



**Karen Human Rights Group**

Documenting the voices of villagers in rural Burma

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### **Situation Update**

March 30<sup>th</sup>, 2020 / KHRG #19-62-S1

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## **Doo Tha Htoo District Situation Update: Land confiscation by private companies and tensions between armed actors, February to July 2019**

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*This Situation Update describes events that occurred in Tha Htoo (Thaton) and Kye Hto (Kyaikto) townships, Doo Tha Htoo (Thaton) District between February and July 2019. In Tha Htoo Township, Tatmadaw soldiers trespassed into areas controlled by the Karen National Union (KNU)<sup>1</sup> in April 2019, raising security concerns among local villagers. In Kye Hto Township, nine victims of land confiscation by the Super One Company are still trying to get their lands back in Chaw Pya [Chaung Pyant] village tract. Villagers from Chaw Thoo Hkee village tract also reported a case of land confiscation by the Myanmar Innwa Thone Company; and are now worried that its activities might negatively impact their community. In Waw Kay village tract, one of the schools cannot accommodate all the children. As a result, some of them have to study at the monastery.<sup>2</sup>*

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### **Tatmadaw trespassing into KNU-controlled areas in Tha Htoo Township**

Tatmadaw troops from Military Operations Command (MOC) #8, Light Infantry Battalion (LIB) #404, and from LIB #2, Infantry Battalion (IB) #9, all of them operating under Light Infantry Division (LID) #44, are patrolling in KNU-controlled areas in Tha Htoo Township [a mixed control area].

On April 20<sup>th</sup> 2019, 35 soldiers from MOC #8, LIB #404 operating under Column #1 went to U---village, P'Nwel Kla village tract without informing the Karen National Liberation Army (KNLA)<sup>3</sup> in advance. They travelled in three trucks and were led by Colonel Mya Khaing. The local villagers considered the Tatmadaw trespassing into this KNU-controlled area a violation of the Nationwide Ceasefire Agreement (NCA)<sup>4</sup>'s Code of Conduct. They are now afraid that fighting might resume and feel insecure living in the village.

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<sup>1</sup> The Karen National Union (KNU) is the main Karen political organisation. It was established in 1947 and has been in conflict with the Burma/Myanmar government since 1949. The KNU wields power across large areas of Southeast Myanmar and has been calling for the creation of a democratic federal system since 1976. Although it signed the Nationwide Ceasefire Agreement in 2015, relations with the government remain tense.

<sup>2</sup> The present document is based on information received in July 2019. It was provided by a community member in Thaton 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. The parts in square brackets are explanations added by KHRG.

<sup>3</sup> The Karen National Liberation Army (KNLA) is the armed wing of the Karen National Union.

<sup>4</sup> On October 15th 2015, after a negotiation process marred with controversy over the notable non-inclusion of several ethnic armed groups, a Nationwide Ceasefire Agreement (NCA) was signed between the Burma/Myanmar government and eight of the fifteen ethnic armed groups originally invited to the negotiation table, including the Karen National Union. It was followed by the adoption of a Code of Conduct by the signatories in November 2015.

Villagers in U--- village have experienced human rights violations before the signing of the NCA, but they can now travel and work for their livelihood freely because there has been no fighting since October 2015. There have also been fewer human rights violations and disturbances by Tatmadaw soldiers. However, villagers do not feel safe when going to their plantations and farms because Tatmadaw soldiers are trespassing into and patrolling areas controlled by the KNU.

On April 21<sup>st</sup> 2019, 52 soldiers from LIB #2 and Infantry Battalion #9 went to P--- village, T'Kwee Klah village tract, Tha Htoo Township. They travelled in three trucks and were led by Column #2 Commander Kyaw Than. The local people are now concerned and afraid because this Column trespassed into a KNU-controlled area. They worry that fighting might resume because of this. Even though the Myanmar government has signed the NCA, this Tatmadaw column patrols the local areas to show their military power. The local villagers hope that the situation does not lead to renewed fighting as the NCA has brought about relative peace, enabling them to work on their livelihoods.

### **Land confiscation by the Myanmar Innwa Thone Company (မြန်မာ့အင်းသုံးကုမ္ပဏီ) in Kyeh Htoh Township**

In early February 2019, the Myanmar Innwa Thone Company started stone mining and road construction activities in V--- village, Chaw Thoo Hkee village tract, Kyeh Htoh Township. The company owner is Aye La Yan and his manager is Ann Win. It employs 50 workers.

When the company went into the village and started mining stone and constructing roads, it did not let the villagers and leaders know in advance. Therefore, the local community does not know exactly what the company's plans are. As a result, they did not want to be interviewed, but they reported what they have seen and heard. Currently, the company has been working there for seven months, but there have not been many impacts on the local people yet. However, they are concerned about the potential impacts on their quality of life, as they live near the company's operation areas.

The company confiscated some lands belonging to local villagers [approximately 115 acres] and also bought others at a low price. I [KHRG field researcher] interviewed Saw<sup>5</sup> R---, the KNU Forestry administrator from Kyeh Htoh Township, and he told me that the company started investing in this area between 2015 and 2016. However, they did not do anything during this period. Some of the local people sold their lands to the company [at a low price, because they were afraid that the company would confiscate them anyway]. When they first invested money in the village, the KNU Township authorities did not know anything, and some of the people from the village did not know anything either. This company got permission [to operate in the area] from Moe Myint Oo, the Meh Ruh Hkee village tract administrator, and U<sup>6</sup> Khin Soe, the Teh Deh Hkee village tract administrator [both Myanmar government staff].

The Forestry administrator said that the company might have other purposes, not only stone mining and road construction. He stated: *"I cannot report about this because I don't know exactly yet. Other [KNU authorities] will also investigate about the company's activities."*

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In February 2018, two additional armed ethnic groups signed the NCA under pressure from the Burma/Myanmar government.

<sup>5</sup> Saw is a S'gaw Karen male honorific title used before a person's name.

<sup>6</sup> U is a Burmese title used for elder men, used before their name.



These photos were taken on July 10<sup>th</sup> 2019 in V--- village, Chaw Thoo Hkee village tract, Kyeh Htoh (Kyaikto) Township, Doo Tha Htoo (Thaton) District. They show the stone mining and road construction activities carried out by the Myanmar Innwa Thone Company in the area. [Photos: KHRG]

### **Land confiscation by the Super One Company in Kyeh Htoh Township**

In 2012, the Super One Company confiscated 64 acres of lands belonging to nine local villagers in Y--- village, Chaw Pya [Chaung Pyant] village tract, Kyeh Htoh Township to set up a sugarcane plantation.<sup>7</sup> Most of them have KNU land titles and some have both KNU and Myanmar government land titles. On February 6<sup>th</sup> 2019, I interviewed Saw D---, one of the victims whose lands have been confiscated. I also interviewed the Y--- village administrator. I asked them if there had been any changes in 2018 and 2019.

[Saw D---] said that a police officer from Bilin organised a meeting with the victims and questioned them about the land issues in the village [KHRG was not able to find out the exact date]. The victims then reported the case of land confiscation by the company. The police officer told them that they would get their lands back. However, they do not know when it will happen. The village administrator also reported that the company asked him to select two victims to meet with them. So Saw D--- and Saw L--- were selected to attend that meeting [KHRG was not able to get more information on this meeting].

The village administrator said that they will not stop processing this issue until the nine victims get their lands back. Although the lands have not been returned yet, two villagers have started working on their lands again over the reporting period. The others are still waiting for the situation to be resolved.

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<sup>7</sup> KHRG (May 2019), "[\*Thaton District: Land Confiscation by the Super One Company in Kyaikto Township, October 2018\*](#)".



These two photos were taken on October 31<sup>st</sup> 2018 in Y--- village, Chaw Pya village tract, Kyeh Htoh (Kyaikto) Township, Doo Tha Htoo (Thaton) District. They show some of the lands that have been confiscated by the Super One Company. Its workers have already planted sugarcane on some parcels, and they will most likely plant more once the water recedes from the others. [Photos: KHRG]

### Lack of education facilities in Kyeh Htoh Township

On July 8<sup>th</sup> 2019, I interviewed the C--- village head, Saw E---, in Waw Kay village, Waw Kay village tract, Kyeh Htoh Township. The village has grown in size and its population has also increased. The primary school in the village is small, so it cannot accommodate all the schoolchildren. Therefore, some children have been studying at the Buddhist monastery in the village since 2017. The local people asked the Myanmar authorities to build a new school for them, without result. Currently, the government provides one male teacher and one female teacher for the monastery.



These photos were taken on July 8<sup>th</sup> 2019 in C--- village, Waw Kay village tract, Kyeh Htoh (Kyaikto) Township, Doo Tha Htoo (Thaton) District. The photo on the left shows the local primary school. The photo on the right shows the schoolchildren who are studying at the monastery. [Photos: KHRG]

Further background reading on the situation in Doo Tha Htoo District can be found in the following KHRG reports:

- ["Doo Tha Htoo District Interviews: Water pollution caused by a Tatmadaw-run cement factory, October 2019"](#), (March 2020)
- ["Thaton Interviews: Skirmishes between the Tatmadaw/BGF and the DKBA Splinter Group resulting in displacement in Kyeh Htoh \(Kyaikto\) Township, June 2019"](#), (December 2019)
- ["Thaton Incident Report: One villager sustained serious injuries after stepping on a landmine in Hpa-an Township, May 2019"](#), (November 2019)
- ["Thaton District: Land Confiscation by the Super One Company in Kyaikto Township, October 2018"](#), (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.khrq.org](http://www.khrq.org).

# Doo Tha Htoo ( Karen )



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