



Interview

July 31st, 2019 / KHRG #19-53-A2-I1

Mergui-Tavoy Interview: Land Confiscation by the Asia World Company, March 2019

In 2000, the Asia World Company¹ confiscated around 1,000 acres of local people's land in Ler Muh Lah Township, Mergui-Tavoy District, resulting in livelihood difficulties for local civilians. Some of the victims were also held captive and subjected to attempted extortion by the company's workers and security personnel. The affected civilians have yet to recover their lands and remain barred from working on their plantations.²

Interview | Saw³ L---, (Male, 60), G--- village, M'Saw Area, Ler Muh Lah Township, Mergui-Tavoy District (March 2019)

Ethnicity: Karen

Religion: Christian

Marital Status: Married

Occupation: Farmer

How long have you lived in G--- village?

I was born here and I have lived here ever since. Now I am 60 years old.

What have you experienced during these 60 years? Have you experienced any land problems, human rights violations, or other issues?

We lived a normal life here in the village and the Tatmadaw [forced us] to relocate and live near the road in 1976 and 1977. It was not easy to secure our livelihood there. Therefore, we came back and lived together here in the village. Then we built houses and other buildings step by step to rebuild our village. In 1976 and 1977, we were blessed as no one was killed. Now, some of us are working on plantations and some are working on hill farms and plain farms.

¹ Asia World is a Burma/Myanmar company with significant investments in the shipping industry, infrastructure, and plantations in Myanmar. It is known within Burma/Myanmar as Shwe Swan In. Asia World and its additional companies owned by Myanmar national Stephen Law were added to the US Sanctions list in July 2016 due to their historic and continued links to the Burma/Myanmar military regime, see Myanmar Times (May 2016), "[US extends sanctions, further targets Asia World](#)". For more information about abuses committed by the Asia World Company, please see the 'Further background reading' section at the end of this report.

² The present document is based on information received in May 2019. It was provided by a community member in Mergui-Tavoy 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.

We heard that one company came into the village and confiscated the local people's land. But we don't know when it was. Do you know about that?

Yes, it was the Asia World Company. They came in 2000 [...] and planted palm oil trees in the local areas without telling us anything. We could not prioritise and concentrate on that issue because we had to work for our livelihood, and we didn't know what to tell them or how to tell them. They planted in the whole area where our village lands were located. Sometimes, they even had arguments and problems with us. One year after they planted the [palm oil trees], their workers burned the lands and then attacked and threatened the local people and demanded money from them. I also experienced it myself. They said that I burned their plants and they arrest me and held me for over one week. They took me to their place and then asked me to give them between 30,000,000 kyats and 50,000,000 kyats (between USD⁴ 19,852 and USD 33,086). I did not do anything wrong so I did not give them any money. Later on they released me and they also arrested my ten workers. It was really hard.

Where did they arrest you?

They came and arrested me here in the village.

Where did they take you?

To Ba Mat. There were also militias there. The Asia World Company manager and the militias worked together to arrest me.

Do you know the commander of the militias?

The commander of the militias was Maung Aye Kyeh.

Where did he live?

He lived in Tu Yaw Hpoh. He lives elsewhere now.

Did they torture you?

No, they did not.

How about food? Did they treat you well?

We had to take our food with us. Sometimes our family had to send us food. [I was held] for over one week.

How many days?

About 10 days.

How many acres of your lands were confiscated?

My land is close to the other local villagers' lands that were confiscated. Only 10 acres of my lands were confiscated. The total amount will be a lot if we combine it with others. [...]

How many [acres of] people's lands were confiscated?

Many people from our village had lands confiscated. One of the uncles,⁵ called Saw H---, lost 100 acres of land. Uncle E--- and Uncle U--- lost 100 acres each. I just mentioned people who had a lot of land confiscated. Other people had 10, 20 or 30 acres confiscated. [The company] cut big trees from some people's plantations. They were destroyed so we could not do anything.

⁴ All conversion estimates for the kyat in this report are based on the July 31st 2019 official market rate of 1,506.95 kyats to USD 1.

⁵ *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.

What kinds of trees did they cut down?

They cut down durian and betel nut trees. One of my brothers' durian trees was about 12 feet tall [3.66 metres] and 3 to 4 feet wide [0.91 to 1.22 metres]. There were about 20 to 30 trees. [...]

How many households are in your village?

There are about 50 households.

How many households or people's lands were confiscated?

[...] There are about 10 people whose lands were confiscated.

How many acres were confiscated in total? Can you guess?

It might be 1,000 acres. People's lands across the whole village were confiscated.

Did they negotiate or discuss with the local people before they confiscated the lands?

No, they did not.

Did only the company come to confiscate the lands?

At first only the company came, and later they called their security [personnel].

Who provided security for them?

Militias did.

Were the Tatmadaw⁶ soldiers included?

No, they were not included in the beginning. However, the company hired them for security services so later on they based near those areas. Then they took their soldiers there.

Where did the soldiers come from?

They came from the town.

Which town?

Maybe they are from Myeik (Mergui) town. They stayed in the village for three years [...] then they left.

Did the soldiers cause any human rights violations?

No, they did not. But we had to put our animals in a cage or tie them to a fence to stop them from destroying the young palm trees.

What did the soldiers do when the animals went there [to the plantations]?

They called us to take them back. They did not kill them but we had to give them money.

Can you please tell me [the name of the Asia World's Company local manager]?

It was U Chit Than. He worked here for ten years but he is dead now.

Who [is the manager] now?

Kyaw Zaw Tun [is the manager] now.

What does the situation look like now?

⁶ Tatmadaw refers to the Myanmar military throughout KHRG's 25 year reporting period. The Myanmar military were commonly referred to by villagers in KHRG research areas as SLORC (State Law and Order Restoration Council) from 1988 to 1997 and SPDC (State Peace and Development Council) from 1998 to 2011, which were the Tatmadaw-proclaimed names of the military government of Burma. Villagers also refer to Tatmadaw in some cases as simply "Burmese" or "Burmese soldiers".

That palm oil company just comes to plant some palm trees next to the road now. [...] They just do that to promote themselves. They don't do it effectively. It is just a waste. The company is big but there are only about 10 workers here.

Do you want compensation for your lands or do you want your lands back?

We want our lands back and we don't want those palm trees. If we wanted to we could have organised ourselves to plant those. In some areas, we planted [a few] of them [...]. We just plant them next to our fences and houses. We dare not plant [a lot] because we didn't get permission [from the company] to plant yet. [...] We only want the lands back. We don't want compensation. We cannot do anything.

Do you have anything to add or any suggestions?

We want the lands to be our own. We also reported this case to the Myanmar government, parliament and the Karen National Union⁷ [KNU] as well. We reported it to every organisation. However, we didn't receive permission to work on our own lands so we dare not do anything yet. We want them to help us.

How do you want them to help you?

We want them to help us to get our lands back. We just want our lands back to be able to plant. It just looks like we are living on the company's lands and we dare not touch and plant anything. If we get the lands back, we will be able to plant.

Do you want to tell me any more information?

That is the most important thing, for us to get our land back.



This photo was taken on March 21st, 2019. The interviewee, Saw L---, talked about the land confiscation by the Asia World Company in G--- village, M'Saw Area, Ler Muh Lah Township, Mergui-Tavoy District. [Photo: KHRG]



This photo was taken on March 21st, 2019. It shows a stone marker put by the Asia World Company on confiscated land in G--- village, M'Saw Area, Ler Muh Lah Township, Mergui-Tavoy Township. [Photo: KHRG]

⁷ The Karen National Union is the main Karen group opposing the government.

Further background reading on land confiscation in Southeast Myanmar can be found in the following KHRG reports:

- ["Do Not Trespass" Land Confiscation by Armed Actors in Southeast Myanmar](#), (May 2019)
- ["Mergui-Tavoy District: Land Confiscation by the A Lin Yaung Company in Ler Muh Lah Township"](#), (December 2018)
- ["Development without us": Village Agency and Land Confiscations in Southeast Myanmar"](#), (August, 2018)
- ["Mergui-Tavoy Field Report: Growing concerns about land confiscations and development-related abuses"](#), (January 2016 to December 2017)

Further background reading on abuses committed by the Asia World company in Southeast Myanmar can be found in the following KHRG reports:

- ["Foundation of Fear: 25 years of villagers' voices from southeast Myanmar"](#), (October 2017)
- ["Toungoo Field Report: Slow transitions towards real change, January to December 2015"](#), (January 2017)
- ["Mergui-Tavoy Situation Update: Ler Muh Lah and Ta Naw Tree Townships, January to June 2015"](#), (October 2015)
- ["Toungoo Interview: Saw H---, April 2011"](#), (September 2012)

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.

Mergui-Tavoy (Tanintharyi) District

