



Karen Human Rights Group

Documenting the voices of villagers in rural Burma

Report from the Field

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**Human rights abuses and obstacles to protection:
Conditions for civilians amidst ongoing conflict in Dooplaya
and Pa'an districts**

Amidst ongoing conflict between the Tatmadaw and armed groups in eastern Dooplaya and Pa'an districts, civilians, aid workers and soldiers from state and non-state armies continue to report a variety of human rights abuses and security concerns for civilians in areas adjacent to Thailand's Tak Province, including: functionally indiscriminate mortar and small arms fire; landmines; arbitrary arrest and detention; sexual violence; and forced portering. Conflict and these conflict-related abuses have displaced thousands of civilians, more than 8,000 of whom are currently taking refuge in discreet hiding places in Thailand. This has interrupted education for thousands of children across eastern Dooplaya and Pa'an districts. The agricultural cycle for farmers has also been severely disrupted; many villagers have been prevented from completing their harvests of beans, corn and paddy crops, portending long-term threats to food security. Due to concerns about food security and disruption to children's education, as well as villagers' continuing need to protect themselves and their families from conflict and conflict-related abuse, temporary but consistent access to refuge in Thailand remains vital until villagers feel safe to return home. Even after return, food support will likely be necessary until disrupted agricultural activities can be resumed and civilians can again support themselves.

More than two months after major clashes on November 8th and 9th 2010 in the large towns of Myawaddy and Three Pagodas Pass, on the Thailand-Burma border, conflict between Burma's state army, the Tatmadaw, and non-state armed groups continues. Exchanges of small arms fire and shelling are being reported daily as the number of groups fighting the Tatmadaw in Dooplaya and Pa'an districts increases. Civilians, meanwhile continue to be deeply affected by the conflict and conflict-related human rights abuses. Groups of refugees have criss-crossed the Thailand-Burma border on a daily basis over the past two months, often entering Thailand's Mae Hong Song, Tak and Kanchanaburi provinces in small groups but sometimes in single-day influxes as large as 1,000 civilians. As of January 10th 2011, more than 8,663 recently displaced civilians were seeking refuge in Tak Province alone.



The photo above, taken on December 25th 2011, shows children from Noh Day village staying with their families at an unofficial refuge site near Mu Yoo Hta in Thailand's Mae Sariang District. Access to education for these children has been disrupted since their families fled shelling in the Manerplaw area on December 11th 2010. Later on the same day this photo was taken, RTA soldiers forced this group of 13 families to leave the temporary refuge site. [Photo:

In many cases, the Royal Thai Army (RTA) has gone to considerable lengths to facilitate refuge for civilians fleeing while shelling or gunfire is immediately audible. In many other cases, however, refugees, community members supporting them and staff from international and national organisations have described the RTA repeatedly obstructing refugees as they have attempted to enter Thailand, and coercing refugees to return to Burma in spite of significant threats to the security and human rights of civilians amid the current conflict and increasingly militarised climate across Dooplaya and Pa'an districts.

This field report details incidents in which refugees attempting to access refuge in Thailand have been obstructed or prevented from doing so. It also enumerates human rights concerns that have been expressed by civilians in Dooplaya and Pa'an districts, including: functionally indiscriminate mortar and small arms fire; landmines; arbitrary arrest and detention; sexual violence; and forced portering.

Information for this report is based upon 40 brief Displacement Monitoring updates published to the KHRG website between December 3rd 2010 and January 19th 2011, as well as additional information that has not yet been published. This report also draws upon more than 19 audio-recorded interviews conducted since November 30th 2010, 11 of which are included in an Appendix to this report. This report is also informed by additional formal and informal interviews, which were not recorded for security reasons, as well as ongoing communication and coordination with community members and international organisations providing support to recently displaced civilians seeking refuge in Thailand. Input from Tatmadaw deserters and active and inactive soldiers from non-state armed groups including the DKBA, Karen National Union / Karen National Liberation Army (KNU / KNLA) and All Burma Students Democratic Front (ABSDF) was also solicited in an attempt to establish clear indicators of how long conflict can be expected to continue in eastern Dooplaya and Pa'an districts.

Assessing the likelihood of continued conflict

The current conflict began when a breakaway faction of the DKBA, under the control of Na Kha Mway, refused orders to transform into a Tatmadaw-controlled Border Guard Force¹ and entered Myawaddy Town, Pa'an District on November 7th 2010, during voting for Burma's first election in 20 years. Clashes on November 8th and 9th 2010 initially caused at least 20,000 people to flee to Thailand from eastern Pa'an and Dooplaya districts. More than 12,000 people sought refuge in Mae Sot, opposite Myawaddy on the Thai side of the Moei River; 10,000 sought refuge on the Thai side of Three Pagodas Pass Town, opposite Kanchanburi Province, and another 2,500 attempted to find refuge in areas of Tak Province opposite the large village of Waw Lay, then headquarters of Na Kha Mway's forces. These refugees – the largest influx into Thailand in 25 years – were largely able to access refuge at temporary sites in Thailand.

Fighting has continued in the weeks since, and the DKBA, as well as other armed groups including the KNLA and ABSDF, continue to engage the Tatmadaw in open conflict. Following the reported execution of six soldiers from the Karen National Union / Karen National Liberation – Peace Council (KNU / KNLA-PC), it is widely assumed that the KNU / KNLA-PC will soon join, or has already, joined the conflict². A number of ceasefire negotiations between the various parties have not succeeded in ending or reducing hostilities. Though the conflict no longer features large battles in major towns, frequent skirmishes, shelling and guerrilla style attacks are occurring daily throughout areas opposite Thailand's Tak and Kanchanaburi provinces. Small

¹ For more on the origins of the current conflict and the transformation of DKBA troops into Border Guard Force battalions, see [Protection concerns expressed by civilians amidst conflict in Dooplaya and Pa'an districts](#), KHRG, November 2010.

² "Burma Army retreats from Karen flashpoint," *Democratic Voice of Burma*, December 2010

arms and mortar fire continues to be audible from Thailand, with shells and bullets sometimes straying into immediately adjacent areas of Thailand.

Although the Tatmadaw is southeast Asia's second-largest army, after two months it has not been able to establish control of currently contested areas in eastern Doooplaya or Pa'an districts. Tatmadaw deserters interviewed by KHRG have, for example, described the Tatmadaw struggling to supply units deployed to the frontlines and suffering heavy casualties. In interviews with KHRG on January 11th 2011, for example, Tatmadaw deserters described the difficulties faced by their units while operating in eastern Doooplaya:

"Our camp was attacked and the ones who got injured the most were us, the children. But, the DKBA soldiers did not get injured a lot. Soldiers in our side got seriously injured... There were around 500 to 600 soldiers when we started operations, but the total soldiers who died by landmines, during the attack and got shot were over 200. For the current ongoing attack in Waw Lay, there are [now] only 72 soldiers in our group."

-Ko A---, 17 years old, Tatmadaw deserter and former child soldier, LIB #202 (Interview January 11th 2011)³

"People, the KNU [KNLA army], came and attacked us... when we were in camp and when we went out. We didn't see them. They shot us... and one of our soldiers' hands was cut off [by bullets] and others died and were injured from stepping on landmines. ... On December 3rd 2010, we came to the frontline... and, on December 10th, at 2:00 pm, people [DKBA or KNLA soldiers] were pulling mines [remotely detonating] and three of our soldiers were hit by the mines. Two got injured and one died. After that, we went to Kyo Gk'Lee village... and we arrived to Kyo Gk'Lee village on December 14th 2010. We were starving for food for four days. ... When we arrived to Gkwee Ta Uh village on December 14th at 1:00pm, there was fighting happening. People came and attacked us once. The DKBA came and attacked us again at 5:00 pm that same day. After two attacks, we arrived at Gkwee Ta Uh village."

-Saw W---, former soldier with the Tatmadaw, LIB #586 (Interview January 11th 2011)⁴

In public statements on Burmese and English language news channels, meanwhile, officers from non-state armed groups have made firm commitments to continue fighting. "We are to continue fighting until there is independence and rights for ethnic people," DKBA Major Saw P--- told the Democratic Voice of Burma on January 18th 2011, "we will continue with this fight until the end, until the people are free."⁵ On January 19th 2011, KHRG interviewed a recently defected former DKBA commander from Brigade #999 who made the following predictions as to whether the current conflict had the potential to continue:

"This fighting will not finish in a few days. It is happening like when the KNU [KNLA] has been fighting against the Burmese army [Tatmadaw]. Even though they have fewer soldiers, they will not fight against the whole Burmese army [at once]. They do she breh [guerrilla warfare] with one or two people and the Burmese army [Tatmadaw] can't do anything. People see that they [the DKBA] are not strong and think the fighting will be over soon. But it will not finish soon. If I have to say, until the Burmese government changes their character [policy] on ethnic groups, there will be no obstacle [for the DKBA to continue fighting], even if Na Kha Mway has fewer soldiers [than the Tatmadaw]. They [the DKBA] can't be destroyed and disappear. The fighting will continue. The fighting will not be over as soon as people think."

-Saw P---, former DKBA Commander with Brigade #999, (January 19th 2011)

³ The full transcript of KHRG's interview with Ko A--- is available as an Appendix to this report.

⁴ The full transcript of KHRG's interview with Saw W--- is available as an Appendix to this report.

⁵ "Karen conflict intensifies," DVB-TV, January 2011. <http://www.dvb.no/dvb-tv/karen-conflict-intensifies/13749>

Speaking to KHRG on January 20th 2011, a representative from the KNU also confirmed that he thought fighting would continue, because the Tatmadaw are currently increasing troop numbers and have sent 50 trucks from the Southeast Command to Chaw N'Kwa, Kya In Seik Gyi and Kyaikdon, and an additional ten trucks to Myawaddy from southern Kawkaik Township. The KNU representative also stressed the manner in which guerrilla tactics might level the playing field for armed groups engaging in hostilities with numerically superior Tatmadaw forces, particularly in rural areas: *"We have our soldiers to cut off their rations. In the city, we can't enter and use guerrilla tactics but we attack them as guerrillas in the countryside. In the countryside, we mark [hunt] them like game animals but we can't mark [hunt] them like game animals in the city."*

KHRG has also spoken to representatives from other armed groups that are party to the current conflict. On January 17th 2011, a representative from ABSDF affirmed that the DKBA would continue to oppose the Tatmadaw in Dooplaya and Pa'an districts:

"Compared with the SPDC army [Tatmadaw], [the DKBA] has less human and arms resources than the SPDC army. But, even though they have less human and arms resources, they have a strong desire to fight for their national liberation. They do not care about not having enough human and arms resources, they will fight until they succeed."

-U Th---, ABSDF, (January 17th 2011)



This photo, taken on January 11th 2011, shows Saw W---, 20 years old, a former Tatmadaw soldier with Light Infantry Battalion (LIB) #586, wearing his military uniform. Saw W--- was forcibly recruited after his parents and siblings were killed in Cyclone Nargis. Saw W--- told KHRG that Tatmadaw soldiers currently operating in eastern Dooplaya have been explicitly ordered by their officers to fire on civilians. [Photo: KHRG]



This photo, taken on January 11th 2011, shows Ko A---, 17 years old, a former child soldier with Tatmadaw LIB #202. Ko A--- told KHRG that he was forcibly recruited by the Tatmadaw when he was 15 years old. Ko A--- confirmed recent reports of sexual violence and other human rights violations committed against civilians in eastern Dooplaya. [Photo: KHRG]

Human rights abuses committed against civilians in Dooplaya and Pa'an districts

Functionally indiscriminate mortar and small arms fire and landmines

Civilians across a wide geographic region of eastern Dooplaya and Pa'an districts continue to be at risk from conflict and conflict-related abuse. In the last two months, KHRG has documented incidents of civilians injured by shots fired during engagements between armed parties to the conflict, often due to extensive and functionally indiscriminate use of mortars and small arms. Tatmadaw deserters have confirmed that firing indiscriminately, without regard for civilian casualties, is part of basic Tatmadaw military training.

"They taught us military tactics, including... what we have to do when we see our enemy, how to shoot them, how to treat our enemy as the sun and fire [a Karen language colloquialism for mercilessness]. If our siblings or parents are our enemy and if we see them in sit myan bpyan [the front line area where the fighting is happening], we have to shoot them to death. ... When we are sentries at night, if we see villagers traveling at night, even if we don't know whether they are villagers or not, if we see anyone, [we have to] shoot them"

-Saw W---, former soldier with the Tatmadaw, LIB #586 (January 11th 2011)



The photos above were taken on December 15th 2010 and document examples of damage to property caused by indiscriminate firing of heavy artillery in Waw Lay village. Waw Lay has been one of the focal points during the current conflict in eastern Dooplaya. Waw Lay villagers have been endangered both by the unstable security and military situation and the reckless use of weapons by soldiers in the area. KHRG reported fighting in Waw Lay on December 13th and 14th 2010, with more than 20 shells reported to have landed in the village between 1:00 – 1:20 pm on December 13th 2010. [Photo: KHRG]

In a separate incident reported to KHRG, Tatmadaw soldiers fired weapons in a functionally indiscriminate manner and issued threats to villagers suggesting that civilians would be intentionally fired upon in the future. Local sources told KHRG that on December 14th 2010, between 30 to 40 Tatmadaw soldiers entered Waw Lay village and forced four civilians to lie on the ground at gunpoint. The sources reported that the soldiers kicked one civilian when he raised his head, shot their guns at the buildings in the village, and told them that, in the future, if any soldier saw more than two villagers walking together, they would be shot without questioning.

The risk to civilians has indeed been exacerbated in recent months by the possibility that civilians might be deliberately targeted in reprisal attacks, including the destruction of homes, or entire villages, in retaliation for attacks against an armed party to the conflict. On January 11th 2011, for example, a Tatmadaw deserter confirmed that troops in his unit operating in the Way Lay area had been ordered to burn homes or shoot civilians as a response to attacks by the DKBA or KNLA:

He [Saw W---'s commanding officer] told it [the following order] to every one of us. We had to form a line and he told us everything. There are 50 soldiers and we had to form and stand in a line to order us carefully. They will tell you. Our leader gave us the order. If the fighting happens in a village, kill all the villagers in the village, burn down the village, or shell it with mortars.

-Saw W---, former soldier with the Tatmadaw, LIB #586 (Interview January 11th 2011)

Such practices entailing grave threats to the physical security of civilians have severely impacted villagers' ability to move freely between refuge sites and their fields and agricultural work places. The use of landmines by all parties to the current conflict further undermines villagers' efforts to protect themselves, their property and their livelihoods. In the first week of December, residents of Waw Lay village told KHRG that DKBA soldiers had warned them only to travel along main roads, and avoid small pathways, because DKBA forces had placed landmines in areas they suspected that Tatmadaw soldiers might travel.

"People [DKBA soldiers] have planted landmines around the Tatmadaw soldiers' camp [in Gk'Neh Lay]. Some of the [Tatmadaw] soldiers travelled out of the camp and stepped on the landmines and got injured, but I don't know how many were injured or died. I know that they [the Tatmadaw soldiers] got angry about this and [on December 14th 2010] they shelled around the camp, and some shells reached the village and some reached the villagers' [agricultural] work places."

-Saw D---, (30, male), Gk'Neh Lay village, Kawkareik Township, Dooplaya District (December 16th 2010)

The use of landmines by armed groups party to the present conflict restricts villagers' movements and so has inhibited strategic temporary displacement, an effective strategy employed by many villagers to protect themselves and their families from threats to their human rights and security. If villagers warned to avoid small pathways wish to travel securely, they must travel on main roads and risk encountering Tatmadaw soldiers, an eventuality entailing further serious human rights and physical security risks. Furthermore, the use of landmines inhibits villagers' ability to protect themselves, by limiting potential routes for civilians to flee from conflict areas. On December 12th 2010, for example a villager fleeing shelling in the Manerplaw area of Hlaing Bwe Township, Pa'an District stepped on a landmine and was injured in his right leg and thigh.

"One of the Mae Pa villagers [Hlaing Bwe Township, Pa'an District] stepped on a landmine and got injured. It happened at about 5:00 pm on Sunday evening on December 12th 2010 but we didn't receive him until Monday morning. He stepped on the

landmine at his village when he was on the way here. Because it was an emergency, I tried to get him to the hospital at Mae Sariang. I don't know his name. We have a record of it in the camp office. But I don't know what type of landmine he stepped on because I had no time to ask. He injured his right leg and thigh."

-Saw F---, (male) relief worker, Mae Sariang District, Mae Hong Song Province
(December 15th 2010)⁶

Reported military casualties due to landmines also reinforce the grave threat that landmines pose to the physical security of civilians, since anti-personnel mines are inherently indiscriminate weapons and armed hostilities, including the laying of landmines, continue to occur in what are essentially civilian areas: villages, agricultural areas, paths and roadways. While all parties to the conflict have used pressure-detonated anti-personnel mines in the recent past, it is important to note that reports thus far have primarily detailed the use of *bpoh klee* 'tortoise shell' remote-detonated mines, which pose less of a risk to civilians.

"On January 9th 2011, there was an incident that happened in Oo Kreh Htah. The Burmese army [Tatmadaw] wanted to go and take over the DKBA camp. They [Tatmadaw forces] went and the DKBA ambushed them and hit them with bpoh klee [remotely detonated landmines]. Four of them [Tatmadaw soldiers] died and seven were injured. We couldn't get pictures because we didn't dare go there, but it is exact information. On the same day that they were attacked, they buried their friends there [where they were attacked] and, the next morning, on January 10th 2011, in the morning at about 8:00 am, they came back to Waw Lay. They [the Tatmadaw] sent seven of their soldiers who got injured to the Thai side [of the Moei River] and some people, maybe the Thai authorities, sent the injured [Tatmadaw] soldiers to Myawaddy."

-KHRG researcher, Kawkareik Township, Dooplaya District (January 13th 2011)

Arbitrary arrest, detention and torture

Since the current conflict in Dooplaya District began on November 7th 2010, civilians in eastern Kawkareik Township, as well as those currently seeking refuge in Thailand, have reported concerns related to civilians being arrested and accused of connections to non-state armed groups. Immediately following fighting in Myawaddy and Three Pagodas Pass towns on November 8th and 9th, KHRG reported the arrest of suspected DKBA family members and those with actual connections to the DKBA.⁷ In the subsequent months, increasing suspicion between Tatmadaw forces and civilians in eastern Kawkareik Township has resulted in a number of incidents of arbitrary arrest, detention and confiscation of property. The majority of incidents reported to KHRG consist of accusations against civilians framed in terms of suspected contact with non-state armed groups. For example, the Tatmadaw has confiscated mobile phones that they suspect are being used to contact the DKBA⁸ and most arrests are justified with accusations that the detainee is or has had contact with a DKBA soldier⁹.

However, incidents have also occurred that appear to be as much punishment for Tatmadaw embarrassment or frustration as active attempts to gather intelligence. For example, after DKBA forces shelled Tatmadaw soldiers based near the Waw Lay monastery, on December 6th 2010, Tatmadaw soldiers demanded residents who remained in the village to tell them where

⁶ The full transcript of KHRG's interview with Saw F--- is available as an Appendix to this report.

⁷ [Protection concerns expressed by civilians amidst conflict in Dooplaya and Pa'an districts](#), KHRG, November 2010

⁸ KHRG Displacement Monitoring Update No. 42: ["Arbitrary arrest, detention and confiscation of property in the Waw Lay village area"](#), KHRG, January 2010

⁹ KHRG Displacement Monitoring Update No. 46: ["Physical abuse during interrogation and extended detention of civilian from Waw Lay"](#), KHRG, January 2010

the DKBA was based and threatened them with their guns. Similarly, on December 20th 2010, following an incident in which a Thai police officer had illegally crossed into Burma and evaded capture by Tatmadaw soldiers under the command of Sergeant Pounc Shi Pounc, in Nyah Peh Htah village, Kawkareik Township, the Tatmadaw soldiers interrogated villagers about undocumented border crossings in the area, after which they arrested six civilians, including the village head and a pick-up truck driver, and confiscated three tractors and a pick-up truck. The civilians arrested were forced to transport military supplies for Tatmadaw troops, and the pick-up truck driver was hit with a gun by one Tatmadaw soldier when the confiscated truck failed to start.

Incidents reported to KHRG have also been confirmed by Tatmadaw deserters interviewed by KHRG.

After the attack in Myawaddy, we... operated at Chin Thit Mountain. Behind Chin Thit Mountain, there is a Karen village. We fought there for a month... We arrested people forcibly and entered villages and demanded money from the villagers. We came forward after we did this. We came here to Waw Lay directly.

- Ko A---, 17 years old, Tatmadaw deserter and former child soldier, LIB #202 (Interview January 11th 2011)

Incidents of detention reported in the last two months have been characterised by interrogation, threats of physical abuse and actual physical abuse including methods of torture including beatings, the use of stress positions and prolonged exposure to the sun. Civilians have reported being arbitrarily detained at private homes,¹⁰ interrogated and threatened with guns. Detention periods have ranged from a couple hours to eleven days.

"He was beaten on the whole body. His whole body was full of bruises. His belly and his armpits were full of scars from knife cuts. Once a day he was interrogated. When he first came back, his left eye was very red and I worried something will become worse. But now he is better."

KHRG volunteer researcher, Phop Phra district, Tak Province, Thailand (January 7th 2010)

The incident described above involved G---, a resident of Waw Lay village, who was arrested on suspicion of being a DKBA soldier after he had been drinking alcohol with several soldiers from LIB #409. He told KHRG that he had been detained, interrogated, beaten, forced to lie in the sun for an hour a day and handcuffed in stress positions for a total of eleven days, before he was released.

¹⁰ KHRG Displacement Monitoring Update No. 36: ["Arbitrary arrest in Waw Lay village and execution in Meh K'Ner village"](#), KHRG, January 2010



This photo, taken on December 26th 2010, shows G---, a resident of Waw Lay village, Kawkareik Township, Dooplaya District, who is bruised around his eyes. For his own security, KHRG has censored this photo. G--- was one of five Waw Lay residents who had been staying at unofficial refuge sites in Thailand's Phop Phra District, but returned on December 11th 2010 in order to work in their fields. G--- told a KHRG researcher that he was arrested and accused of being a DKBA soldier on December 11th 2010, after he left a group of Waw Lay villagers and Tatmadaw soldiers from LIB #409, who were drinking alcohol together, to go to the bathroom. G--- returned to the unofficial refuge site where he had been staying in Thailand's Phop Phra District on December 26th 2010. When he returned on December 26th 2010, he had handcuff abrasions on both wrists and his face was bruised. He told a KHRG researcher that he had been bound and left in the sun for an hour everyday for ten days and, in the evenings, was kept in the same position with the handcuffs on. He said that the Tatmadaw fed him just enough to survive while he was detained in this way during an eleven-day period. On the eleventh day of his detention, the Operations Commander [G3] questioned him and he was released. The KHRG volunteer researcher photographed and spoke to G--- on December 26th 2010 and assisted with securing medical treatment for G---'s wounds and bruises. [Photo: KHRG]

Physical abuse of civilians arrested by the Tatmadaw also occurred during a separate incident on December 20th 2010, in which five adult civilians and one 13-year-old child transporting logs from the riverbank in Waw Lay village were arrested when they failed to describe concordant destinations for the logs. They were then forced to maintain stress positions for one hour, squatting in the midday sun with their hands behind their heads, before being released. The villagers detained at that time told KHRG that the Tatmadaw soldiers who arrested them appeared to be intoxicated. Tatmadaw deserters have also confirmed similar incidents.

We were starving and we didn't have rations anymore. We ordered villagers to help us. If they didn't give [things to] us, we took by force. When we came up, we couldn't carry the bullets [mortars] so we asked for help from the villagers. If we couldn't [get them to help us], we used our power to demand tractors and we asked them to transport rations and military equipment. Fighting happened [while the villagers were transporting supplies] on December 30th 2010 and one of the villagers was hit with a piece of mortar in his leg.

-Saw W---, 20 years old, Tatmadaw deserter, LIB #586, Battalion Commander Naing Myo Han, (January 11th 2011)

Sexual violence

Women interviewed by KHRG in the last two months have described fears of sexual violence committed by Tatmadaw soldiers operating in eastern Dooplaya and Pa'an Districts. Incidents of rape by individuals from state or non-state armed groups in eastern Burma tend most often to occur in villages near army bases or temporary camps, consequent to a region's militarization. A lack of accountability for perpetrators, particularly from the Tatmadaw, heightens the risk of incidents of sexual violence in recently-militarized zones of conflict.¹¹

¹¹ [*Dignity in the Shadow of Oppression: The abuse and agency of Karen women under militarization*](#), KHRG, November, 2006, pp. 47 – 48

I didn't dare to stay because I have a small child. I didn't have time to pack things and I had to come like this. My elder brother told me to stay together, eat together, and go together. I didn't know anyone when I came to stay here. I worry that the incident will happen as before, when the SPDC [Tatmadaw] tormented us. They abused villagers and oppressed women when we could not flee to sleep [in a hiding place]. That is why we are afraid and came here. ... We hear that the SPDC Army [Tatmadaw] tortures people, including women, so we're afraid of that. ... My husband is living in Bangkok and is working in order to find money.

-Naw Ag--- (female, 46), I--- village, Kawkareik Township (November 13th 2010)¹²

Recently-displaced women face additional risks, because they may become isolated during flight, or because a family missing a female relative may take longer to register alarm, assuming that she has been displaced to another location.

Yesterday, we saw the DKBA soldiers enter the village and some of the villagers started to flee to Thailand, because they were afraid that there would be fighting. More and more people followed each other. I too didn't dare to stay in the village so I followed the others. At that time, my husband [had already gone] to the Thailand side [of the Moei River] and I couldn't communicate with him. It was difficult for me... I started fleeing alone... During the night, my husband tried to search for me.

- Naw H---, (Female, 52), Palu village, Kawkareik Township, Dooplaya District (December 18th 2010)

Confirming these fears and underlining the current threat of sexual violence that women in Dooplaya and Pa'an are facing, on December 22nd 2010, a KHRG volunteer researcher verified reports from Waw Lay villagers seeking refuge at unofficial sites in Thailand's Phop Phra District that the dead body of an unidentified naked woman had been discovered close to the Waw Lay village school. Local community groups active in the Waw Lay village area also confirmed this discovery, as well as the discovery of a second woman's body. These groups also reported that both women had been raped. The KHRG researcher, who photographed the body, also reported that the woman appeared to be between the ages of 20 to 30 years old, but could not make a more detailed estimate as her body had already begun decomposing and had become unrecognisable.



This photo was taken by a KHRG researcher near the school in Waw Lay village on the afternoon of December 22nd 2010. By that time, the body had already begun to decompose and the KHRG researcher believed that the woman had been dead for at least two days already. The decomposed state of the body prevented Waw Lay villagers from confirming her identity and also from confirming that she was, in fact, from Waw Lay village. [Photo: KHRG]

¹² Appendix to [Protection concerns expressed by civilians amidst conflict in Dooplaya and Pa'an districts](#), KHRG, November 2010.

On January 11th 2011, KHRG interviewed a Tatmadaw deserter from a unit deployed in the Waw Lay area, who confirmed that Officer Soe Than, from LIB #202 and three other soldiers from his battalion had raped and killed two women in the Waw Lay area. Below is an extended quote from the soldier describing this incident:

Three soldiers who followed their officer came back and told me that two girls were raped. After they raped her, the girl who was raped by the officer was killed. Her head was cut off. Another girl who was raped by them was killed like this. They did not cut off the girl's head. They stabbed her with a knife. I did not know the three soldiers who followed the officer, but their officer was the sergeant, Soe Than. His three followers came back and told [the other soldiers]. They, the three of them, raped one girl and their officer raped another girl. I do not know the names of the three soldiers. ... My battalion is Battalion #202. Our Company Commander is U Than Soe. He is the Commander for Company #1. ... It happened about a month ago. ... I stayed with Tat Ma [Division] #66. It is based in Way Lay. ... They told me because they wanted me to be involved in this crime. But I was not interested in doing it. They thought I would be involved in this case. We got along with each other. They were proud of themselves. ... I do not know exactly about their [the girls'] ages. According to them [the soldiers], they were about 18 years old. One of them is 18 years old and another is 19 years old.

- Ko A---, 17 years old, Tatmadaw deserter and former child soldier, LIB #202

Forced portering and forced labour

Specific incidents of forced portering, in which local civilians were arrested and forced to porter rations, water, military equipment and injured Tatmadaw soldiers, have been reported across Kawkaik Township in the last two months. Villagers fleeing to Thailand have, from the moment conflict began in Myawaddy during November, been reporting fears of being forced to porter equipment as one of their primary human rights concerns.

"The Tatmadaw forced the villagers to go stay at the army camp, carrying water, cooking and carrying injured soldiers. These villagers didn't want to do that because they still have to do their farming, so they gathered secretly and crossed into Thailand on the night of December 10th. They arrived on the Thailand side [of the Moei river] on December 11th at around 8:00 am. Now there are 65 villagers [13 households] in this area and another group of 34 households who continued down [the Moei river] to the Burma side of the river to a place called K---."

-Saw F---, (male) relief worker, Mae Sariang District, Mae Hong Song Province
(December 15th 2010)¹³

These fears are consistent with other incidents of forced portering documented by KHRG across eastern Burma.¹⁴ Villagers are often used by Tatmadaw forces to address difficulties in supplying troops created by lack of developed transport infrastructure, where soldiers are seen as too valuable to expend on portering tasks, or in areas where transport by road may be dangerous due to the threat of vehicle landmines or ambush by the DKBA or KNLA.

"Now people are afraid about portering. They're afraid about portering because the food [Tatmadaw rations] that's in Palu camp, they [Tatmadaw forces] have to send it to Waw Lay. It's not easy to send [the rations] by car. They'll increase their soldiers and maybe

¹³ The full transcript of KHRG's interview with Saw F--- is available as an Appendix to this report.

¹⁴ For more on forced labour and forced portering by civilians in eastern Burma, see [Shouldering the burden of militarization: SPDC, DKBA and KPF order documents and forced labour since September 2006](#), KHRG, September 2007

yeh beh [prisoners]¹⁵ will be included with them, and [maybe] they'll carry food by people [porters]. For this reason, they [Palu villagers] don't dare to go back... No one goes back and stays in Palu Poe. No one stays there. No people stay, but some people stay in Thailand.

-Saw Pe---, Palu village, Kawkareik Township, Dooplaya District, (December 9th 2010)¹⁶

Tatmadaw deserters from the current conflict in Dooplaya have confirmed that the practice of forcibly recruiting villagers to porter for the military is ongoing. These deserters report that, in response to DKBA and KNLA efforts to disrupt the transportation of rations and supplies to Tatmadaw troops, particularly those based at camps in the Waw Lay area, Tatmadaw officers have been actively encouraging soldiers to forcibly recruit villagers to porter military supplies.

The villagers fled when they saw us. ... They ran away because they saw us and we were a lot of soldiers. They ran away... because they worried that the army would arrest them for porters. ... They [the Tatmadaw] recruited porters twice per month. ... They asked the porters to carry weapons and rations. ... The battalion commander did not demand porters directly by himself, but the sergeant asked the porters to carry. ... He [the battalion commander] told the soldiers that this trip is quite far to go. You cannot carry your bullets and guns. So, go and recruit three or four or five porters from this village. It will be better for you. Then, the soldiers went to recruit porters.

-Ko A---, 17 years old, Tatmadaw deserter and former child soldier, LIB #202, Battalion Commander Soe Than, (January 11th 2011)

The degree to which Tatmadaw officers rely on civilian porters is indicated by an incident in which, the day before trucks of rations that would need transport began arriving, Tatmadaw officers attempted to persuade villagers hiding in Thailand to return home. On December 31st 2010, Tatmadaw officers based in Palu village called a meeting with village heads and religious leaders from Palu Pa Doh and Palu Poe villages at the Palu Poe middle school. Local sources told KHRG that there were three Tatmadaw officers at the meeting, however the villagers in attendance did not know the officers' names or ranks, because they did not introduce themselves and were not in uniform. The local sources told KHRG that, during the meeting, the Tatmadaw officers said that the village heads and the religious leaders needed to arrange for Palu residents who were still hiding on the Thailand side of the Moei River to return to their villages.

The next day, on January 1st 2011 at around 3:00 pm, seven Tatmadaw trucks, carrying approximately 400 Tatmadaw soldiers, arrived in Maw Hto T'Lay village, Kawkareik Township, Dooplaya District from Myawaddy Town, Pa'an District. These trucks then arrived in Palu Poe village on January 2nd 2011 at around 12:30 pm. Local sources in the area believed that the reinforcements were intended to provide extra security for Tatmadaw trucks carrying rations to soldiers based to the south, in and around Waw Lay village. The Tatmadaw has struggled to resupply soldiers in the Waw Lay area and, given these difficulties, it is likely that the officers hoped to use returning civilians as porters, or as cover in the hopes that their presence might moderate attacks by the DKBA or KNLA.

Despite the officers' entreaties, the village heads refused to organize the return of their villagers:

"In the meeting one of the village heads, named Saw C---, replied to the officers and said that even though we're village heads, we can't arrange to return the villagers who are hiding. He also told the SPDC [Tatmadaw officers]: 'As you are the government, it's up to

¹⁵ Saw Pe--- is likely referring to the Tatmadaw practice of using convicts pressed from prisons to carry equipment during military operations. For more on this practice, see [Less than Human: Convict Porters in the 2005 - 2006 Northern Karen State Offensive](#), KHRG, August 2006.

¹⁶ The full transcript of KHRG's interview with Saw Pe--- is available as an Appendix to this report.

and in your hands. You can organize the villagers to return.' The SPDC also said that the villagers could come back to their villages and dig holes under the houses for their security so that, when the fighting happens, they won't need to run to Thailand and can hide in the holes that they dig."

-Saw T--- (42, male), Palu Pa Doh village (January 3rd 2010)

As the number of Tatmadaw troops in eastern Doooplaya and Pa'an districts has increased, so too has the risk of forced portering. In early December, for example, villagers began reporting that they expected the threat of forced portering to increase in the near future.¹⁷ Throughout the month of December, KHRG documented a number of incidents of villagers arrested and forced to porter which are illustrative of difficulties currently faced by villagers.

On December 9th 2010, for example, Saw Pe---, a resident of Palu village, told KHRG that on December 8th 2010, three villagers had been arrested by Tatmadaw troops at a plantation near Palu Bpa Doh (Big Palu). He told KHRG that he had spoken with these three villagers when they returned to the village on the morning of the 10th and that they had been ordered to help to carry two wounded Tatmadaw soldiers to the Tatmadaw camp at T'La Ee Thee Hta. These villagers told Saw Pe--- that they had seen several more wounded soldiers on the way, and therefore suspected that more villagers would be arrested soon to carry the Tatmadaw casualties.

Further north in the Manerplaw area of Hlaing Bwe Township, Pa'an District, villagers seeking refuge in Thailand's Mae Sariang District told relief workers that the existence of injured Tatmadaw soldiers at a camp near their village was resulting in villagers being taken to porter.

The fighting is not happening in the village but the Tatmadaw camp is close to their village. The soldiers came and forced them to go and work in the army camp and carry injured soldiers because there are many Tatmadaw soldiers who were injured. But the villagers have to take risks when they go to carry water. ... There are still Tatmadaw troops. They have no reinforcements. They have injured soldiers and they can't get out of that area. They have no way to get out.

-Saw F---, (male) relief worker, Mae Sariang District, Mae Hong Song Province
(December 15th 2010)

Similarly, in other incidents of forced portering, between at least December 2nd – 6th 2010, villagers in Gk'Neh Lay village were forced to carry water for cooking and bathing to a Tatmadaw camp on elevated ground two hours away on foot every day. Residents of Gk'Neh Lay reported that portering continued to be a serious concern on December 16th 2010 and, for that reason, many villagers were avoiding the village and sleeping in forested areas near their agricultural work places instead.

Also on December 16th 2010, 40 residents of Min Let Bpaing village were seized and forced to porter rations for approximately 70 – 100 Tatmadaw troops based at Sweh Daw Gone artillery camp near Taw Gkaw Gyo. Sweh Daw Gone is about four hours on foot from Min Let Bpaing village.

Further south, in the Waw Lay village area, on December 5th 2010, Naw P---, 40, from X village, told KHRG that she had seen a Tatmadaw unit pass by her house accompanied by a male villager who was being forced to porter equipment for the soldiers. She told KHRG that a larger unit had passed through earlier the same day and her neighbours had seen three other civilians

¹⁷ KHRG Displacement Monitoring Update 23: [“Fears of portering prolong displacement, disrupt the harvest in Waw Lay”](#), KHRG, December 2010; [Villagers flee to avoid fighting and portering: conflict continues to impact civilians in Doooplaya District](#), KHRG, December 2010

portering things for the soldiers. Naw P--- said she and others in her area assumed that the men had been seized while working on their fields outside the village.

Long and short term implications for livelihoods



The photo at left was taken on December 22nd 2010. It shows villagers from Palu and H--- villages clearing a field near H--- village in preparation for Christmas celebrations there, which began on December 23rd 2010. [Photo: KHRG]

"I was in my field hut, and I fled to the Thai side and dared not to come back to my field hut again. I slept the whole night in Thailand with a friend [in Thailand] and in the morning I managed to come back to my field. Even though I am afraid to come back, I have to come back to finish my harvest."

-Naw D---, Waw Lay village, Kawkaeik Township, Dooplaya District (December 9th 2010)

The ongoing conflict in Dooplaya and Pa'an Districts has severely disrupted agricultural activities during a critical harvest period. Many villagers have employed creative strategies to monitor the military situation and return to agricultural work places when it was deemed safe to do so, in order to balance the need to protect their crops, livelihoods and property with the need to protect themselves and their families from conflict and conflict-related abuse. In the last two months, KHRG documented examples of villagers sleeping in their field huts or in forested areas near their fields and plantations, in order to remove themselves from the immediate conflict zone, while maintaining proximity to agricultural workplaces.¹⁸ Similarly, when shelling occurred on December 21st 2010 in Palu village, many villagers fled from the fields and plantations where they were working and hid in their houses, but they did not flee Palu village. Many villagers who employed temporary displacement cited the urgency of completing the harvest as one of their main reasons for returning to, or indeed remaining in, Burma.¹⁹

¹⁸ KHRG Displacement Monitoring Update 26: ["Villagers at risk from landmines, shelling and portering in Gk'Neh Lay village"](#), KHRG, December 2010

¹⁹ KHRG Displacement Monitoring Update 23: ["Fighting and displacement in the Waw Lay and Palu areas"](#), KHRG, December 2010



The photo to the left, taken on December 18th 2010, shows residents of Palu village working on a bean plantation near their village. In the photo, they are preparing to harvest beans after returning to Palu village from temporary refuge sites in Thailand's Mae Sot District. Throughout the month of December, residents of the Palu area repeatedly displaced by shelling chose to adopt the strategy of temporary displacement to a secure location, which allowed them to return to agricultural work places, such as those shown in the photo at left, during brief periods of respite. KHRG reported that shelling displaced villagers throughout the day on December 17th 2010, but that many had returned by 7:45 am on December 18th 2010, the day this photo was taken. Repeated shelling displaced some villagers again on December 19th 2010. [Photo: KHRG]

"They go and stay temporarily in Thailand and they come back and listen in the morning at the river bank. If people can go and work, they go back and work; they finish the work that they need to finish. People still stay in Palu Bpa Doh."

-Saw Pe---, Palu village, Kawkareik Township, Dooplaya District, (December 9th 2010)

However, throughout the month of December, villagers repeatedly told KHRG that, despite the urgency of completing the harvest, fears relating specifically to physical danger from shelling and forced portering were preventing them from returning to work in their fields and plantations in Burma. KHRG documented injuries to civilians when mortars landed in agricultural work places; Saw H---, for example, a Gk'Neh Lay villager, suffered a leg injury when shells landed in the bean plantation in which he was working on December 14th 2010.²⁰

²⁰ KHRG Displacement Monitoring Update 26: ["Villagers at risk from landmines, shelling and portering in Gk'Neh Lay village"](#), KHRG, December 2010

This photo, taken on December 15th 2010, shows a shell crater in a field outside of Waw Lay village. Throughout the month of December, many Waw Lay villagers seeking temporary refuge in Thailand's Phop Phra District reported a number of obstacles preventing them from completing their harvest, including threat of physical injury caused by shells landing in agricultural work places. KHRG reported that a resident of Gk'Neh Lay village, Saw H---, suffered a leg injury on December 14th 2010 when mortars fell in the bean plantation in which he was working . [Photo: KHRG]



Villagers have also been seized as porters by Tatmadaw soldiers who arrested them as they were working in their fields.²¹ In the following excerpt, Saw Pe--- describes one such incident:

"When I went and carried paddy, people told me that there are people who were arrested. They have to send [porter] rations. This means the Burmese [the Tatmadaw] stay on the mountain and they [porters] have to carry water [to the Tatmadaw camp]. They have to carry it up to the mountain. There has been this. They're still in the Burmese army [camp]. They were not released after they were arrested... I haven't heard exactly about how many civilians they arrested but I heard that yesterday four people were arrested at a plantation. Until now, those four people have not been allowed to come back... [They were arrested] at a plantation close to T'La Ee Thee Hta [an elevated Tatmadaw camp near Palu], where people go and pick corn and harvest bpeh [beans]. People were working and they were interested in doing their work. But they [Tatmadaw soldiers] saw people and called people over when they arrived [at the plantation]. These are the people who haven't come back yet until now."

-Saw Pe---, Palu village, Kawkareik Township, Dooplaya District, (December 9th 2010)

Through December, fears of portering and physical injury prolonged displacement for many villagers and disrupted their harvest, for which there is only a short window of opportunity for certain bean, corn and paddy crops. As displacement continued, many villagers expressed concerns that they would not be able to complete their harvest.

"It's time to harvest but people aren't harvesting, so the beans are falling down... I planted seven tins of [bean] seeds, and that should yield 100 or over 100 tins [of beans], but we can't harvest on time. How can I say it? They [the beans] fall down because the time [to harvest] has passed."

-Saw Pe---, Palu village, Kawkareik Township, Dooplaya District, (December 9th 2010)

Field and plantation owners also recorded their inability to hire labourers willing to risk working in Dooplaya and Pa'an Districts. The high wages many owners were offering in mid-December to those willing to work reflected the urgency of completing the harvest at that time, and local villagers perception of risk.

²¹ KHRG Displacement Monitoring Update 21: ["Fears of portering prolong displacement, disrupt harvest in Palu village"](#), KHRG, December 2010

"Many villagers didn't dare to return and finish harvesting in their corn and bean plantations and their fields. Even if we'd like to hire villagers for 200 [baht] a day, nobody wants to [work in the plantations and fields] because they're afraid that the fighting will happen or that the SPDC [Tatmadaw] will arrest them and use them to porter [military supplies and equipment]. Some villagers, if they agree to work in your plantation, you have to give them the money first and if you don't give the money first, they don't want to accept that you're going to hire them to work in your plantation. If we give the money [in advance], sometimes the shelling happens or the SPDC [Tatmadaw] is active and they flee and take your money with them. So it's a big problem for our livelihoods."

-Saw T---, (Male, 48) Palu Pa Doh village, Kawkareik Township, Dooplaya District
(December 19th 2010)

"In the last two days, many villagers came back into the village because the fighting stopped for a few days. But then last night the shelling happened again and, this morning, there were no villagers walking on the road in the village. The villagers had to leave their bean plantations and fields. Even if we'd like to hire people to work in our bean plantations and fields, nobody wants to [work in the fields], because the situation isn't stable."

-Saw L---, (Male, 38), Palu village, Kawkareik Township, Dooplaya District (December 17th 2010)

For these reasons, extended displacement, coupled with fears of portering and physical injury, has meant that many villagers have been unable to complete their harvests. Disruption to normal agricultural activities was exacerbated by unseasonable rains on December 14th and 15th 2010, which resulted in villagers who had fled fighting near their homes and agricultural work places being unable to protect newly harvested crops from the rain. As a result, some newly harvested paddy crops sprouted, ruining those crops.²²

The window of opportunity for harvest, including for most paddy crops, has now closed. Some villagers are facing food security concerns and long-term impacts on their livelihoods looking ahead to the next planting season, as their ability to repay debts incurred this season has been compromised by the loss of all or part of their harvest.

"For the future, livelihoods are bad for us, because we will have to stay in Thailand and work as an employee [with daily payment], like our situation back in 1986. We don't have any [agricultural] work places in Thailand, and we have to look for employment day-to-day and survive like that. If we get a fever, we have to go to Mae Tao clinic clinic [run by Dr. Cynthia Maung] because we can get free [medical treatment] and we don't need to pay the cost of the medicine."

-Naw P---, (female, 51) Palu Poe village, Kawkareik Township, Dooplaya District
(December 10th 2010)²³

The next juncture in the agricultural cycle at which some villagers may be able to reap a harvest will not be for three months time. In the meantime, some villagers who have not completed their harvest due to the current conflict will seek daily paid work in Thailand or incur debt in order to feed their families. The continuing instability of the current situation means that many will be looking for strategies to offset difficulties they may face if hostilities in Dooplaya and Pa'an districts continue. A KHRG researcher who lives in the area in Dooplaya District discusses the current situation for many villagers displaced by fighting in the following quote:

²² KHRG Displacement Monitoring Update 25: ["Threats and displacement continue to disrupt the harvest in Waw Lay"](#). KHRG, December 2010

²³ The full transcript of KHRG's interview with Naw P--- is available as an Appendix to this report.

"If the villagers who fled fighting still had not finished their harvest by the end of December, the crop fields can't be harvested anymore. All the paddy crop fields would have fallen by that time. There is one kind of paddy that villagers can harvest within three months time. So they will start ploughing this kind of paddy in January and, in three months time, villagers can harvest. This kind of paddy [can only be planted] in some areas. Villagers in those areas can do this kind of paddy. They do it and villagers who can't do it will prepare themselves and the equipment that they need for the next round of farming. Some will collect firewood or seek daily payment jobs for some money to buy necessities for the family. It is also a time for villagers to repair their home if it is needed. Villagers who did not complete their harvest will do daily payment labour and save money to buy food. Villagers staying close to Thailand will cross into Thailand looking for jobs during their free time. Normally young villagers from area that still close to the Thailand came into Thailand and working Thailand. Villagers in areas where it is not easy for them to look for jobs in their free time will need to borrow food from other people or friends or relatives and pay it back when the next round of harvest is done. If they get a lot of rice, they can pay back their debt and the rest will last a year. If not their [debt] cycle will continue year by year. ... This season is also the time for people who do hill fields to get married. This is also the time for villagers to prepare bpaw [caches of food stores and building materials that are hidden in the forest in case villagers have to flee fighting in the future]."

Education

We thought we should stop school. If the school was still open, we know the students wouldn't be interested in their studies because they're staying in a terrible situation. I already talked about this with Saw T--- [a villager in Thay Baw Boh]. We decided that we'll talk with a local school teacher in M--- village and a local school teacher in N--- village and arrange to take some of our students to M--- school and some to N--- school because they have the same curriculum as our school.

*-Saw E---, (male) Thay Baw Boh village, Kawkareik Township, Dooplaya District
(December 14th 2010)²⁴*

KHRG has documented widespread disruption to children's education across eastern Dooplaya and Pa'an districts during the last two months. According to three community-based education organizations, there are a total of 24 schools in the affected area of Kawkareik Township. As of January 17th 2011, at least 18 were closed and those that continued to operate were doing so with only 50% of their students; at a minimum, 3,700 students are currently impacted.

²⁴ The full transcript of KHRG's interview with Saw E--- is available as an Appendix to this report.



This photo, taken on December 19th 2010, show children helping members of their family to carry belongings when they fled shelling in Palu village. Shelling was reported to have occurred between 7:30 – 9:00 am, and again at 5:30 pm, on December 19th 2010. Repeated shelling caused some villagers to flee Palu on a near-daily basis throughout December. According to the KHRG researcher who took these photos, this family did return to Palu village, even after the shelling had stopped, but instead, sought refuge in discreet locations close to the Moei river [on the Thailand side] to monitor the situation and wait until they saw groups of other people returning. [Photo: KHRG]

Displaced villagers, meanwhile, have reported struggles to address disruptions to their children’s education. While some families have been able to send their children to other nearby schools that remain open,²⁵ or set up ad hoc schools run at unofficial refuge sites in Thailand²⁶, these solutions are not sufficient to address the educational needs of the large number of children displaced by the conflict. The result has been that children hiding along with their families to avoid refolement have faced particular obstacles in accessing education and preventing interruptions to their schooling.



This photo, taken on December 19th 2010, show children helping members of their family to carry belongings when they fled shelling in Palu village. Shelling was reported to have occurred between 7:30 - 9:00 am, and again at 5:30 pm, on December 19th 2010. Repeated shelling caused some villagers to flee Palu on a near-daily basis throughout December. According to the KHRG researcher who took these photos, this family did return to Palu village, even after the shelling had stopped, but instead, sought refuge in discreet locations close to the Moei river [on the Thailand side] to monitor the situation and wait until they saw groups of other people returning. [Photo: KHRG]

Displacement and obstacles to refuge

²⁵ KHRG Displacement Monitoring Update No. 27: [“Providing education amidst conflict and displacement in Thai Baw Boh”](#), KHRG, December 2010

²⁶ KHRG Displacement Monitoring Update No. 44: [“Palu villagers hiding in Thailand respond to interruptions in schooling”](#), KHRG, January 2010

"Yesterday, we saw the DKBA soldiers enter the village and some of the villagers started to flee to Thailand, because they were afraid that there would be fighting. More and more people followed each other. I too didn't dare to stay in the village so I followed the others. ... It was difficult for me to manage [and know] what kind of things in my house I should take. So, I started fleeing alone without carrying anything. ... We didn't dare to go back in the night time but, because there was no shelling, we came back to our village this morning."

-Naw H---, (Female, 52), Palu village, Kawkareik Township, Dooplaya District (December 18th 2010)



This set of photos was taken in the morning on December 25th 2010, at an unofficial refuge site in Mu Yoo Hta, where 13 households from Noh Day village sought refuge from December 11th 2010 until the afternoon of December 25th 2010, when Thai authorities forced them to leave. Noh Day village is in the Manerplaw area of Hlaing Bwe Township, Pa'an District where shelling resumed on December 5th 2010. The villagers shown in these photos were part of a group of 13 households that fled to Mu Yoo Hta on December 11th 2010, before seeking refuge at upper Ht---, following their expulsion from Mu Yoo Hta. The three photos above and right show temporary shelters in which villagers were sleeping on tarps or in hammocks. At the time these photos were taken, nighttime temperatures at similar elevations of around 100m in Mae Sariang District ranged between 13 to 19 degrees Celsius. [Photo: KHRG]

The photo at left shows two tables in the area used by the Noh Day villagers at Mu Yoo Hta to prepare food. The photo below left shows the hearthstones used to hold cooking pots above the fire, as well as a rack used to dry clothes near the fire. The photo below right shows a villager cutting bamboo to make a basket to carry his possessions, after RTA soldiers informed the group that they would be sent back that afternoon. [Photo: KHRG]



Fighting and conflict-related abuses have resulted in the displacement of thousands of civilians from eastern Kawkaik Township, Dooplaya District, and Hlaing Bwe Township, Pa'an District. Many, though not all, of these civilians have sought refuge in Thailand. As of January 10th 2011, 8,663 civilians were hiding at unofficial sites in Thailand, including all or nearly-all the residents of the large villages of Waw Lay, Palu and Kyo Gk'Lee, formerly home to approximately 2,500, 2,000 and 600 civilians respectively.



The above photos were taken on December 19th 2010. The photo on the left shows Palu villagers leaving an unofficial refuge site in Thailand's Mae Sot District and the photo on the right shows their boat approaching the Burma side of the Moei River. KHRG reported that many Palu villagers returned to Palu after shelling stopped at 9:00 am on December 19th 2010, but that many had to flee again when shelling resumed at 5:30 pm the same day. [Photo: KHRG]

While both civilian and military authorities from Thailand have repeatedly gone to great lengths to facilitate refuge for civilians fleeing to Tak Province, the RTA in particular has presented severe and repeated obstacles to refuge. On November 30th 2010, KHRG published detailed accounts of incidents of refoulement occurring that month.²⁷ Since then, this practice has continued, though KHRG has not been able to document every incident. These incidents, and others not documented by KHRG, have prompted strong statements from Amnesty International,²⁸ Human Rights Watch²⁹ and, on December 28th 2010, the United Nations High Commissioner for Refugees (UNHCR).³⁰

²⁷ [Threats to human rights, obstacles to protection: Conditions for civilians seeking refuge in Phop Phra district, Thailand](#), KHRG, November 2010

²⁸ "Thailand again sullies its human rights record", *The Bangkok Post*, January 2010

²⁹ "Refugees treated like 'ping pong balls'", *Democratic Voice of Burma*, December 2010

³⁰ "UNHCR urges Thailand against forced returns to Myanmar," UNHCR, December 2010. Note that, while the UNHCR statement notes 166 civilians forced to leave the site in Waw Lay, a headcount by other humanitarian organizations at the site noted 226 villagers.



The photo at left was taken on December 19th 2010 and shows Palu villagers arriving in Thailand's Phop Phra district, where they sought refuge while fighting was occurring. [Photo: KHRG]

The most recent incident documented by KHRG took place on January 13th 2011 at around 8:30 am, when uniformed soldiers from the RTA burnt down temporary shelters at an unofficial refuge site in Oo Kreh Htah, Phop Phra District, where 436 villagers from Kawkareik Township had been staying.

"They burnt down the shelters in Oo Kreh Htah, Phop Phra district, Tak Province, Thailand... It was Thai Army soldiers in uniform... [The villagers] did not dare to go back [to Burma]... They had to flee and stay separately when their shelters were burnt down. Some villagers moved by cars. They moved to stay in different places."

-KHRG researcher, Phop Phra district, Tak Province, Thailand (January 13th 2011)

The next day, community members supporting the refugees confirmed that many of the 436 villagers who were staying at the Oo Kreh Htah site before it was burned were continuing to hide in discreet locations in Thailand's Phop Phra District, rather than return to their homes.³¹

On December 25th 2010, RTA soldiers forced approximately 65 villagers from 13 households that had fled fighting in Manerplaw on December 11th 2010 to leave a temporary site in Mu Yoo Hta, Mae Sariang District. As of January 7th 2011, most of these villagers were continuing to seek refuge at hiding sites on both sides of the Moei River in Thailand and in Burma in the area of upper Ht-- in Hlaing Bwe Township, Pa'an District.³² The same day, RTA soldiers forced 226 civilians at a temporary site opposite Waw Lay village to abandon the site, prompting a strong statement from UNHCR.³³

"We dare not to go back. For the previous time, even though we dared not to go back, they pointed at us with guns and asked us to go back. They asked us to go back and said nothing would happen to us: 'Go back and stay there.'... They told us nothing would happen to us: 'Go back and stay.' They scolded us and drove us to go back like dogs

³¹ KHRG Displacement Monitoring Update No. 47: ["Thai Army burns temporary refuge site, forces villagers fleeing fighting deeper into hiding"](#), KHRG, December 2010

³² KHRG Displacement Monitoring Update No.34: ["Fighting, displacement and human rights concerns"](#), KHRG, December 2010

³³ "UNHCR urges Thailand against forced returns to Myanmar," UNHCR, December 2010. Note that, while the UNHCR statement notes 166 civilians forced to leave the site in Waw Lay, a headcount by other humanitarian organizations at the site noted 226 villagers present on the morning of December 25th 2010.

and pigs. Therefore, we had to go back. We went back [to Burma] and came back [to Thailand] again when the fighting happened."

-Naw---, (30, female), Palu village, Kawkareik Township, Dooplaya District (Interviewed in Thailand on December 8th 2010)

"They [the Thai army] doesn't allow people [refugees] to stay [on the Thai side]. ... The Thai army doesn't ask them to go back because they [the Thai army] doesn't see where those villagers are. The Thai army doesn't see them – [but] if they see them, they will ask them to go back. If they [the Thai army] doesn't see or hear any shelling or sounds of guns, they say, 'there is no fighting, go back to your country. You go back and then come back when the fighting happens there.' How can people dare to come when the fighting will happen again? People are afraid. I, myself, stay under wah koh [a grove of bamboo trees] now. How will people [Thai people] let you to stay in their house? We stay under wah koh. We don't have a toilet. We are in difficulty. We can do nothing. We have to stay like this."

-Naw A---, Phop Phra district, Tak Province, Thailand (Interviewed on January 13th 2011)

Below is a table showing 20 incidents reported to KHRG during the month of December that concern displacement and obstacles to refuge as a result of the current military situation in Dooplaya and Pa'an Districts. Note that this information should be taken as illustrative of the difficulties that civilians currently face; it is not intended to be a comprehensive list of all incidents of displacement and obstacles to refuge.

No.	Date	Location	Incident details
1	December 3 rd 2010	Waw Lay village, Kawkareik Township, Dooplaya District	Night-time shelling of Tatmadaw positions by DKBA from approximately 11:15 pm – 11:50 pm; at least some villagers fled to Thailand
2	December 4 th 2010	Palu village, Kawkareik Township, Dooplaya District	Audible shelling at approximately 7:30 am; at least some villagers fled to Thailand
3	December 5 th 2010	Manerplaw area, Hlaing Bwe Township, Pa'an District	Shelling reported; villagers begin fleeing to Thailand.
4	December 7 th 2010	Kyaw Keh village, Kawkareik Township, Dooplaya District	Palu villagers report audible shelling from Kyaw Keh at approximately 2:00 pm; villagers moved towards riverbank to be ready to flee
5	December 7 th – 8 th 2010	Waw Lay village area, Kawkareik Township, Dooplaya District	Shelling at the Tatmadaw camp Htee Nyah Lih, near Waw Lay, at approximately 8:30 pm; at least 100 people fled to Thailand
6	December 7 th – 8 th 2010	Palu village, Kawkareik Township, Dooplaya District	On the morning of December 7 th , RTA told 1,200 Palu villagers at an official refuge site in Mae Sot District to return to Burma and all but 100 left. Shelling occurred in Palu village in the afternoon of the same day. At least 310 villagers returned to the official site on the same day, most others sought refuge in discrete locations in Thailand. The following day, RTA soldiers again forced villagers to leave. By midday, the official site in Palu was empty.
7	December 8 th – 9 th 2010	Waw Lay village, Kawkareik Township, Dooplaya District;	On December 8 th 2010, Thai authorities aggressively told villagers at official site opposite Waw Lay village in Phop Phra District to leave. Villagers in the site departed. Later that night and throughout the next day, shelling was audible in Waw Lay village. By the evening of December 9 th , 416 people had returned to the official site in Phop Phra District, with at least 1,200 more

			hiding in the surrounding area.
8	December 9 th 2010	Waw Lay village, Kawkareik Township, Dooplaya District	Tatmadaw soldiers prevented five villagers from returning to Waw Lay at 10:30 am.
9	December 11 th 2010	Manerplaw area, Hlaing Bwe Township, Dooplaya District	47 families fled the Manerplaw area; 34 families go to K--- and 13 families go to stay near Mu Yoo Hta
10	December 13 th 2010	Palu village and Min Let Bpaing villages, Kawkareik Township, Dooplaya District	DKBA took positions around Palu and Min Let Bpaing villages; at least some villagers fled
11	December 13 th 2010	Waw Lay village, Kawkareik Township, Dooplaya District	More than 20 shells landed between 1:00 pm and 1:20 pm; shelling was still ongoing at 10:45 pm; relief workers in the area report 250 refugees at official site in Phop Phra District
12	December 13 th 2010	Oo Hoo Htah village, Phop Phra District, Tak Province; Oo Hoo Htah village, Kawkareik Township, Dooplaya District	Five shells audible in Oo Hoo Htah, Kawkareik Township; 304 residents from Waw Lay and Htee Theh Lay sought refuge at Oo Hoo Htah, Phop Phra District; additional 131 families from Oo Hoo Htah village, Kawkareik Township slept on the Thailand side of the Moei River
13	December 13 th 2010	Oo Kreh Htah village, Kawkareik Township, Dooplaya District	82 individuals from 13 families sought refuge in Thailand
14	December 13 th 2010	Nyah Peh Htah village, Kawkareik Township, Dooplaya District	111 individuals from 24 families sought refuge in Thailand
15	December 14 th 2010	Htee Ther Leh village, Kawkareik Township, Dooplaya District	Shelling reported at approximately 1:00 pm; villagers fled Mae Klaw Kee and Waw Lay
16	December 16 th , 17 th 2010	Palu village, Kawkareik Township, Dooplaya District	DKBA shells Tatmadaw positions; more than 20 shells landed between 11:30 pm December 16 th and 1:00 am December 17 th ; villagers fled temporarily but most returned by 11:30 am on December 17 th
17	December 17 th , 18 th 2010	Palu village, Kawkareik Township, Dooplaya District Maw Poe Gkloh and Maw Kee villages, Kawkareik Township, Dooplaya District	Shelling at 5:30 pm when DKBA set up camp on football pitch; villagers fled; most returned by 7:45 am on December 18 th 2010; more shelling, most likely by DKBA or KNLA, between 11:00 – 12:00 pm during the night on December 18 th 2010; villagers fled to sleep in forested areas
18	December 19 th 2010	Palu Pa Doh and Min Let Bpaing villages, Kawkareik Township, Dooplaya District	Shelling from 7:30 am to 9:00 am; at least some villagers fled at 7:00 am and returned after 9:00 am; more shelling at 5:30 pm; at least some villagers fled again
19	December 21 st 2010	Palu village, Kawkareik Township, Dooplaya District	Shelling occurred at around 11:00 am; at least some villagers fled their work places in fields and plantations and hid in their homes
20	December 25 th 2010	Mu Yoo Hta, Mae Sariang District, Mae Hong Song Province	13 households from Noh Day village seeking refuge at an unofficial refuge site near Mu Yoo Hta are forced to leave by RTA

Conclusion

The ongoing conflict between the Tatmadaw and armed groups in eastern Dooplaya and Pa'an districts is not subsiding but rather, with forces on both sides augmenting or maintaining current troop strength, there are signs that the region affected by the current military situation will expand, as will civilian populations currently threatened by human rights abuses attendant to the military conflict. Civilians continue to face serious risks to their human rights and security. As such they have a legitimate claim to refuge in Thailand and must be permitted to continue to exercise this claim effectively and as may be required. Due to pressing concerns about food security, disruption to children's education and civilians' continuing, and expanding, need to protect themselves and their families from conflict and conflict-related abuse, it remains vital that temporary but consistent access to refuge in Thailand continues to be provided. Until villagers feel safe to return home and can resume disrupted agricultural activities in order to again support themselves, it is likely that food support will be necessary going forward in the current unstable military climate.

Further background on the current military situation in Dooplaya and Pa'an districts can be found in the following KHRG reports:

- Displacement Monitoring: Updates 8-48 regarding protection concerns for villagers in Dooplaya and Pa'an districts and adjacent areas in Thailand (December to January 2011).
- Villagers flee to avoid fighting and portering: Conflict continues to impact civilians in Dooplaya District (December 2010).
- *More arrests and movement restrictions: Conflict continues to impact civilians in Dooplaya District, KHRG, November 2010.*
- *Threats to human rights, obstacles to protection: Conditions for civilians seeking refuge in Phop Phra District, Thailand (November 2010)*
- *Villager injured, community flees: Conflict continues to impact civilians in Dooplaya District (November 2010)*
- *Arrest, looting and flight: Conflict continues to impact civilians in Dooplaya District (November 2010)*
- *School closures and movement restrictions: Conflict continues to impact civilians in Dooplaya District (November 2010)*
- *Protection concerns expressed by civilians amidst conflict in Dooplaya and Pa'an Districts (November 2010)*
- *Civilians at risk from continued SPDC-DKBA conflict in Dooplaya District (November 2010)*

Karen Districts



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Scale: 1 cm to 22 km
1 in. to 35 miles