



## Situation Update

November 25<sup>th</sup> 2020 / KHRG # 19-94-S1

---

## Taw Oo District Situation Update: Livelihood, Tatmadaw activities, education and development projects, July to October 2019

---

*This Situation Update describes the livelihood difficulties the villagers in Thandaunggyi and Htantabin townships, Taw Oo [Toungoo] District are facing as the results of land confiscation and development projects. It also includes Tatmadaw<sup>1</sup> activities such as transporting their rations, weapons and soldiers to their frontline army camps in quantities which raise the concerns of the villagers. It also talks about the difficulties in terms of education, especially between the Myanmar government and the Karen Education and Culture Department (KECD)<sup>2</sup> education systems.<sup>3</sup>*

---

This situation update is about the human rights violations or other information documented from July to October 30<sup>th</sup> 2019. It includes education, healthcare, development and militarisation in Taw Oo District.

### 1. Livelihood situation

There are two townships in Taw Oo District: Daw Hpa Hkoh (Thandaunggyi) and Htaw Ta Htoo (Htantabin). The villagers from Taw Oo District live in both mountain and plain areas.

Mountain villagers depend on their plantations. These include cardamom, dog fruit trees, betel nut trees and coffee. They could not produce enough this year [2019] because the bad weather and wild animals destroyed or damaged many plants. In addition, the prices of local fruit production are going down this year and the villagers cannot balance their income and expenses so they face livelihood difficulties.

Villagers in plain areas are engaged in farming. Some of them face the same difficulties so they do not have enough money for their daily expenses. Therefore, they tried to borrow money from the Myanmar government to support their farming activities, but the government only gives

---

<sup>1</sup> Tatmadaw refers to the Myanmar military.

<sup>2</sup> The Karen Education and Culture Department is the education department of the Karen National Union. Its main goals are to provide mother tongue education services to rural Karen populations in Southeast Myanmar, as well as to preserve the Karen language, culture and history. Despite being an important education provider in the region, it is not officially recognised by the Myanmar government.

<sup>3</sup> The present document is based on information received in November 2019. It was provided by a community member in Taw Oo 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 staff.

money to villagers who have a land form 7.<sup>4</sup> Some villagers do not have enough money to apply for a land form 7, so they did not receive any money from the government.

Some villagers borrow cash from the government's Mya Sein Yaung co-operative credit society and they pay back the cash by selling their cardamom fruits. This year they could not produce good quality cardamom and the prices are not so good, around 9,000 kyats [USD 6.88 per viss/1.6 kg].<sup>5</sup> Therefore, to be able to pay back debts to the Mya Sein Yaung co-operative credit society, they had to sell their other belongings and borrow extra money from others at much higher rates of interest. If they cannot pay back their debt, they will face action under the rules set up by the co-operative credit society.<sup>6</sup> In order to pay back their debt, they sell their animals and pawn their gardens.

The government's other credit projects also give loans to the villagers and the villagers have to pay them back once every six months or year. This financial support is not enough for the villagers to actually rebuild sustainable livelihoods, so they use it to cover their daily expenses and they have to pay it back when they harvest their plantations. Since they have had weather problems, they cannot produce enough fruits and the prices have gone down so they face a lot of challenges. This is happening throughout almost the entire Taw Oo District.

## **2. Tatmadaw activities**

### *General information*

In Taw Oo District, there are the Tatmadaw Military Operations Command (MOC)<sup>7</sup> #4, frontline army camps in Htaw Ta Htoo and Daw Hpa Hkoh townships, and also the Ba Yint Naung Tat Myot military training camp in Daw Hpa Hkoh Township. Moreover, the Tatmadaw troops under MOC #6 operate around the Thandaung Myot Thit, Shwe Nyaung Bin, Taw Pyar Kyi, Thauk Yay Khat, Hti Thar Saw and Late Tho Town army camps; and along the Taw Oo (Toungoo) road.

The Tatmadaw has their troops rotating once every four months and has increased transportation of rations, weapons, military materials and soldiers from once a month to twice a month from Toungoo to frontline army camps in Kler La and Bu Sar Hkee. The transportation trucks can only travel on proper vehicle roads, so materials must be carried by hand where the trucks cannot go.

### *Road construction*

In 2018, Tatmadaw road construction activities in Htaw Ta Htoo Township damaged land owned by villagers from Sha Si Bo, Pyin Gan and Kyi Htoun villages, Sha Si Bo village tract.<sup>8</sup> No compensation was provided to the villagers affected. One of them said that they could not do anything to make the road works stop, as they were carried out by soldiers. Therefore, they have to suffer the consequences of losing their properties.

Moreover, the Tatmadaw constructed their road across lands allocated as reserved forest by the Karen National Union (KNU).<sup>9</sup> Local villagers are therefore afraid to go there to get bamboo or

---

<sup>4</sup> Land form 7 is the land grant required to work on a particular area of land. In Burma/Myanmar, all land is ultimately owned by the government.

<sup>5</sup> All estimates for the kyat in this report are based on the November 25<sup>th</sup> 2020 market rate.

<sup>6</sup> This usually includes confiscation of land or belongings by the Society.

<sup>7</sup> Military Operations Command (MOC) is comprised of ten battalions for offensive operations. Most MOCs have three Tactical Operations Commands (TOCs) made up of three battalions each.

<sup>8</sup> A village tract is an administrative unit of between five and 20 villages in a local area, often centred on a large village.

<sup>9</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

firewood. The villagers said that the military road connects Kyi Htaung to a Tatmadaw frontline army camp, and that it will be exclusively used for transporting rations, weapons and soldiers.

### *Land confiscation*

Since the Tatmadaw confiscated their lands, some villagers in the Ba Yint Naung Tat Myot area, Daw Hpa Hkoh Township, became jobless so they had to take odd jobs and do part time jobs. Infantry Battalion (IB)<sup>10</sup> #73 confiscated 779 acres of villagers' lands [presumably more than 30 years ago]. IB #73 only returned some of the confiscated lands when they left their army camp in 1991 or 1992. The lands that they did not return are still being used by other Tatmadaw battalions, so the land owners cannot farm them. A local villager said that, even though the Tatmadaw returned some of the lands, they did not return them with proper evidence [documents] so the villagers find it difficult to process land forms 7. When they face challenges related to land, they also face livelihood difficulties and religious, social and educational challenges for their children.

The Tatmadaw's Ya Ka Tha military training camp in Ba Yint Naung Tat Myot, Daw Hpa Hkoh Township, Taw Oo District started confiscating villagers' lands in 2000. They have confiscated more than 5,000 acres of land in total. The villagers wanted their land back during the military dictatorship period, but they did not get it back even though they tried to negotiate and write a letter to them [Tatmadaw]. After the 2012 preliminary ceasefire<sup>11</sup> between the KNU and the Myanmar government, they tried to claim back their lands again in order to solve their livelihood problems. When they tried to ask their lands back, the Ba Yint Naung Tat Myot military chief and other authorities used different kinds of strategies and said that the villagers should measure their land and claim it back using the Vacant, Fallow and Virgin (VFV) land law. The villagers did as they ordered but it did not make any difference. Instead, the Tatmadaw added more requirements for the villagers to comply with before getting their land back.

The Tatmadaw military chief and other commanders from the Ba Yint Naung Tat Myot training camp called villagers' representatives for a meeting and told them that if they want their land back, they should claim it through proper procedures. However, only one staff from the Myanmar government land measuring department in Daw Hpa Hkoh Township [is authorized to measure the land]. Only the lands in the "Tatmadaw-owned" area will be measured, so it seems like it is only about measuring the Tatmadaw's land. Therefore, the villagers realised that it would be difficult for them to get their land back and currently they have to pay the Tatmadaw whenever they work on some of the confiscated lands.

Moreover, the Ba Yint Naung Tat Myot military training camp also confiscated villagers' lands for their military target practice range #7. They confiscated 4,700 acres of land in Shauk Pin Chaung and Kywel Phyu Taung village tracts. The Tatmadaw soldiers now lease those lands for their own advantage so the villagers cannot plant anything or work on their land.

### *Military exercises and target practice*

---

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>10</sup> An Infantry Battalion (Tatmadaw) comprises 500 soldiers. However, most Infantry Battalions in the Tatmadaw are under-strength with less than 200 soldiers. Yet up to date information regarding the size of battalions is hard to come by, particularly following the signing of the NCA. They are primarily used for garrison duty but are sometimes used in offensive operations.

<sup>11</sup> On January 12th 2012, a preliminary ceasefire agreement was signed between the KNU and Burma/Myanmar government in Hpa-an. Negotiations for a longer-term peace plan are still under way under the peace process initiated by the Nationwide Ceasefire Agreement in October 2015.

From September to October 11<sup>th</sup> 2019, Tatmadaw soldiers from Ba Yint Naung Tat Myot conducted target practice. Mortar shells fell inside the villagers' cardamom plantations and destroyed other plants as well. It was also when the villagers were harvesting cardamom fruits.

One mortar shell fired on October 11<sup>th</sup> 2019 fell on the road between Maung Nwet Kyi and Nan Chain Kwin villages, which made the villagers terrified when they came to harvest their cardamom fruits. Therefore, they stopped going to their plantations for harvest so they lost their income. Those villagers who were going to harvest for others as a part-time job also lost their daily income.

In addition, a group of Tatmadaw soldiers from Ba Yint Naung Tat Myot fired their weapons while conducting manoeuvres in full gear beside a local KNU taxation checkpoint, leaving the people manning the checkpoint and local civilians terrified.

### *Standoff between the Tatmadaw and the Karen National Liberation Army (KNLA)<sup>12</sup>*

Since 2013, the KNU and Tatmadaw have agreed routes for both sides to follow where to go and where not to go during transportation of rations and troop rotations. The KNU does not allow the Tatmadaw to go to the places or use the pathways that the civilians are using. But in 2019, the Tatmadaw troops under MOC #4 started using the pathways that the villagers are using. Since the Tatmadaw violated the agreement with the Taw Oo KNU authorities, it raised security concerns among the local villagers. Moreover, Tatmadaw soldiers from the Maung Nwet Kyi and Nan Chain Kwin army camps ordered local villagers to transport their rations and weapons for them using the villagers' own trucks.

On September 9<sup>th</sup> 2019, a group of KNLA soldiers were travelling from Maung Nwet Kyi village to Nan Chain Kwin village. At the request of the KNLA, the Myanmar government Maung Nwet Kyi village tract administrator went to the Maung Nwet Kyi army camp in advance. He then informed the Tatmadaw Light Infantry Battalion (LIB)<sup>13</sup> #709, which is led by Commander Wa Na Zaw, not to use the road between the two villages on that day. Despite this warning, the KNLA group was followed by eight Tatmadaw soldiers. Although the KNLA soldiers let the LIB #709 patrol pass through them without further incident, local villagers who witnessed the two groups operating in the same area felt concerned for their safety.

A KNU authority from Daw Hpa Hkoh Township said that the Tatmadaw is not following the rules that the local authorities established for them, such as [the prohibition on] travelling without prior notice in the restricted area. This can cause unexpected problems [and potentially fighting] between the two sides.

### **3. Land confiscation by a private company**

The Kaung Myanmar Aung company confiscated over 5,000 acres of land belonging to villagers from Shauk Pin Chaung village tract, Toungoo Township [Myanmar government administrative division] and Na Ga Maunk village tract, Htaw Ta Htoo Township. The company then sued eleven of the land owners [for alleged trespassing] in cases that ran from 2014 to 2019.<sup>14</sup> The

---

<sup>12</sup> The Karen National Liberation Army is the armed wing of the Karen National Union.

<sup>13</sup> A Tatmadaw Light Infantry Battalion (LIB) comprises 500 soldiers. However, most Light Infantry Battalions in the Tatmadaw are under-strength with less than 200 soldiers. Yet up to date information regarding the size of battalions is hard to come by, particularly following the signing of the NCA. LIBs are primarily used for offensive operations, but they are sometimes used for garrison duties.

<sup>14</sup> The government gave 30-year leases to over 5,000 acres of land in the area to the company without consulting or compensating the villagers who are traditional owners of the land. The company then began suing villagers to force them off their own land. After 5 years the villagers finally won the right to access their land, but have still not received government titles so the whole process could happen again.

cases went from the Toungoo Township court to the Bago Region high court. The villagers had to go twice a week so they could not focus on doing their work for their livelihood. Most villagers do part-time work so whenever they have to go to court, they face difficulties in paying petrol fees or motorbike fees for their travel.

The villagers decided to face the court regardless of the difficulties because they perceive that their land is their life. The court case ended in 2019. The villagers faced livelihood difficulties during the proceedings because they could not work properly for their livelihood and did not have any income for their families. Even though the villagers won the case, the plantations on their lands had been cut down by the Kaung Myanmar Aung company workers so it is challenging for them to start over again.

#### **4. Land confiscation by a manager from the Ministry of Industry No. 1**

In Shauk Pin Chaung village tract, Agricultural Manager Aung Kyaw Oo from the Ministry of Industry No. 1 confiscated land belonging to villagers from Nant Thar Gone in 2000 after the government constructed the P'Thi Reservoir in 1996 – after which the villagers were forcibly relocated. As they had no land left to work on, they went away to work and support their family but they could not earn enough income. They just worked part-time jobs for their livelihoods.

When the villagers claimed back the lands confiscated by Manager Aung Kyaw Oo, they were sued. Since they had to go to court from 2016 to 2019, it cost a lot of their money. Some of them borrowed money from others and ended up having many debts. However, they ultimately lost the case before the Toungoo Township court, which means that they lost their lands even though they inherited them from their forefathers.<sup>15</sup>

#### **5. Education**

In Taw Oo District, there are Myanmar government schools in mixed-control areas, self-funded schools established by the villagers, and KECD schools in KNU-controlled area.

There is a KECD middle school called Kaw Thoo Lei in Htaw Ta Htoo Township and another KECD middle school in Daw Hpa Hkoh Township, so the graduates still need to go somewhere else to attend high school. However, the Myanmar government schools do not accept them [because KECD schools are not officially recognised]. Therefore, they have to continue their studies at the Hto Lwee Wah High School [a KECD school], which is located beside Taw Kone village, Htaw Ta Htoo Township.

The Myanmar government schools allow the Karen students to learn their own language only outside of school hours. The educational department in Daw Hpa Hkoh Township and the teachers do not allow the Karen flag to be set up in front of schools. The local villagers are therefore afraid to be sued if they do as they wish [if they hoist the Karen flag].

The Myanmar government started constructing a technical high school in a place close to Taw Pyar Kyi village, Taw Pyar Kyi village tract, Daw Hpa Hkoh Township, which is in a hill area. After they dug the foundations of the school, the water source became dirty because there are now landslides during the rainy season.<sup>16</sup> Therefore, the villagers from Taw Pyar Kyi are against

---

<sup>15</sup> For more information about this particular case, see KHRG, "[Toungoo Interview: Land confiscation and judicial harassment by a Manager from the Ministry of Industry No. 1 in Thandaunggyi Township, July 2019](#)", September 2019.

<sup>16</sup> Construction began in November 2019 high on a hillside, in a forested area which the villagers had kept as a reserve to protect the source of the stream providing their drinking water. As a result, the drinking water is now silty in rainy season. Authorities also demanded wood for construction from villagers at significantly below market price.

the construction of this school. According to a villager, they [Myanmar government] tried to persuade and pressure some villagers into accepting it.

## **6. Development projects**

From 2012 [preliminary ceasefire] to 2019, there has been an increasing number of development projects being implemented in both Daw Hpa Hkoh and Htaung Ta Htoo townships. There are more road and bridge constructions, government building constructions and it is getting easier for civilians to travel. However, the croplands of the villagers from Thit Kwa Taung village, Late Tho Town, Daw Hpa Hkoh Township were destroyed as a result of the construction of roads and bridges.

In most cases, the companies that implemented these development projects only got permission from the Myanmar government authorities, not from the KNU or the local villagers. This caused livelihood difficulties for the local villagers whose lands were damaged or confiscated, as well as misunderstandings between the villagers and the local [KNU] authorities. Some companies also trick the villagers who do not understand much about the projects to sign their names [to agree to the project].<sup>17</sup> Most villagers in Taw Oo District do not accept development projects in their area because it creates a lot of livelihood difficulties for them.

The construction of the road from Late Tho to Thit Kwa Taung in Daw Hpa Hkoh Township by the Taung Hteik Pan Company [starting in 2018] created tension between the company and Naw A---, a land owner whose lands were confiscated and damaged as a result of the construction works. Naw<sup>18</sup> A--- reported the case to the Late Tho Town administrator and to Saw<sup>19</sup> Gyi Aye Win Myint, a member of parliament [Kayin State Hluttaw] from the KPP [Karen People's Party], to no avail. She tried again and again to settle this land case but she was not given a chance to negotiate.

Therefore, Naw A--- went and reported the case to local KNU authorities and the local KNU told the Taung Hteik Pan Company that they should get permission from KNU authorities and villagers before implementing the project.<sup>20</sup> The local KNU authorities also stated that the government or companies should not enter the area and implement development projects without getting the local people's consent.

## **7. My [KHRG field researcher] personal opinion**

I think that there should be adequate support, medical supplies and enough health workers when they [Myanmar government and companies] construct clinics and hospitals. In terms of education, they should provide good services for students and avoid doing things that will cause difficulties for students.

The Myanmar government should create a market system for the villagers' products and create job opportunities for them. The government should also respect the civilians' needs and perspectives. When it wants to implement development projects, it should do it without impacting the villagers and their properties; and get their consent.

---

<sup>17</sup> One such trick is to tell villagers that if they do not sign to approve this project, they will never get a school or a road to their village.

<sup>18</sup> Naw is a S'gaw Karen female honorific title used before a person's name.

<sup>19</sup> Saw is a S'gaw Karen male honorific title used before a person's name.

<sup>20</sup> After reporting the case to the KNU in December 2019, she won 2.5 million kyats in compensation [USD 1,910.10]. The company completed the road construction in February 2020.

The Tatmadaw and the KNU should also recognise and respect each other, and the civilians too. They should avoid doing things such as threats and misunderstandings that create barriers for the villagers.

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

- [“Southeast Myanmar Field Report: COVID-19, armed conflict, landmines and sexual violence, January to June 2020”](#), (September 2020)
- [“Taw Oo District Incident Report: Multiple instances of child rape, 2016 to October 2019”](#), (March 2020)
- [“Southeast Myanmar Field Report: Militarisation, environmental pollution and sexual violence against children, July to December 2019”](#), (February 2020)

### 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](http://www.khrg.org).

# Taw Oo (Toungoo) District

