



Situation Update

August 1st, 2019 / KHRG # 19-34-S1

Dooplaya Situation Update: School corporal punishment, 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

This Situation Update describes events that occurred in Win Yay, Kawkareik and Kyainseikgyi townships, Dooplaya District, between December 2018 and February 2019. These include human rights abuses such as school corporal punishment by a KECD teacher; theft of cattle by Tatmadaw¹ soldiers; returnees facing livelihood difficulties; land confiscation by the Tatmadaw; loss of lands due to infrastructure projects and drug-related human rights abuses.²

Education

Access to the Karen Education and Culture Department's (KECD)³ education system has improved in Win Yay Township over the last few years, and most of the schools have started teaching Karen language already. However, some teachers don't respect school hours or give heavy punishment to the students. In 2018, KECD primary school teacher Ma Tin Cho reportedly beat two students in H--- village, Kyainseikgyi Township, because they were not wearing Karen shirts. As a result, their parents stopped sending their children to this school, as one of them reported to KHRG: "*We will send our children back to school only when we can afford to buy them Karen shirts.*" Therefore, they had to send their children to the closest Myanmar government school or to S--- village's school, Chaung Hson village tract, Kyainseikgyi Township.

Military activities

On December 16th 2018, in V--- village, Kyainseikgyi Township, Caporal Nee Chay and two soldiers from the Tatmadaw's Infantry Battalion #32 stole two buffalos from Naw K---, and sold them for 500,000 kyat (325 USD) each.⁴ The loss of cattle can have serious consequences for the livelihood of local populations, as one adult buffalo can be worth over 1,000,000 kyats (USD 656.10) in Southeast Myanmar.

¹ Tatmadaw refers to the Myanmar military.

² The present document is based on information received on March 27, 2019. It was provided by a community member in Dooplaya 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 The Karen Education and Culture Department (KECD), formally known as the Karen Education Department (KED), is the Karen National Union's Education Department. The main goals of the KECD are to provide education, as well as to preserve Karen language and culture in ethnic Karen areas.

⁴ This is a clear violation of section 9(g) of the NCA, which states that the Tatmadaw shall avoid "*looting, theft, or the taking of property without permission.*"

On January 23rd 2019, Company Commander Thet Cho Oo from BGF Battalion #1013 fired his firearm in front of Naw K---'s house around 11 PM. He was reportedly drunk at the time of the incident. She explained: “*They are from the military and I am selling fuel. They tried to wake me up at night but I did not wake up. He [Thet Cho Oo] got angry and fired his gun.*”

Returnees facing difficulties

On February 23rd and March 15th 2019, Tatmadaw soldiers came to the P--- resettlement site, Lay Wah Plo (Kyain Kyaung) village tract, Kyainseikgyi Township to check how many households and inhabitants there were in the village following the recent return of refugees from Thai camps. They also questioned locals about which organisations were operating there. That situation raised security concerns among returnees, as the Tatmadaw has a long history of perpetrating human rights violations against civilians in Southeast Myanmar.⁵ The returnees also face livelihood difficulties. Since they were not given agricultural lands to work on, most are engaged in intermittent, casual work. They also do not feel safe because there have been some thefts in P---, and drug dealers also operate in the area.

Land confiscation

In 2008, the Tatmadaw's Weh Ka Lee Military Training Battalion, which is based near Thanbyuzayat, confiscated 200 acres of local people's lands in A--- village, Kone Myint Thayar village tract, Win Yay Township for military training purposes. Since then, they erected buildings and set up materials for military training. In 2012, 2013 and 2014, the Tatmadaw officially announced that these lands were now property of the military. They used to be owned by 15 people. More than ten of them had an official government land title, and some also had Karen National Union (KNU)⁶ land titles. The Tatmadaw carries out military training in the summer, usually two to three times per year. Even though local people are usually given previous warning, they cannot access their lands during the exercises. Local people can work on their plantations during the rainy season, but the Tatmadaw erected signs that forbid them from entering certain areas and sometimes sends patrols there, which the locals have to avoid. In addition, unexploded ordinance from firing practice poses a threat to civilians, and prevents some of them from going to their gardens. Rubber trees were also damaged from the gunfire, and cannot be tapped anymore. When local people reported this to the Battalion Commander, he replied that the Tatmadaw was the owner of these lands, and that it could use them whenever it wants. Local people reported the case to the regional land authority, but it did not take action. Although no one has been injured yet, local people do not feel safe because nothing guarantees that they won't be hit by stray bullets in the future. On March 3rd 2019, one local confirmed that the confiscated lands were still being used by the Tatmadaw to carry out training activities.

In 2006, Tatmadaw's Artillery Unit #334 also confiscated 200 acres of local people's land in N--- village, Kyain Shwe Doe (*Noh Ta Shu*) village tract, Kyainseikgyi (*Noh Ta Kaw*) Township. The lands were owned by 16 local civilians. Some of them have land titles, both from the KNU and the government, while others don't. Later on, Light Infantry Battalions (LIB) #32, #283 and #284 from Kyainseikgyi also came to occupy the confiscated lands, which are now being used as the local headquarters of the Strategic Operations Command (SOC). LIB #32 also planted teak trees on 10 acres of land belonging to Daw⁷ E---. The Tatmadaw still hasn't given back the confiscated lands, which are unofficially labelled as “Tat Pine Myay” (owned by the military).

⁵ For more information, see Karen Human Rights Group (October 2017), “[*Foundation of Fear: 25 years of villagers' voices from southeast Myanmar*](#)”.

⁶ The Karen National Union is the main Karen group opposing the government.

⁷ Daw is a Burmese female honorific title used before a person's name.

Instead, they tried to force land owners to sign an agreement stating that they would only be able to use the confiscated lands for 30 years before officially losing them to the military. However, local civilians refused to sign it, as they rely on these lands for their livelihoods. They also sent complaint letters to the Township authorities and the President of the Union, with no results. Only 81 acres of confiscated lands containing betel nut and rubber trees remain unused by the Tatmadaw. However, even though local people are still working on these lands, they don't feel like they have the freedom to do so because of the presence of Tatmadaw soldiers nearby. Naw W--- and Dtee⁸ O--- explained to KHRG how the land confiscation resulted in livelihood difficulties for the local population: *"We use these lands for our education and healthcare. But the lands that are left are not enough for us to survive on. The SOC organised several meeting with the local people [to force them to sign the agreement], so some got tired and disappointed. They don't do anything and don't go to meet with them anymore."*

U⁹ P---, a civilian from A Nan Kwin village tract, Win Yay Township, is currently facing livelihoods difficulties after he lost his lands because of a road construction project. He used to own a betel nut plantation with more than 100 betel nut trees, most of which were destroyed after a national highway was built in the area. He explained: *"When the main road from Thanbyuzayat to Payathonsu [Three Pagodas Pass] was constructed in 2014, it caused a lot of harm to the local people and they did not get any compensation for that."* Although the SOC military camp and its clinic, a high school, monks and three households received compensation for losing lands, the majority of the people who were affected did not: *"There was no one that would process the case, help and take responsibility for the local people's rubber and betel nut gardens. There are only a few farms left. We did not know who we should have talked to and we were afraid to talk about it. Some can still work on their farms, but I was left with nothing to work on. Now I am jobless."*

Drugs

Local people reported that the use of yaba¹⁰ and opium is still a problem in Win Yay and Kawkareik townships. According to a KHRG field researcher, no awareness-raising campaigns about drugs were conducted during the conflict period. As a result, the use of drugs became widespread once the security situation stabilised after the Preliminary Ceasefire Agreement. The drug users are mostly men between 15 to 50 years old. Drug trafficking is facilitated by a wide range of factors, including weak rule of law and the involvement of armed actors. On January 2019, one person from U--- village, Kawkareik Township, was afraid of discussing the issue with KHRG because members of armed groups are involved in the drug trade.

As the Karen National Police Force does not have the human resources to conduct anti-drug operations in these two Townships, they shared this task with the KNLA. In Win Yay Township, such actions are carried out by KNLA's Battalion #16, notably Companies #2 (Kyauk Balu village tract), #3 (Than Ba Yar village tract) and #4 (Sin Pyay village tract). The KNLA ordered village heads and administrators to meet with local civilians and prepare a list of the drug users in their area. People who admitted having used drugs once were arrested and detained by the KNLA for three months, while frequent users were detained for six months.

Detainees for drug-related offences have to bring a big tin of rice (10.45 kg) and 50,000 kyats (USD 33.13 as of 24/6/2019) with them to cover the incarceration costs at the KNLA Company Office. They can be freed if their relatives pay between 150,000 (USD 99.40) and 200,000 kyats (USD 132.53) to the KNLA. Company #3 also routinely releases people for good behaviour after

⁸ *Pa Dtee* or *Dtee* is a familiar term of respect in S'gaw Karen attributed to an older man that translates to "uncle," but it does not necessarily signify any actual familial relationship.

⁹ *U* is a Burmese title used for elder men, used before their name.

¹⁰ Yaba is a drug containing a mixture of methamphetamine and caffeine.

two months. However, detainees who still exhibit addiction symptoms are not freed until the end of their terms.

The Karen National Police Force and the KNU justice system do not engage in the process of arresting, sentencing and detaining drug users. However, the KNLA refers some cases to them if there is strong evidence and if the suspects are found with more than a certain quantity of drugs.

Some people from Than Ba Yar, Kyauk Balu, Kwee Chaw Gyi, Hpah Pra village tracts had to sell their plantations to secure the release of their relatives who have been detained for drug-related offences. This can have terrible consequences for their livelihoods, as land is the main source of income and food for rural populations in Southeast Myanmar. People who lose their land often have to engage in intermittent, casual work, which undermines their ability to provide for their family.

The use of drugs reportedly resulted in a rise in violence, including domestic violence in the area. In January 2019, in C---village, Kwee Chaw Gyi village tract, Poe Ka La beat his wife and burned down his house, after which the village administrator strongly slapped him in the back of the head. Then, the KNLA arrested Poe Ka La and detained him for three to four days, but his wife secured his release by giving them 150,000 kyats (USD 98.74).

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

- [“Do Not Trespass” Land Confiscation by Armed Actors in Southeast Myanmar](#), (May 2019)
- [“Dooplaya Incident Report: Tatmadaw soldiers steal two buffalos belonging to a local farmer December 2018”](#), (May 2019)
- [“Growing drug use and its consequences in Dooplaya and Hpa-an districts, between February and December 2015”](#), (May 2016)

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.

Dooplaya (Southeastern Karen State) District

