



Interview

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Hpa-an District Interview: *Land confiscation by the Tatmadaw in T’Nay Hsah Township, March 2019*

This interview with Saw T--- describes how local villagers faced difficulties after their lands were confiscated by the Tatmadaw¹ in B--- village, B--- village tract, T’Nay Hsah Township. Even though the Tatmadaw promised the villagers they would give half of the profits from the rubber plantations on the confiscated land, they did not do so.²

Interview, March 8th 2019 | Saw³ T--- (Male, 45), B--- village, B--- village tract, T’Nay Hsah Township, Hpa-an District

Ethnicity: Pwo Karen

Religion: Buddhist

Marital Status: Married, five children

Occupation: Village head and village tract secretary

Do you have responsibilities in the village?

I am a village head. I also work as village tract secretary.

I would like to ask you: What problems are you facing? Could you tell me?

We are facing land and drug issues in our village.

What about the land issues?

Villagers are not standing together regarding the lands confiscated by the Tatmadaw.

Did the Tatmadaw confiscate the lands?

Yes. The Tatmadaw confiscated our lands and planted rubber trees on the lands [the local people do not remember the exact date of the land confiscation].

Do you know how many acres of land were confiscated by the Tatmadaw?

I don’t know exactly. Before, they [villagers] were saying that 100 acres of lands had been confiscated by the Tatmadaw [the actual figure is actually much higher, see last paragraph].

¹ Tatmadaw refers to the Myanmar military.

² The present document is based on information received in March 2019. It was provided by a community member in Hpa-an district who has been trained by KHRG to monitor human rights conditions on the ground. The names of the victims, their photos and the exact locations are censored for security reasons.

³ Saw is a S’gaw Karen male honorific title used before a person’s name.

Do you know the ranks of those who confiscated your lands?

In the past, they came to confiscate the lands and said they were for temporary military use. They also said that they would abandon the lands after 30 years. Now, they have only abandoned the lands that are not beside the road.

Who took the lands that the military abandoned?

I don't know who from this village took their lands back.

Do you mean that the villagers are taking their land back?

Yes.

Do you know which Light Infantry Battalion confiscated the villagers' lands?

Light Infantry Battalion (LIB) #547, LIB #548 and LIB #549 [these battalions are now based in Nabu Township].

Did they abandon all the lands they have confiscated?

They did not return the lands located beside the road. They returned only the lands located further away from the road.

Do you know the LIB #547 commander?

I don't know any of their commanders' names.

What did they do on the confiscated lands?

They planted rubber trees.

Are there rubber trees remaining on the lands that they haven't returned yet?

There are rubber trees remaining, but there are fewer rubber trees. It seems like they will not return the confiscated land before 30 years have passed. However, they have abandoned the confiscated lands that are not located beside the road.

[...]

Can you tell me anything about drugs?

If I am discussing everything, education in Karen State is getting worse. If we think about it carefully, it is because of drug users. Some children are using drugs in standard 5 or 6. If the drugs are easy to produce and continue to be sold and bought this way, the [level of] education of the children in Karen State will decrease a lot. The children do not know about political issues. They do not know about history, about what Saw Ba U Gyi and General Bo Mya did. We still have our army and people. If not, people will bully us a lot. The young generations do not know about it. They became drug users. That is not right.

Do you know who is selling the drugs?

It is really hard for the village heads to identify the drugs sellers. Apart from the users, people do not know who exactly is selling drugs. Investigation is on-going in this case. As for the children, they do not listen to their parents and they go wherever they want. These children are ruining their lives.

Do more children in the village use drugs than not?

There are 50 percent of children who are drug users, and 50 per cent of children who are not drug users. Not only children, but also old people are using it.

Did they [the Tatmadaw] say something to villagers when they were planting rubber trees?

They told us that they are planting rubber trees for the people who are living in this village [in fact, the villagers had to plant the rubber trees after the Tatmadaw promised to split the profits with them].

What happened next?

Later, villagers had to go to the rubber plantation and look after it. The villagers had to take turns looking after the rubber trees. They [the villagers] had to hire [other] villagers to look after their [the Tatmadaw's] rubber trees in exchange of one tin [12.5 kg] of rice per year [and per villager]. As for the benefits, the Tatmadaw [said they] would split them equally with the villagers. They told the villagers that they needed to take half [of the benefits] for themselves. [...] When the village head [B--- village tract administrator] asked [the Tatmadaw soldiers] to show the [corresponding] contract, they didn't have it.

What did the village head ask them?

The village head [B--- village tract administrator] asked for the contract [stating that] the benefits from the rubber production [would be split equally]. [The Tatmadaw soldiers] don't have that [contract]. Therefore, the villagers will not get [half of the benefits].

Did they [Tatmadaw] tap the rubber trees?

Yes, they have been tapping rubber trees for seven years. They will cut down the rubber trees and they will plant new rubber trees.

If so, are they going to be theirs again?

Yes.

Are these three battalions working together on this rubber plantation?

When we went to meet with them, they told us that it has not been 30 years [since they started] work[ing] on the land. I don't know how many years it has been, if it is 20 years or more than 20 years.

Do you remember when they started to do the rubber plantation?

I don't remember the date.

Are they still using the land?

Yes, they are.

Does the land beside the road belong to the villagers or is it vacant, fallow and virgin lands?

It is vacant, fallow and virgin lands. It is not land owned by the villagers. Before, people used these lands for plantations. The lands were cleared [for farming] but without anybody having land documents [according to Karen customary practice, vacant land belongs to persons who clear them for agricultural purposes].

Did villagers proceed to do or discuss something after they went to meet with them [the Tatmadaw] about sharing half of the benefits?

No, the villagers didn't do anything but stayed like this.

Why didn't you guys do anything?

It's up to the village head. He didn't tell us [to do] anything.

[In July 2019, the Tatmadaw said that they had abandoned the confiscated lands. Then, LIB #547, LIB #548, and LIB #549 cooperated in destroying all the rubber trees on the lands. These confiscated lands are located between B--- village and T--- village. LIB #547 abandoned 66.14 acres but 24 acres still remain in their hands. LIB #548 abandoned 245 acres but 60 acres still

remain in their hands. LIB #549 abandoned all the lands they had confiscated, though it is not known exactly how many acres it was]

Further background reading on the issue of land confiscation by armed group in Southeast Myanmar can be found in the following KHRG reports:

- [“Nyaunglebin Situation Update: Logging and gold mining activities threatening community livelihoods, land confiscation by the Tatmadaw and landmine contamination in Mone and Shwegyin townships, November 2018 to January 2019”](#), (August 2019)
- [“Dooplaya Situation Update: Theft of civilian property by Tatmadaw soldiers, land confiscation and drug-related human rights abuses in Win Yay, Kawkareik and Kyainseikgyi townships between December 2018 and February 2019”](#), (August 2019)
- [“Do Not Trespass: Land Confiscation by Armed Actors in Southeast Myanmar”](#), (May 2019)

About KHRG

Founded in 1992, the Karen Human Rights Group is an independent local organisation committed to improving the human rights situation in Southeast Myanmar. KHRG trains local people to document and gather evidence of human rights abuses, and publishes this information to project the voices, experiences and perspectives of local communities. More examples of our work can be seen online at www.khrg.org.