



Karen Human Rights Group

Documenting the voices of villagers in rural Burma

Situation Update

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Hpa-an Situation Update: Land confiscation by the KNU/KNLA-PC in T'Nay Hsah Township and resettled refugees facing difficulties in Lu Pleh Township, February 7th to May 18th 2019

This Situation Update describes events that occurred in Lu Pleh and T'Nay Hsah townships, Hpa-an District between February 7th and May 18th 2019. In T'Nay Hsah Township, the KNU/KNLA-PC is currently confiscating lands to build a new town over a 4000-acre area in O---village. It is also organising gambling activities for fundraising purposes despite the opposition of the local population in Keh K'La village tract. In Lu Pleh Township, resettled refugees are facing livelihood challenges due to a lack of support by the organisations in charge of the resettlement process.¹

Land confiscation by the KNU/KNLA-PC in T'Nay Hsah Township

After they seceded from the Karen National Union in 2007, the KNU/KNLA-Peace Council (KNU/KNLA-PC), led by Pu Htin Maung, established its headquarters and main military camp near O---village, Htoh Kaw Koh village tract, T'Nay Hsah Township. Pu Htin Maung is currently confiscating lands to build a new town called Naw Ta Ya in the area, with support from the Myanmar government and an unidentified organisation from Japan. This town is projected to extend over a 4,000-acre area that includes around 400 acres of lands and plantations belonging to local people, some of which have already been confiscated [although KHRG was not able to assess the exact number].

On February 18th 2019, one local woman told KHRG that the KNU/KNLA-PC had been confiscating lands belonging to some local since 2007. There have been many incidents of land confiscation but she does not remember the exact dates. The perpetrators who confiscated these lands are Commander Pu Aung Naing from Battalion #707 and Commander Ba Blut Moo from Battalion #708. Most of the victims had Karen National Union land titles, and some of them had Myanmar government land titles.

On February 17th 2019, most of the people from several village tracts attended a meeting on this new town project organised by Pu Aung Naing. The villagers who attended the meeting oppose

¹ The present document is based on information received in May 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.

it because they would lose their grazing and plantation lands. They do not have other jobs to secure their livelihoods and they would not feel safe and free to travel if this project is implemented. However, the KNU/KNLA-PC and Myanmar government workers already surveyed the 400 acres of land, and the local people think that the project will move forward despite the opposition of the villagers.

Therefore, this project still poses a threat to local people. If the new town is built, the lands belonging to the woman interviewed by KHRG will be confiscated, and she expressed her concerns about this situation. The villagers whose lands have already been confiscated were not given compensation and they cannot work on their plantations anymore. However, they did not have to relocate, as the confiscated lands were grazing and plantation lands located outside their village.

KNU/KNLA-PC soldiers trying to take over villagers' lands in Ta Kreh Township

Three years ago [presumably in 2016], the KNU/KNLA-PC sent soldiers to live in P---, Noh Kwee village tract, Ta Kreh Township. P--- is next to a mountain where the local people's hill farms are located. There were no problems when the soldiers first settled in the area. However, over one year later they organised a meeting and asked the local people to give them their land titles or land forms. They told the villagers that they would just take a look and return them. Five persons gave them their land titles and they still have not gotten them back yet.

The KNU/KNLA-PC soldiers also asked the local people permission to measure their lands, but the villagers refused. Therefore, the soldiers could not do anything so they started engaging in logging activities in the summer of 2018. They cut enough trees on local people's lands to fill two trucks for trading purposes. The local people reported this case to the village head, but the case is still on-going. The local people told the soldiers that this kind of logging was detrimental to them, but they replied that they were clearing the lands to create hill farms. The KNU/KNLA-PC soldiers said they got permission from their leaders, and asked why the local people were complaining.

According to a KHRG researcher, the KNU/KNLA-PC soldiers will continue their logging activities until the villagers feel compelled to sell them their lands. Given that this issue remains unsolved, the local people plan to organise a meeting and to report it to the local KNU authorities. However, it did not happen due to some disagreements between the villagers. While some of them would like to sell their lands to the KNU/KNLA-PC, others do not. The villagers think that the soldiers will ultimately take these lands for themselves. If so, it will be difficult for the local people to work for their livelihoods and raise their animals.

Gambling activities in T'Nay Hsah Township

In T'Nay Hsah Township, the KNU/KNLA-PC is organising gambling and theatre activities. The local people, especially in E--- village, Keh K'La village tract are against it, but they dare not speak up because these activities are organised by KNU/KNLA-PC officers, and especially Operations Commander Kyaw Kyaw from Operations Command #3. Gambling activities take place all year long, and the KNU/KNLA-PC usually hires a theatre group from October to May. The noise from these activities annoys the local people, and gambling also led to an increase in domestic violence, drug use and sale, and theft.

These activities are part of KNU/KNLA-PC's fundraising strategy, as people who gamble have to pay taxes. The group also hires a theatre group to attract sellers during festivals, and collects taxes from these sellers too. Before they opened this gambling place [presumably in 2016], KNU/KNLA-PC Operations Commander Bo Kyaw Kyaw organised a meeting with the local people in E--- village. He said that half the money from the taxes will be used to build a school

and given to the monastery. However, the villagers said that, over the last three years, he did not give any money to the community.

An abbot organised a meeting [KHRG was not able to find out the exact date] and told the KNU/KNLA-PC to stop these gambling activities, but they did not listen. The people from E--- village said that they did not want these activities to continue, but they are afraid to speak up as they worry they might get killed if they do. As the KNU/KNLA-PC is a powerful armed actor, the villagers are afraid to challenge them.

Returnees facing difficulties in Lu Pleh Township

On February 25th 2019, refugees from Mae La Camp in Thailand were resettled in the Way Ler Muh area, Lu Pleh Township along the Thai-Myanmar border. Each returnee got 9,000 baht [USD 298.01 as of November 21st, 2019] from the UNHCR, but the leaders [UNHCR and Myanmar government] in charge of the resettlement process never came to check on them. There are still landmines in that area. Returnees also face many problems such as food shortages and lack of access to healthcare. They also have to take care of people with disabilities, women and children, and to secure their livelihoods by themselves.

On March 3rd 2019, Tee Naw Pay, a local KNU/KNLA-PC Commander and Saw Thwee Gaw Lue, a KNU/KNLA-PC soldier, said that the UN informed them that they would resettle refugees in the area. But no one came to monitor the local situation and take care of the returnees after they were resettled. The local leaders and KNU/KNLA-PC officers, notably Sergeant Major General Pu Yay Nu, now have to take care of the returnees until they can stand on their own feet. However, they are facing challenges in providing food, livelihood opportunities and lands, as well as education and healthcare services to the returnees.

Antimony processing plant causes air and water pollution in T'Nay Hsah Township

Last year [presumably in 2018, although KHRG was not able to find out the exact date], an unidentified Chinese company built an antimony processing plant in T--- village, Htee Hsa Rah village tract, T'Nay Hsah Township. Because of the smoke from the processing plant, the local people in T--- village started feeling unwell and experienced headaches, dizziness and face swelling. The workers from the processing plant also discharged black and blue industrial wastewater into the river. This caused difficulties for the villagers and their animals, as they use the river as a water source.

The company did not meet and negotiate with the local people and the local leaders before building the antimony processing plant. The local people just learnt about it when they held an opening ceremony. The villagers reported it to the speaker of the Amyotha Hluttaw,² Mahn Win Khaing Than, and to U Sein Bo, the NLD Myawaddy district chairperson. They promised to report the case to the Myanmar government. One local villager said to KHRG: *"We want the leaders to help us and protect us from this problem. Otherwise, we won't be able to work for our livelihoods if we get sick. We need their help."*

The processing plant was then temporarily closed for about three months, before resuming its activities a few months ago [KHRG was not able to find out the exact date]. It does not release wastewater and smoke like before. Therefore, its activities stopped having adverse effects on the health of local populations.

Domestic violence in T'Nay Hsah Township

² The Amyotha Hluttaw (House of Nationalities) is the upper house of Myanmar's bicameral parliament.

On April 11th 2018, Saw Eh Htee, a 40-year-old man from Y--- village, Kyaw Hkoh village tract, T'Nay Hsah Township punched his 27-year-old wife, Naw A---, while he was on drugs. There are many cases of domestic violence in the area, and most of them are related to drug use. The victim reported this case to the village head, who ultimately arrested and detained Saw Eh Htee for one week. Later on, his mother-in-law secured his release because no one else could help her to build a rice barn.

Further background reading on the issues of land confiscation and refugee resettlement in Southeast Myanmar can be found in the following KHRG reports:

- [“‘If I had known, I wouldn’t have returned to Myanmar’: Shortcomings in Refugee Repatriation and Reintegration”](#), (June 2019)
- [“‘Do Not Trespass’’: Land Confiscation by Armed Actors in Southeast Myanmar”](#), (May 2019)
- [“‘Development without us’: Village Agency and Land Confiscations in Southeast Myanmar”](#), (August 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.khrq.org.