin Township, there are groups of enemies, which are battalion numbers #39 and #73. Battalion #73 is based in Z'Yat Gyi and #39's base is located in 4-Miles [army camp].

I will tell you a little about who came to our area in the beginning. Local people had no idea who came to the area first. After they came, the people in charge from Tantabin came. They disappeared for several years after they came [initially]. Then, the Shwe Swan Yin Company came to the area. The Shwe Swan Yin Company came on June 8th 2007. Before, they reported a different plan for their project, but when they came and drafted the project,

³²² *Ba ka* means 'military camp' in Burmese.

their project was to end in Wah Hta. Wah Hta is located farther [to the East] than Swah Loh. There is a big mountain range there. At the foot of the mountain range is Day Loh River. The other side of the mountain range is a field.

In total, the first and second decision to take the land includes over 3,000 acres. They entered and took the area up to Wah Hta. The [original] 3,000 acres does not reach to Wah Hta. They extended it [the acreage] more. They gathered and met local people in the area. The villages there are Noh K'Maw, Thay Khee Kla, P'Leh Wah, Tun Boh. They met with those villagers. They said, "*We will build the dam and we will build it sustainably. If the dam breaks, Noh K'Maw and Tun Boh will be under water. In my project, I will build the dam and the water will flooded over 30,000 acres.*"

I skipped a little about the project that I am telling you about at the moment. The Shwe Swan Yin Company met with local people and said they will take more [land], and they said that there are over 30,000 acres that will flooded. They said they will finish the project within four years. "*We will do it until it is successful.*" So we watched it from 2007; they said they will do it until they have succeeded. Now it is 2011; they are close to success? When we look at what they have done, they just dug a tunnel for the waterway under the mountain, but they haven't reached success yet. They said they will do their project within four years, but now they haven't completed even a tunnel, so I think they won't be successful within the next several years.

What they planned, and actually do, is it the same project? Do they try to do anything else?

It is a thought for us. It is on the minds of local people because when they came, they just said they would build the dam and produce electricity. But over several years, they have just excavated the tunnel. The tunnel is not successful yet.

Will they finish if they focused on digging?

They can finish if they focussed on digging because the mountain is not so big. They dug it for several years, but it doesn't go through to other side. The mountain is not big. The mountain is *babapoe* [medium sized], so it became a thought to local people; "*maybe they said they would build the dam, but they have another secret plan to mine the mountain.*"

Do they hide themselves when they come?

Different people have different opinions. Maybe they will try to make underground communication [lines] or store weapons or remove valuables from under the ground, like gold or precious stones. Local people have different opinions. The mountain is small. They have been digging for several years, but they haven't finished it. They don't let other ethnicities besides Chinese enter the tunnel. They don't allow Karen, Burmese or Shan ethnicities to enter. The mountain is short and small, but it takes two hours to go in and return, so it causes suspicion in local people and they provide different opinions.

As you are a person in charge; do you have a plan to find this out?

It is our responsibility to find this issue out. I think there will be a plan. But it is not good to say, because if we say, it can harm our security.

Can we come and find out more about these kinds of issues in the future when we want to know more?

Yes, you can. As we [the villager and the community member trained by KHRG] are associated, you will know what we know. When we travel in the area, [it will be like] you are travelling in the area. We need to know what they are doing and we have a plan to find out. As we are working together, we can let you know more when we get more information.

How is the suffering of villagers in the area? Can you tell me about that?

Before the Shwe Swan Yin Company came to the area, the people who came first were the army [Tatmadaw]. The army came and the villagers were faced with different kinds of problems. They came and they were people [soldiers] who have money; they bought things like chickens or pigs from villagers, with money. But some people forcibly took villagers' pigs and chickens. Then, it harmed villagers' livelihoods. So, the villagers have to go to the Day Loh River bank. But, to travel to work in their farms at a different place or other villages, they have to get a permission document. They have to pay 1,000 [kyat] (US \$1.13)³²³ for a permission document. They go and work, but they can't sleep at their work place; they have to come back and sleep at their home. Even if they have a permission document when they go and work, they only get a permission document from one army group, but there are several units of army [Tatmadaw units] active [in the area]. If another army group comes, they sometimes find villagers. Sometimes, they need people go with them as a guide and show them places. It has become a disturbance for them [villagers]. At that time, local people have had to suffer a lot. They can only work for three or four days in a week.

Can all 15 villages return to their villages?

Before, they had to move. Some villagers went back in 2011. Only Hsaw Loh and Tun Boh [villagers] can't return. Others villages returned. For Hsaw Loh villagers, they have to go work in their old village to work in their betelnut plantations. I met with a Hsaw Loh villager who returned to work in his plantation. He was given a permission document. One permission document is 5,000 kyat (US \$5.66). The frontline army lets them return to work, but as I told you, there are many army units in our area. When the troops enter, they demand rice or tell villagers, "You come back and work on the frontline. If you see us patrolling and you tell the KNU [Karen National Union] about us, it will be a problem for us. Since you have come back and work on the frontline, you have to pay me money, like 5,000 or 6,000 kyat (US \$5.66 or US \$6.80)." The Hsaw Loh villager whom I met, said "I have to pay 5,000 kyat for a [travel] permission document, and [when] I returned and worked in my betelnut plantation in my old village, there were many troops. They came and demanded things. I do betelnut [farming] and I get 100 to 200 viss³²⁴ (160 to 320 kg. / 352 to 704 lb.) of betelnut, and they ordered about over 100 to 200 viss. Since then, I know that it [economic input and output] does not match, so I never go back and do betelnut [farming] again." So, villagers from there [Hsaw Loh] have had to leave all their land; some villagers go and work at Shwe Swan Yin Company, where they were given even less of a salary.

How much do they [Shwe Swan Yin Company] give per month?

They give 2,000 kyat (US \$2.27) per day.

What do they have to do?

They have to carry *hta* [metal objects], and cut logs to use in the tunnel. All jobs involve

³²³As of July 12th2012, all conversion estimates for the kyat in this report are based on the official market rate of 883kyat to the US \$1. This reflects new measures taken by Burma's central bank on April 2nd 2012 to initiate a managed float of the kyat, thus replacing the previous fixed rate of 6.5 kyat to US \$1.

³²⁴A viss is a unit of weight equivalent to 1.6 kg./ 3.52 lb.

heavy [labour], so it [the wage] is not much because they just pay 2,000 kyat. Just a few people go and work with the company, but mostly they [villagers] go to Per Tee and do wage jobs, in Burmese villages and in Toungoo town, like working in restaurants and in other places. Some people find fish and sell them. Some people find bees and sell honey. Most people work on their own.

What about the rubber project? Has their plan been successful?

As I told you, there are three projects in this region. For rubber, they started [planting tree] from the new road built for the Tun Boh project. This project was done by the Kaung Myat Company.³²⁵

What about the other project?

For their other project, they take the plants from here; they plant teak and *pway*. They just plant trees. The land they take is all from Noh K'Maw land. All betelnut plantations, farms, and banana plantations are included. All the land the Kaung Myat Company takes belongs to Noh K'Maw. In total, there are 2,400 acres. The owner of Kaung Myat Company is U Kin Maung Aye. We just know U Kin Maung Aye and his assistant is Aung Zaw. They took 2,400 acres of land.

The other company, they call MSP,³²⁶ I don't know what it stands for. This company's project is only to plant rubber. The rubber project is in the upstream area [on the Day Loh River]. The project-area is 800 acres. They forcibly took all their land. The land includes some from Noh K'Maw and Toh Boh [villages], 800 acres.

Do you know the chairperson of the MSP Company?

No, we don't know the owner of the MSP Company.

Is the information that you have reported to me complete? Is there anything remaining?

In the 2,400 acres that Kaung Myat [took], and the 800 acres that MSP took for the projects, they have planted teak, *pway* and rubber. They also constructed buildings in each place. People always come and work as *set tha*.³²⁷ They have given opportunities to civilians for the construction and clearing of the rubber plantation. Local people can come and plant peanut in the place where they [the companies] planted trees. When they [villagers] clean the ground to [plant] peanut, it is the same as if they are clearing their [the company's] plantations. They don't pay anything to the landowners, but the owner can plant peanut on the land that the company had confiscated and planted trees. They [villagers] go and plant peanut and other [crops], while at the same time clearing the plantation for the company. They don't even pay some villagers to go and work, because it is a benefit to them [villagers]. They plant different kinds of beans. It benefits them in some way. You enter and work there and it kind of helps the Burmese [the company].

The suffering which locals experience here is, if I have to say, a lack of education. There are schools but they demand many things from a student to enter the school. They ask for

³²⁵ For information regarding the Kaung Myat Company, its website is: <http://www.kaungmyat.com/>

³²⁶ Although the villager does not know the name of this company, it is likely that it is Myan Shwe Pyi Limited, which operates in the area; its website is: <http://msp-limited.tradenote.net/>

³²⁷ Set tha is a Burmese term for forced labour duty, such as with messengers stationed at army camps or bases, serving as an intermediary to deliver orders from army officers to village heads, but also involving other menial tasks when no messages are in need of delivery.

a school entrance fee for a school fund and other things like sports. They ask for many things. Villagers are not doing well in their livelihood, so they can't afford to send their children to school. So, just a few people can send their children to school. They face a big problem with education.

The other one is, the place where they stay is not sanitary. The place [where] they live is on the foot of the mountain. It rains, and the place here is like *kyo weh bpu* [a flat land]. The water that flows into the river is *htoo tee* [with unseen debris]. So there are many kinds of diseases that appear. But among the diseases that they suffer, TB [tuberculosis] is the most serious. As I know, one can have TB and it transfers to many people. They need to cure it first, but some people don't have money. They just stay like this and the disease becomes serious. They go to a hospital for a cure when they have money. Some people are curable; some people, even though they have money and they go for treatment, they are incurable. Some people die in the hospital. This kind of disease has many kinds of consequences. One or two people in a family can be affected by the one who has [TB] in their family. In this case, the government has set up a clinic.

Did the SPDC army set up this clinic?

Yes, the SPDC army set up this clinic.

Do they provide enough medicine to civilians?

They don't give [enough]. They appoint one person to be in charge and work for villages here, like villages in Noh K'Maw village tract. The person's name is U Htay Min. He has attained a high level of education. He knows everything about here. He is working with local people who understand a little about medicine. He tricks villagers from going to a hospital, in many ways. They have to work with U Htay Min and they have to pay many things. Yesterday, I discovered his treatments. He injects medicine to one person and he asks 4,500 kyat (US \$5.10); it was just glucose and [vitamins] B1, B2 and B6. For one medicine injection, he asks 4,500 kyat. Some people can't afford to pay anymore, and they think "whatever," whether they die or not; they don't care. They think dying is better than being alive. Some people stay until they die. They don't have money to pay for their treatment but if they don't give money [for the treatment], their disease can't be cured. The medic has to give the treatment for free, but now when the villagers pay money for their treatment, it just benefits the medic. They were not allowed to go and buy medicine to bring back to their village. It is all collected when they get to a checkpoint. If you have money and go to hospital in Toungoo or Yangon, the medicine that you bring back, if it includes the prescription, they allow you bring it back. They won't allow you to bring it back if you buy medicine for your family. They don't give you trouble; they just take your medicine when they see it. Some people said you have to pay them money if you don't want them to confiscate it.

What is the MOC [Military Operation command] or LID [Light Infantry Division] of SPDC [State Peace Development Council] army who are stationed in the Toh Boh area?

[It is the] army [Tatmadaw] who is stationed here, there is no MOC or others. They just give responsibilities to locals, like IB# 73 and 39. There are two battalions. IB# 73 entered the area in 2007 and 2008. There are 10 battalions under MOC #7; I will have to check back to find out where they are from.

Do you have any other things that you want to tell me about the projects?

There are things that I hear, but it is not concrete so I think I will have to find out later. There are new projects that will start and they have done only the old projects so far.

Did your villagers have to suffer with forced labour, set *tha*, all the time during 2011?

In my area and other areas, it happens every day. Like in the Per Tee area, it never stops. One group [Tatmadaw battalion] enters and one group goes out all the time. Another area is Maw Nay Bwah; they always have movement in the area. They rotate and are active again and again, and sometimes, small columns of soldiers enter the area.

How many Tatmadaw army camps are in Tantabin Township, currently?

They are based along the Toungoo vehicle road to the Bu Hsa Hkee vehicle road, on the border of 5th Brigade [Papun District]. Because the enemy is based along the road, villagers in the lower [part] of the road have less space to work for their livelihood. They have to go and stay in different places. Yesterday, they [Tatmadaw] came and burned things down. They burned all the plants. They do it almost every year. Yesterday, they [lit fires] but the fires stopped because of the rain. They [lit fires] again, and it rained again. The last few years were the most serious. As I heard from a villager, he was told by a Burmese soldier that "*the order comes from above, and it said 'the KNU can exist because of the support from civilians, by giving them a tax like on cardamom*³²⁸ *and other plants'.*" The important thing is cardamom. It supports KNU a lot. Cardamom is the most important for the KNU, so the leaders [Tatmadaw] from above ordered [local units] to burn cardamom. They came and burned [cardamom plantations] everywhere in the area. Some villagers went and stopped the fire. I myself have a cardamom plantation in Kaw Thoo Der. I went and made a fire line³²⁹, and I came back. After few days, the fire consumed my entire plantation. They didn't do this in just one area. It happened in Maw Nay Bwah, Bu Hsah Loh and other areas. They did the same thing.

How many kinds of villagers do you have in your area? Do you have villagers living in SPDC army-controlled areas and outside of the controlled areas?

Yes, it has both. They live inside controlled areas and outside of controlled areas.

Can those villagers associate with each other?

No, they can't associate. They can't contact each other for relationships like buying things. Sometimes, they order things and they send [them] to each other.

Do you have things that you want to tell or explain more to me about the [censored for security] [Tatmadaw] plans that will seriously harm civilians, and what the companies do?

I think I don't have a lot to tell you. I told you the details. There are many abuses. The other thing is, especially villagers who don't stay under the [Tatmadaw] control, they face a big problem with their livelihoods. They can't stay together in the same place. If they stay together in the same place, the target [for the Tatmadaw] will be clear. The Burmese army will heavily fire mortar shells at them. They dare not stay together for this reason. They

³²⁸ Cardamom seeds come from a plant belonging to the ginger family, and are recognized by their small seed pod, papery outer shell and small black seeds. Cardamom is typically grown on the jungle floor in South Asian countries.

³²⁹ A "fire line" refers to a number of ways to create a buffer to prevent a fire from spreading. It can be a trench, an area cleared of vegetation and combustibles, or any other linear obstruction between the fire threat and the protected area.

have to stay one there, and one here, and another one there. They have to stay separately in the valley or river source. They have to hide their ways so the enemy will not see it.

For their livelihoods, they face problems like the area becoming limited. It means they are close to a Burmese Army camp. Some villages are very close to army camps but some have a little distance. Their working area became limited because they are close to an army camp. They are afraid of army activities so their area becomes limited. The other thing is they [Tatmadaw] plant landmines after they enter and are active in the area. So villagers daren't go. That is one thing, and if I am honest about their occupation before, they did hill field [farming], and if the hill field produced 5 baskets³³⁰ of paddy grain (104.5 kg. /352 lb.), they could have enough food for their family during good times. Because of limited working space, [caused by] the enemy planting landmines and an army camp located close to their place, they can't do hill field farming as they did before. They can get just one (32 kg. /70.4 lb.), two (64 kg. /140.8 lb.), or three (96 kg. /211.2 lb.) baskets of paddy grain from their hill field. For this reason they face a food crisis.

Is it easy for them to go and buy food, like rice and other things?

They go and buy food from different places, areas and villages. They have contact with people inside. The problem they face is sometimes they meet with the active army [patrols] on the way when they go and buy food. Sometimes they have to go and buy things, but the enemy closes the road and meets them on the way. They face this kind of problem.

Sometimes they have to travel for several days on the way. If the enemy arrests them on the way and calls them to follow, the family who was left behind in the village don't know anything about it and it becomes a big problem.

Does the KNLA help them by providing security for them while on the way to get food?

Mostly, the places where they go and buy food are close to the enemy camp. There is also a group of people who are in charge of providing security. So, before the villagers leave to cross that place, they will need to contact that group first. After that, the security group will advise whether the situation is good for the villager to go and buy food or not. If they advise them that the situation is good, they will go; if not, they won't go. Even if they can't buy enough food for a [full] year, at least they get half of the food for their family. But the problem is they have to carry it secretly.

How much do they have to pay for a viss of salt?

People from [Tatmadaw] controlled areas come and sell things here. If you go and buy in a controlled area, one viss of salt is 2,000 kyat (US \$2.28). If they bring salt here, they will sell for 2,500 kyat (US \$2.85). It depends on the distance they come. If it is far, they will sell for 3,000 kyat (US \$3.42) or more.

How much is a sack of rice?

Rice is a higher price. If the rice comes to us, one sack of rice is 45,000 kyat (US \$51.25). The price is cheap inside [controlled areas]. For example, if we have to go and buy it from Kaw Thay Der or Kler La. Between Kler La and here, there are ten SPDC checkpoints on the way. They ask [for money] at each checkpoint. Like with one motorbike, they demand 500 kyat (US \$ 0.57) at each checkpoint. One sack of rice, they ask [for money] and you

³³⁰ Unit of volume used to measure paddy, milled rice and seeds. One basket is equivalent to 20.9 kg. / 46.08 lb. of paddy or 32 kg. / 70.4 lb. of milled rice.

have to pay 5,000 kyat (US \$5.69) [extra]. We have to pay several thousand [kyat] on the way, and we also have to pay the carrier. The Military Government doesn't allow people to bring rice outside the [controlled] areas. If the military government sees anyone, then that person has a big problem; they killed some people before. They accuse them of going to carry [rice] for the KNU. Some soldiers, you can bribe but some people you can't bribe; they kill you. You have to pay 45,000 kyat outside [controlled] areas. Our area is close to a trading place. For Hsow Kee village tract, they have to pay 45,000 kyat or more, because they are far.

Do you still have other issues that you want to tell me?

Another issue is that, the areas which are not under the [Tatmadaw] control don't have good topsoil or subsoil because of the weather. People who live there have to face the most problems. They have to work hard for their livelihood. The area where we are close to is the worst. Even if you plant [anything], it doesn't grow. The soil is not good. So, people living in the area find bees and sell honey. Some people weave mats. They weave and they sell them. For some people, they do different things. Some people carry things and some people do plantation [work]. They do different things. If they get less income, they eat porridge, but it is very hard, especially in Hsee Daw Koh. Their life is poor.

The other problem is travelling. It is very difficult for them to go and buy food. The price is expensive if people go and sell things to them. The soil is not good in the area. Problems like insects destroying paddies or others plants occur.

I will ask you one thing. People in your area face many problems; in this case, do any families move to refugee camps in Thailand?

There are many people who went to refugee camps and third countries, in the areas like Khoh Kee, Kaw Thay Der area and Maw Nay Bwah and Kloh Hkee. These four areas had to face [that] problem since 2006, when LID# 66 went to the area. It was the time when they planned to do an offensive in 2nd Brigade. They came and we couldn't do our work, so many had to go to refugee camps. Some people went and some people stayed. Some whole villages went. There are three army bases in some areas; you can't travel. Some villages move everybody to refugee camps. Some villages stayed close with the army camp and some far. They stay alert. Then, in 2006 - 2007, most of the villagers from Kloh Hkee area moved to refugee camps.

I want to know one thing. You still have four areas, and one is totally under the Tatmadawontrol. How many villages were destroyed in the areas?

If I have to say honestly, all villages in Khaw Thoo Der area were destroyed. Especially Kaw Thay Der, Kler La, Kaw Hsow Koh, Wah Tho Koh and Ler Koh villages on the upper side of the vehicle road. Villagers in the upper side of the vehicle road can stay but especially, Kaw Thay Der, Kaw Hso Koh and Wah Tho Koh it is very difficult. Only Kler La villagers can stay stable in Kaw Thay Der area. All others were destroyed. Even if it [a village] was destroyed, some villagers went back and stayed, and some went to different places. From Kler La to Bu Hsa Kee, the road that the military government constructed was on Pleh Mu Der, Hsiih Kheh Der, Thay Khih Hso and Bu Hsah Hkee. The road goes through the villages. Those were destroyed in 1995. Villagers spread everywhere, and later they went to refugee camps. Finally those villages totally disappeared. People who lived in Maw Nay Bwah area dare not go back and stay in their village. Only Pleh Hsa Loh villagers can stay in their village. All other villages were forced to move in 2006. They have to come back and stay in secret places.

Do you have anything that you want to say?

The other problem that they have to face is weather. Last year, the weather was so hot. When people do paddy field farming in the places where the soil is good, they must get 100 baskets (3,200 kg. /7,040lb.), but they only got 40 baskets (1,280 kg. /2,816 lb.) – a 60-basket (1,920 kg. /4,224 lb.) decrease because of the weather. In the Per Htee area, they come and plant peanut. They come and plant it at the foot of the mountain. The [Tatmadaw] military operation is strong. The villagers were not allowed to come [to their plantations] or they daren't come because of the military operation. For example, the time when the peanut [crops] are going to provide seeds, the villagers were not free to go and check their peanut plants or they dare not go to their peanut plants because of the operation, or many other reasons. As a result, the plantations were destroyed by pigs or other animals.

However, this kind of problem that they had to face in the past, is happening a little less now. In Maw Nay Bwah area, especially Klaw B'Der village, the villagers go and buy things from P'Leh Wah. There is an Army camp and sometime there is a military operation. They have to go and it takes three or four days. In the past, they went and the distance took just three hours; going was three hours and returning was three hours. They went in the morning and came back in the afternoon. [Now] they have to come back when there is a military operation. They have to go again, and if they meet the enemy again, they have to come back again. They sometimes have to carry 10 viss (16 kg. /35.2 lb.) of betelnut three times back and forth. It depends on the operation situation.

Are there villagers who have to take a two or three days-long walk to go and sell things in other villages?

There will be some villagers. Some villagers, they will have to sleep on the way. Each area is different. [Villagers from] Maw Nay Bwah go and buy things from T'Pay Nyaw, and [villagers from] the upper areas go and buy things from 3rdDistrict [Nyaunglebin]. All is far. They have to go and sleep one or two nights on the way. They went yesterday. They met with enemy [Tatmadaw] and they ran. They enemy shot at them but no one was hit³³¹.

³³¹For information on another similar attack on villagers by the Tatmadaw, see “Tatmadaw soldiers fire at four villagers carrying rice, order forced labour in Toungoo District,” KHRG July 2012.

