



**Karen Human Rights Group**

Documenting the voices of villagers in rural Burma

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### Interview

October 29<sup>th</sup>, 2019 / KHRG Log # 19-25-A1-11

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## **Toungoo Interview: Kayin State authorities allocating lands as reserved forest in Thandaunggyi Township, February 2019**

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In February 2019, this male interviewee from Klay Hkoh village tract, Thandaunggyi Township reported to KHRG that the Kayin State authorities were planning to allocate lands as reserved forest in his area without prior consultation with local communities. If fully implemented, this project will have disastrous consequences for the population of several villages. He also explained that local villagers have limited access to quality education as a result of a lack of teachers and poor educational facilities. Additionally, some villagers were not paid their wages for their work in building a primary school by an unidentified company. Prior to the 2015 elections, the Tatmadaw<sup>1</sup> also forcefully recruited villagers to serve in militias.<sup>2</sup>

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**Interview | Saw N--- (Male, 51), L--- village, Klay Hkoh village tract, Thandaunggyi Township, Toungoo District (February 2019)**

**Ethnicity:** Karen

**Family status:** Married

**Occupation:** Farmer and section leader

**How many children do you have?**

I have six children.

**How old is the oldest child?**

The oldest child is 20 years old.

**How about the youngest child?**

The youngest child is six years old.

**How many households are there in your section?**

There are about 60 households in my section.

**What do the local people in your section do?**

They work on their plantations and farms.

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

<sup>2</sup> The present document is based on information received in June 2019. It was provided by a community member in Toungoo 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.

**Do you have any land problems in your section? Can you please tell me?**

In the past, we had no land problems like we do nowadays. The land issues today are getting more complicated. We have to get a land receipt or a land form #7<sup>3</sup> [government land title]. However, it is such a pity and it is difficult for some local people who don't understand anything. They just work like their ancestors did through generations. They now feel sad and are afraid that the lands will be measured [surveyed to become reserved forest].

**How do they feel?**

Our plantations are the root source of our livelihoods. We don't understand the policies that they [the government] have established for the lands. If the lands become reserved forests, it will be hard for the local people to work for their livelihoods. That is why we are worried.

**How did the local people know they have to get a land form #7 [government land title] or risk their lands becoming vacant, fallow and virgin land? Who told them?**

The Kayin State Forestry Department published the letters [about allocating land in the villages as reserved forest], which stated that they will turn the lands into reserved forest in March 2019. In the reserved forest, they [the Forestry Department] also have many rules [such as prohibiting villagers from cutting trees or bamboo]. Many people still live in the areas allocated as reserved forest and their plantations are there as well. The Kayin State Forestry Department did not let the local people know when they will make the policies for the reserved forest. The leaders from the township and state levels don't know about this and we don't know about this either. They said that they announced it but we did not know it and no one saw this announcement.

**So the authorities from the township and state level didn't know about this either. It means that the authorities of Kayin State did everything without letting them know. Did they meet and negotiate with the local people before hand?**

There was no meeting or negotiation with the local people. We also did not get any prior notification letter. We just got a letter that said: "On this date this will happen" [the letter stated that village lands were to be allocated as reserved forest]. Therefore, we knew that something was going to happen in our area. Then, we called a meeting and discussed what was going on in the local areas together. We have been working on the lands of our ancestors and this reserved forest will limit the size of our lands. We suggested and agreed to fight this process.

**So the local people have a plan to oppose this [the reserved forest]. Did the ministers from Kayin State or the representatives from the Parliament meet and negotiate with the local people?**

Yes, we invited representatives from the Pyithu Hluttaw [Myanmar's House of Representatives] to hold a meeting and clarify the issue. [...] The Township land department [land surveyors] also joined the meeting and said that they had already announced it. The policemen and people from the township land department also participated and the representatives from the Pyithu Hluttaw said they did not know about the reserved forest. We only found out about it when we saw this letter. [...] This is a direct order from the [Kayin State government]. When we observed this and we asked them about this [reserved forest], they said they had already announced it. However, the local people did not know or see any prior announcement. [...]

**Did they give enough time [for villagers to relocate]? Did they give a deadline?**

They only announced it [that the lands were to be allocated as reserved forest]. They are ready to start the process but we did not know anything. [The lands] will be theirs soon after this so we are protecting [our land]. In the letter that they released said that if anyone trespasses, enters the limited areas, cuts bamboos or cleans/burns the hill farms, they would be prosecuted or fined. If the local people burn the fields, they will be punished as well. There are many villages and plantations with many kinds of plants and crops in those areas.

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<sup>3</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

**What are other ways to protect farm lands and plantations?**

We are approaching people who understand and are able to handle these kinds of cases, and some lawyers who will help us advocate for this case. All the local people who are against the reserved forests signed a [complaint] letter, made copies of it and distributed them to the authorities. The armed group [KNLA] will also help us deal with this case and report it to higher-level authorities instead of to the local authorities.

**How many acres and which areas of lands would be confiscated by the Myanmar government?**

I don't remember all the areas but it might be over 30,000 [34,560] acres of lands.

**Is it a reserved forest or what?**

Yes, they allocated it as a reserved forest. They have a map and places that they are going to allocate as reserved forest, such as areas west of Raw Ra Doh, Hkeh Chaung, Hkeh Chit, Ta Kweh Ploh and K'LAY Hkoh [villages], with information on the areas and amounts of land that will be allocated as reserved forest. However, we don't understand what this means. They said that those are the reserved forest areas.

**What did they name the reserved forest?**

They named it the G'Mone Taung Chay reserved forest.

**How many acres of reserved forest have been allocated in this area? Is it over 3,000 or 30,000 acres?**

It is over 30,000 acres [34,560 acres in G'Mone Taung].

**Were parts of the local people's lands allocated as reserved forest?**

Local people's plantations, villages and farms were included.

**Are there other reserved forests next to the G'Mone Taung reserved forest?**

No.

**What about the area north of the Yay Ta Shay reserved forest?**

I don't know and I didn't hear anything.

**What are the issues related to the G'Mone Taung reserved forest?**

The Meik Th'Lin Taung reserved forest [west of the G'Mone Taung reserved forest] is an issue related to the G' Mone Taung reserved forest.

**They measured [surveyed] the lands between both Meik Th'Lin Taung and G'Mone Taung reserved forests. How many acres did they measure [survey]?**

They said more than 30,000 and less than 80,000 acres [50,479 acres in Meik Th'Lin Taung] but we are unable to guess it.

**That is 30,000 acres for G'Mone Taung. How about other villages? Do the villagers from K'LAY Hkoh, Hkeh Chit and Hkeh Chaung know that their lands are going to be confiscated or allocated as reserved forest?**

They don't know. We [the villagers] saw it in the statement that they published. They did that with the laws and they also have limitations [things you can or cannot do in the lands allocated as reserved forest]. So, we talked and discussed with the village tract leaders and the nearest organisations [CBOs/CSOs], who called a meeting with the local people, township leaders and the Karen Forestry Department leaders about whether this reserved forest project will happen or not. However, not all the local people attended the meeting because they did not know about it. However, they [Forestry Department] said they had already announced it but the Mayor and Township leaders did not know about it [reserved forest] either. We thought they only

announced it in their office at the state level. The local people from the villages did not know and there were no advertisements about the letter [on allocating land as reserved forest] on the road either.

**Which department said that they announced and advertised it?**

It was the Karen State's [Kayin State] Forestry Department.

**Is there a school in this area?**

Yes, there is.

**What are the problems that people here face with education? What is the situation of the schools?**

There are problems with transportation. It is difficult to travel in the rainy season for teachers with bikes. However, it is a little bit better in the summer. In the rainy season, the teachers have to come from the city and it takes times to get to class. They don't arrive to class on time so the class is delayed. Sometimes, they cannot come to class due to the weather. There are not enough teachers in some schools. Even the schools beside the main road face this problem. We now have high schools as well but they cannot teach all the subjects. For example, there are six subjects to teach but there are only four teachers in high school. Even middle school teachers help teach the high school students; because of this the students sometimes don't get good grades.

**As you mentioned, there are problems related to teachers and teaching in the Myanmar government schools. What are the other problems for the schools in terms of school supplies and reconstruction?**

There are some problems for engineers who are building schools in mountainous areas. There are some structural weaknesses with the building. I think they just finished building it quickly. It is not very strong. They made their own bricks instead of using those made by the villagers. The budget [allocated for the school] and the quality [of the infrastructure] are [not in line with each other]. The engineers left after they built the school but there are no guarantees [of safety] for our children who are going to study in the school. It will be dangerous as it doesn't seem strong enough to protect people from the weather.

**So, the school infrastructure is not strong and this place has challenges related to the weather and natural disasters such as floods and strong winds.**

The trainee engineers' [those who built the school were still undergoing training to be engineers] teachers gave them marks for the buildings but they did not examine [the quality of] the buildings themselves. So, they [the trainee engineers] just finished building it quickly without doing everything that they should have done [they did not use sand, cement and water in the correct ratio]. So, it is not so strong. When they painted it, it seemed as though it was going to last for three or four years but after two years, it started to fall apart. Every school is like this according to our observation.

**Did the school ask the students' parents to give them money? Did the school give the parents receipts for the donation?**

No, there was no collection [they did not ask for a donation]. However, we sometimes helped and supported the school. When they built the schools in some villages, they asked the local people for help. Sometimes, they [the engineers] hired local people but they did not pay them their wages after the job was completed. They said they kept a record and that they would pay after they got the money from their office but they left after they finished building the schools. The local people did not get paid and the trainee engineers were not professionals so they did not build the school well. Last year, we even had to claim our wages at the state level because it was not a small amount of money. They hired local people with cars that can be driven on the mountain areas to carry sand, cement, stone, and blocks. Only the local people's cars that can usually be driven in the mountainous areas are able to carry those heavy things. We reported

that to the state level and they helped us claim the money back from the company. However, we did not get the full amount of money.

**Which villages and which schools faced this problem?**

The Htee Tha Saw and Ma Yaw Hpoh Lee schools faced this problem.

**Do you know the construction company's name?**

I don't remember the company's name. Maybe the local people here know.

**Is there a clinic or a hospital in this area?**

People who stay close to the main road have better [access]. However, the healthcare situation is worse in the mountain areas. There are many transportation difficulties and a lack of knowledge about healthcare. For example, they should get vaccinated but they don't. The weather is bad in the rainy season and it is not easy to get to the road. It is also because they don't have money and face livelihood problems as well. Therefore, they are being ignored. [The government] sends some nurses to some villages, but there isn't enough medicine. So there are some problems for the local people in terms of healthcare.

**Are there any Tatmadaw military camps or battalions in the village?**

Yes, there are but I don't know the name and the number of Tatmadaw military camps.

**How far is [the military camp] from the village? How many meters?**

It is 30 yards [27.4 metres] away from the main road and our village.

**Is that [30 yards] from the main road?**

Yes, it is about 30 or 50 [45.72 metres] yards from their fence and from the upper part [of the camp located on a hill]. It could be 100 yards [91.44 metres] in total.

**So it is 30 yards away from the main road. How about from the village?**

Yes, it is. The Tatmadaw military fence is close to the village and it is located on the same side of the road.

**Are there any problems for the village as [the military camp] is close to it?**

We worry about that too because it is close to the village. If fighting happens, the local people are the ones who will have to suffer. Their army camp area is on the top of a hill and the fence is between the camp and the villagers' houses. The local people's houses are further down the hill.

**Do you mean that the Tatmadaw military camp is close to the village and it is dangerous for the local people? Are there any conflicts between them? Have you experienced anything?**

There is no problem now. We used to have problems four or five years ago.

**That might have been four or five years ago. It may have also been in 2010, right? What kind of problems were they?**

The local people had to carry loads and rebuild the fence and their military camps. They also used local people as temporary militias. They called everyone whose names were written on the list that the village head gave to them [the village head wrote a list of names of persons who had to serve in the militia]. They called us two or three times. We had to go when they called us. We also thought that we were just civilians and wondered why they used us like this. So, we were worried about that.

**Who formed this temporary militia?**

The Tatmadaw battalion asked the village tract and village heads to do this. So, our village head organised a meeting and told us that two to three people had to serve in the militia. They just

listed random names so if your names were listed you had to do it. We were told that we will get weapons, rations and a salary, and that our names were with the Military Operations Command (MOC). They also said we would get uniforms. It was not the local people's duty but we could not refuse as this was the order. We could not disagree with the village head as well because he had to comply with the order. We also had to go to the meeting at the MOC's base. [...]

**When was it?**

It was before the election.

**Which election? Was it the 2015 one?**

Yes, it was before the 2015 election.

**How many times did you have to go to the meetings? Did they call you to go to the MOC's base again?**

Yes, they called us to their camp once after the election. I did not know who this person was but he may have been the regional leader. He gave us [the temporary militias ] two bowls of rice each.

**How much did you get?**

They gave us two bowls of rice each but I did not take them. It was just a shame for me and it was not enough for us either. I gave them to someone who wanted them.

**Were there other things that they gave you?**

They did not give us anything else.

**Do you remember the Battalion Commander's and Operations Commander's names?**

I don't remember.

**How many people from each section had to join the militia?**

There were five people from section #3, three people from section #1 and one person from section #2. There were nine people in total.

**How many sections are there here [in the village]?**

There are four sections here. Before, we only had three sections but now we have one new section. However, there were only three sections when we got the order.

**So it seems like local people were forced to serve in militias against their will.**

Yes.

**Did they call the youth or the older people?**

They called the older people who were around 30 to 40 years old. There was one young person whose name was in the list. He was about 18 to 20 years old. But he did not go because he was travelling.

**What are some of the development projects happening in the community? What are the problems?**

The Norwegian Refugee Council (NRC) came and built a nursery school for us. They gave two pigs to the disabled people. There were also senior citizens in our village and they [the NRC] divided them into three levels [they identified three groups of senior citizens based on their livelihood situation]. Then, they helped the poorest senior citizens.

**What does the government do in terms of development projects?**

The government is building new high schools. They are not doing anything about the roads [there are no road constructions or repair works].

**Do they have any plans to rebuild the road that they usually use for traveling and transporting rations?**

It has not been rebuilt yet. It is still like it was in the past.

**I asked you many things but there may have been something that I did not ask you. Would you like to add anything more?**

The level of education of people living in the mountain area is different than [the level of education of people] living in the cities. We don't get what we deserve. The healthcare service is also exactly like the education system. We don't have electricity in our areas either. We don't get solar panels like some villages do. We don't know when we will get them but now, we cannot afford to buy them, so we don't get to use them. Our children are now in higher grades [in school] but we have to [buy solar panels or a generator] ourselves. From what we heard, they [the government] said that they were going to provide electricity for the whole country in 2018. It is already 2019 and they said that, in 2020, they will use a generator for electricity. There are many children and students who are really enthusiastic to study. But it is a problem for them to study at night because there is no electricity. Some houses have small solar panels and some are still using candles. Almost every house wants electricity.

**What else do you want to add?**

I would like to talk about our livelihood problems. There are a lot of rodents and they destroy our hill farms. We cannot work on our hill farms much and they also destroy our plantations and fruits. We cannot think of any solutions now. We have already tried several ways to protect our crops and to stop them from destroying our things. The price of fruits is not good either. We have lost our hope and we don't know whom to talk to. When we reported it to the government, they didn't care about us. We reported it to several and different branches of government but nothing has changed. The local people will face difficult livelihood situations [food shortages] within one to three years because of this. If the government can help us in some ways then it will help the local people's livelihoods a lot. For example, I want to farm fish because when I farm pigs or chickens, they can fall sick. We don't know how to protect them from the sickness and we don't know what medicines we should give them. I think fish cannot be sick so I think I want to try fish farming. When we farm a lot of fish, we can sell them. Therefore, I think it will help our livelihoods.

**Do you want to talk more about land issues?**

Yes, I am now collecting the names of local people to submit their concerns about land issues. They [the government] told us to apply for a land form #7, so, the section administrators are collecting names in their own sections and they will submit it to the township. We did not measure [survey] our lands but some would like to measure [survey] them. We only got land receipts in the past. The land surveyors did not come regularly. Now, they said that they will give us land forms #7. We don't know whether they will be able to do it because there are a lot of villages and many acres of lands. If they cannot do it, we are worried that they will allocate them [the lands] as reserved forest. We don't know how to do it [surveying]. If we ask the township, they will tell us to fill in a land form #7. Now, we are doing this [collecting names] as we were given the responsibility by the township administrator. Then, we will give the list to them.

**Thank you so much for your time for the interview. Will you give us permission to use this information?**

Yes.

**Will you allow us to take your photos for the record?**

Yes.



This photo was taken on February 9<sup>th</sup> 2019 in Klay Hkoh village tract, Thandaunggyi Township, Toungoo District. It shows some of the lands the Kayin Forestry Department plans to allocate as reserved forest in the G'Mone Taung area.

Further background reading on the allocation of lands as reserved forest in Southeast Myanmar can be found in the following KHRG reports:

- ["Toungoo Situation Update: Increasing militarisation and land issues in Thandaunggyi and Htantabin townships, December 2018 to May 2019"](#), (September 2019)
- ["Mergui-Tavoy Situation Update: Concerns over a dam construction project, lands allocated as reserved forest and extortion from government staff in Ler Doh Soe, K'Ser Doh, Ler Muh Lah townships and the Lay Nya Bu Pyay special area, August to October 2018"](#), (October 2019)
- ["Doooplaya Interview: Saw J---, January 2018"](#), (July 2018)

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