



Karen Human Rights Group

Documenting the voices of villagers in rural Burma

Report from the field
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Land confiscation and the business of human rights abuse in Thaton District

While the SPDC and DKBA have both continued to utilise forced labour and extortion as means of financing local operations in Thaton, these two groups have also employed other, separate exploitive practices. The SPDC has confiscated large tracts of land belonging to local villagers and then sold it to the Max Myanmar Company for use in rubber cultivation. The DKBA, for its part, has used forced labour, arbitrarily detained and beaten villages and has also required Thaton villagers to buy calendars and religious photographs of DKBA leaders. This report documents abuses between September 2008 and January 2009.

In Thaton District of western Karen State, the State Peace and Development Council (SPDC) and Democratic Karen Buddhist Army (DKBA) both maintain a heavy military presence and Karen National Liberation Army (KNLA) troops also continue to patrol the region. Local villagers, in turn, confront a variety of exploitative abuses which military forces use to support themselves. Residents also face threats and violence as the DKBA seek to eradicate the remaining KNLA presence. Aside from forced labour, exploitation in Thaton District has included large-scale land confiscation by SPDC forces as part of a joint venture with the Burmese company Max Myanmar. The DKBA has employed a variety of forced purchasing schemes whereby village heads are forced to sell calendars and religious photographs to the residents of their village and return the collected money to DKBA authorities.



This picture—taken on September 28th 2008—shows Kaw Taw (U Thu Za Na), the nominal head of the DKBA. Commander Gkaw Muh Lah, based at Lay Gkay army camp, ordered residents of N--- village to buy copies of the photograph. [Photo: KHRG]

SPDC land confiscation and other development-related abuses

The SPDC has been colluding with the Max Myanmar Group of Companies to confiscate large swaths of villager-owned land in Thaton District for use by the company in its business ventures. *The Irrawaddy* explains that “Zaw Zaw is the managing director of the Max Myanmar Group of Companies, a Burmese entity with interests in the gem, timber, construction and tourism industries.” According to a statement by the US Treasury Department’s Office of Foreign Assets Control, Max Myanmar “has provided important services in support of the Burmese junta, particularly in the form of construction projects.” As part of the Tom Lantos Block Burma Jade Law, Zaw Zaw was added to the list of Specially

Designated Nationals and Blocked Persons¹ and so has been targeted by U.S. sanctions laws for his work with the SPDC.

On September 20th 2008, SPDC Light Infantry Battalion (LIB) #1 confiscated a villager's 120-acre rubber plantation in Gkaw Ler village, Thaton Township, and destroyed the plantation in order to have clear land that could then be sold to Max Myanmar. In another case from September 29 2009, LIB #1 confiscated land belonging to villagers of B--- village tract and N-- village tract of Thaton Township. That land was then also sold to Max Myanmar. Earning a basic living became even more difficult for residents after the SPDC's confiscation.

Villagers in these areas told KHRG researchers that Max Myanmar plans to use their lands to develop rubber plantations that will cover at least 5,000 acres and that the company has already acquired over 3,000 acres.² Villagers residing close to the planned rubber plantations are concerned that this construction project will lead SPDC officials to forcibly relocate villagers away from the area. Finally, by confiscating these lands, officials are destroying many villagers' only means of earning a living and, ironically, many of those villagers will potentially have to apply to work for Max Myanmar in order to support their families.

"We found out the company [Max Myanmar] worked with [SPDC] Major General Maung Bo and Sway Mah... When they arrived here, they asked the villagers about land ownership documentation. We said we didn't have any documentation but that we had lived here since our grandparents' time and so the land here belongs to us."

- Saw A--- (male, 39), L---village, Thaton Township (November 2008)



These pictures were taken on November 19th 2008 and show rubber plantations owned by General Major Maung Bo in Thaton District. [Photo: KHRG]

Other development-related SPDC abuses also regularly occur in Thaton. According to a resident of Gk--- village, SPDC troops came to the area several times at the end of 2008 in order to work on construction for a section of the Asia Highway that runs through the region. Bilin Township-based troops from SPDC Infantry Battalion #8 – led by Battalion Commander Myit Ning – arrived at a local monastery and resided there for the next twenty days. Work on

¹ Lalit K Jha, "Bush Slaps Sanctions on More Junta Cronies," *The Irrawaddy*, January 16th 2009. Accessed at http://www.irrawaddy.org/article.php?art_id=14938 on April 1 2009.

² Max Myanmar openly acknowledges its project (though not the abuses committed in its service) and information on the project provided by the company can be accessed at <http://www.max-myanmar.com/manufacturing-rubber.htm> (accessed April 1 2009).

the highway began on September 16th 2008 and troops forced villagers to extract rubber sap from local plantations.³

*"In the evening we had to do loh ah pay [forced labour] for them... [and] instead of providing us food we had to provide [them with food]. They didn't give us any compensation. Old people and children also had to do loh ah pay."*⁴

- Naw E--- (female, 47), Gk--- village (November 2009)

SPDC and DKBA-sponsored forced labour, arbitrary arrests and extortion

The SPDC and DKBA make regular forced labour demands on Thaton residents, forcing villagers (and prisoners) to work on road construction, porter SPDC/DKBA supplies and gather and deliver thatch that is used for military purposes. Additionally, SPDC/DKBA patrols often demand 2 or 3 villagers to help carry supplies and also use villagers as guides during military offensives.

For example, in September 2008, SPDC LIB #8, combined with DKBA soldiers led by Pah Gkleh, entered Htee Wah Bpoo village and forcibly conscripted two villagers to work for the force and then went on to conscript an additional villager from an ethnic-Shan village in Thaton District. Following these conscriptions, the combined SPDC/DKBA force was attacked by KNLA troops when they arrived in the area around Gkyeh Chyin Ka. Two conscripted villagers, Saw Ta Kheh and Saw Yay Lay, were killed during the fighting and another villager was hospitalized for wounds sustained during the fighting.

Another example of DKBA abuses occurred on January 28th 2009 when DKBA commander Thet Htoo entered Gru Shee village and arrested two villagers: 47-year-old Saw G--- and 46-year-old Naw T---. Commander Thet Htoo accused these villagers of having communicated with KNLA soldiers in the area and also accused them of feeding and hiding KNLA troops. Thet Htoo ordered these villagers to show him the location of the KNLA camp. The villagers denied Thet Htoo's accusations and said that they did not know the location of the KNLA. Thet Htoo ordered that the villagers' hands be bound. He then proceeded to beat both of them. Subsequently, on January 30th 2009, Thet Htoo ordered that residents of Pwo village were not allowed to leave the village boundaries and that anyone found outside the village would be punished.

KHRG field researchers report that SPDC forces operating in Thaton District have been losing trust in the DKBA because the latter has not been as active as before. In previous years, when DKBA soldiers conducted operations amongst villages in Thaton District, the SPDC supported them with rations, money and weapons. Now, as DKBA units in Thaton District have become less active, they are no longer as substantially supported by the SPDC and have consequently had to find other ways to finance their activities (such as forcing villagers to buy the photographs and calendars pictured in this report).

³ For more information on abuses related to the construction of the Asia Highway in Thaton District and other areas of Karen State, see *SPDC and DKBA extortion and forced labour in Thaton District*, KHRG, November 26th 2008 and also *Development by Decree: The politics of poverty and control in Karen State*, KHRG, April 2007.

⁴ Local SPDC personnel often refer to uncompensated forced labour as *loh ah pay*, a Burmese term traditionally referring to voluntary work on community projects like temple construction, but not on military or SPDC projects. As a consequence of this recent linguistic manipulation, local people in Karen State now use the term *loh ah pay* in reference to most forms of forced labour.



The photograph on the left shows a stack of calendars produced by the DKBA that villagers in Bilin Township were forced to purchase. Every household was required to buy a calendar for 2,500 kyat (US \$2.46). The money collected by the village head of T--- village is shown on the right. Both photographs were taken in October 2008. [Photo: KHRG]⁵

Conclusion

The SPDC and DKBA regularly employ a diverse range of abuses in Thaton District—abuses that not only financially benefit individual battalion commanders and soldiers in the area but also help to further militarize the whole of Thaton District. These abuses pose both short- and long-term threats to villagers. As was shown above, forcibly conscripting villagers for military portering often exposes them to immediate harm during clashes between SPDC/DKBA and KNLA units. Forced labour and land confiscation likewise pose serious threats to villagers' survival, as residents often either lose valuable time that could be used to perform their own work or literally lose the land upon which they rely for farming and their own sustenance.

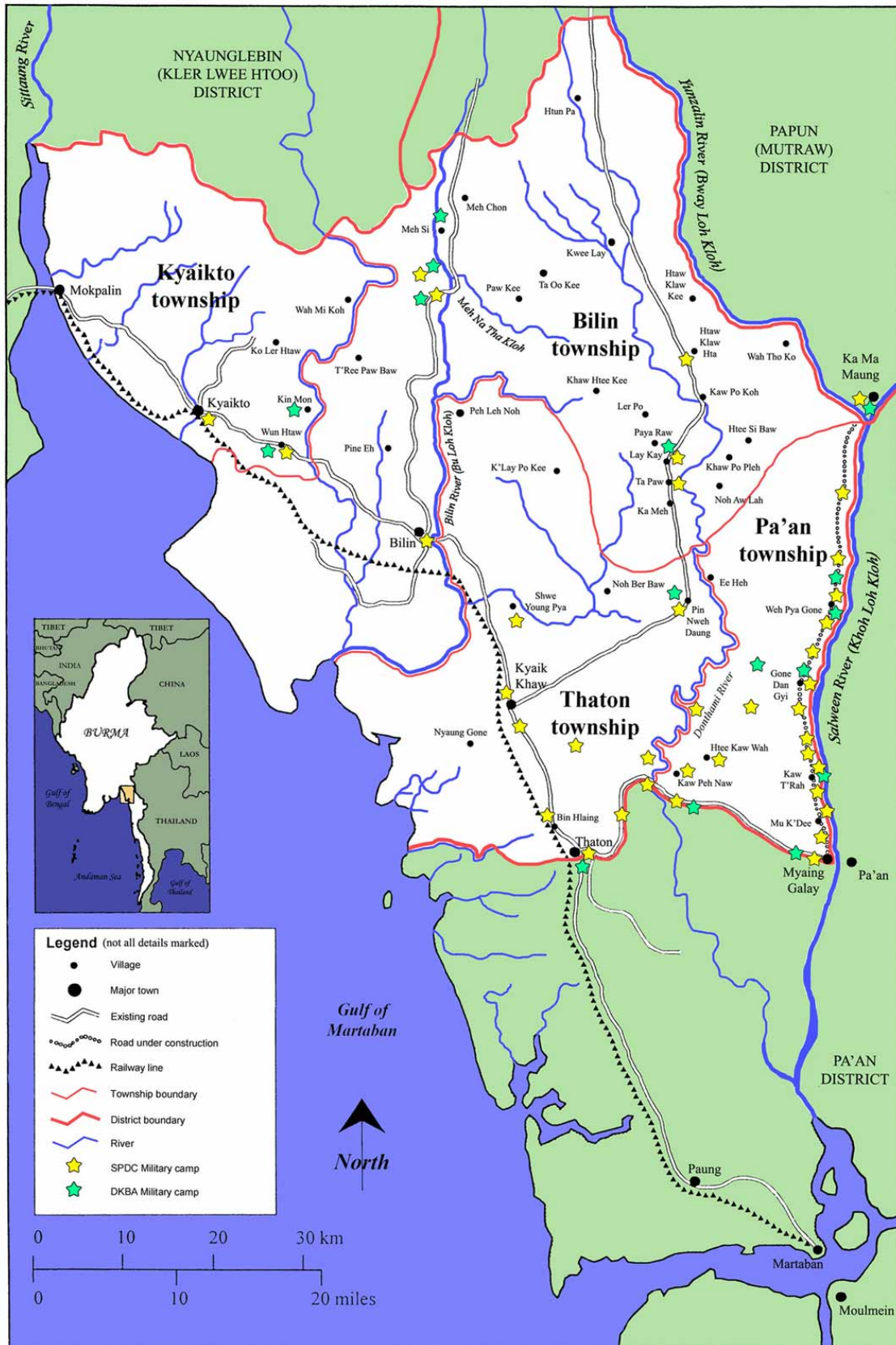
For background on the human rights situation in Thaton District see the following KHRG reports:

- *SPDC and DKBA extortion and forced labour in Thaton District* (November 2008)
- *Villagers' responses to forced labour, torture and other demands in Thaton District* (October 2008)
- *Oppressed twice over: SPDC and DKBA exploitation and violence against villagers in Thaton District* (March 2008)
- *State agencies, armed groups and the proliferation of oppression in Thaton District* (September 2007)

Photos documenting attacks on villages, displacement and other abuses in Thaton District are presented in *KHRG Photo Gallery 2008* and *KHRG Photo Gallery 2007*. These and other reports are available on the KHRG web site at www.khrq.org.

⁵ For a similar case of DKBA personnel forcing villagers to purchase calendars in Pa'an District, see *Extortion and restrictions under the DKBA in Pa'an District*, KHRG, March 16th 2009.

Thaton (Doo Tha Htoo) District



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Karen Districts



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