

# The Mon Forum

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## Some Acronyms in This Issue

- LIB - Light Infantry Battalion
- MOMC- Military Operation Management Command
- DKBA- Democratic Karen Buddhist Army
- SPDC- State Peace and Development Council
- BPHWT- Back Pack Health Worker Team
- KNLA- Karen National Liberation Army
- UNFC - United Nationalities Federal Council
- IDPs - Internally Displaced Persons
- BGF - Border Guard Force
- SLORC - State Law and Order Restoration Council
- USDP - Union Solidarity and Development Party

## News

### Human rights abuses are still being committed in the area of land confiscation

HURFOM, Yebyu, August 2011:

The sources from Kywe Thone Nyi Ma Island reported that after confiscating 4000 acres of rubber plantation owned by ethnic Mon, the Burmese Navy Unit No.43, under the command of Ka Dike-based Government Navy Regional Command Headquarters, is still committing human rights abuses on the Kywe Thone Nyi Ma Island. The residents on the island face difficulties making a daily living, as they are forced to pay money if they can't perform unpaid labor (which is known as Loh Ah Pay) for the Navy Unit No.43. Besides forcing them to work, the Navy Unit No.43 demands them to bring their own supplies and work materials. They also commandeer the villagers' motorbikes.

Since last August, the Burmese Navy Unit No.43, has been forcing the villagers from Moe Kyi, Lae Kyi, and Kywe Thone Nyi Ma villages, Yebyu Township, Tenasserim Division, to perform unpaid work (or Loh Ah Pay). Apart from the villagers from the western and eastern parts of Kywe Thone Nyi Ma village, the villagers from nearby Moe Kyi and Lae Kyi villages are also forced to do unpaid work.

In an interview on August 11, Nai Sorn, 48, who lives in Moe Kyi village and works on an orchard, gave details on how the villagers are forced to do Loh Ah Pay:



"Army Land" signboard placed by the Navy Unit No. 43

## Creating the conditions for successful peace talks

The Human Rights Foundation of Monland (HURFOM) welcomes the peace talks offered by Burma's new government, headed by President U Thein Sein, and the positive responses from all armed ethnic groups under the umbrella of the United Nationalities Federal Council (UNFC).

Both the majority Burmans and the various ethnic groups in the country are hungrily demanding peace, and they welcome the prospect of the government opening peace talks. But, for the peace talks between the new government and the UNFC to work, it is necessary to have a countrywide ceasefire first, so that all sides will fully commit to a peaceful resolution.

Burma's civil war has raged for over six decades, leading to many problems. If the new government and the armed ethnic groups are to hold peace talks, they must commit to peace. And finally, they must settle all problems related to politics, society, economics, and human rights, peacefully. There must not be a return to war.

If the peace talks are held, both sides must be sincere and consider the interests of the people. They should strive for the betterment of all ethnic peoples in the Union, especially those living in conflict areas and who have suffered six decades of war. The following points are crucial if the peace talks are to be successful:

- The countrywide ceasefire must be announced by the government, and all armed ethnic groups must agree to it. Each ethnic group then must form a delegation to participate in the peace talks. During the preparation phase, all internally displaced persons (IDPs) must be allowed to return to their communities safely.
- The armed groups belonging to both the government and the ethnic political groups must stop committing human rights violations against the local civilians in conflict areas, such as killing, forced recruitment for soldiers or frontline porters, inhumane treatment, and other abuses.
- All sides must cease confiscation of land and property from civilians. Soldiers must stop extorting and illegally taxing the people. And all troops must cease committing sexual violence against women.

In bringing peace, all sides must consider their past mistakes and agree to building a better future. Human rights, including the rights of minorities, must be respected. Wrongs of the past, such as cases of arbitrary killings and inhumane treatment, sexual violations, unlawful confiscation of lands, and other serious cases of human rights violations must be considered, and justice must come about.

"We, the villagers from four villages, were given direct orders [to do Loh Ah Pay] by Captain Aung Kyaw Moe of the Burmese Navy Unit No.43, based on Kywe Thone Nyi Ma Island. The order was for 20 villagers and 10 grass cutters from each village [for use in Loh Ah Pay], and we, the villagers, have to bring our chopping hoes and knives [as well]. That's to Ka Dike, the navy regional command headquarter, the place where we have to do Loh Ah Pay. The village head has to arrange for boats. We will be charged if we do not go [for Loh Ah Pay], so that is why we have to go. It's been like this everyday [that we have to go] and it still goes on."

According to Nai Sorn, he has had to leave his work behind and go for unpaid work twice already since the order came on August 3. He had to cut the grasses and bushes around the headquarters of Navy Unit No. 43, dig security ditches, and arrange land plots for the construction of servants' house. He claims he was not given time for rest.

Nai Kyin Sein, whose 6-acre rubber plantation in the western part of Kywe Thone Nyi Ma village was taken over by Navy Unit No.43 claimed that, not only his but

also his son, Mehm Nyan Sar, 24, has to work at the construction site at Navy Regional Command Headquarters.

"20 villagers from each village are demanded to do Loh Ah Pay at the Ka-dike headquarters, while of the 20 villagers from our village there must be 10 carpenters. It was ordered by Captain Ye Lin-htun. That's why the village headman chooses us, my son and me, as we are capable of working at house buildings, since August 8. We had to set up poles for barracks construction and put bricks in order. We have to work there with our own meals. In addition to our own meals, we had to bring our own work materials. We did not want to do Loh Ah Pay there because our rubber plantation was taken over by that unit; but we had to because we're afraid of the punishment. We did not want to work there at all. We will move out of this village to Ye township soon."

According to villagers from the eastern part of Kywe Thone Nyi Ma village, in addition to going for Loh Ah Pay, they must give over their motorbikes for use by the Navy's men and fill up the gas with their own money. Nai Kyaw Naing (not real name), 30, gave this account:

“Two motorbikes are commandeered by the Navy per day. In this village, there are about 30 motorbikes, and the bikes are taken by them in turn. We can see the navy men drive motorbikes without caring that the motorbikes are not theirs. We are given orders to fill up the gas with our own money. They started demanding two motorbikes per day on August 5. Other villages are not asked for motorbikes yet. I had to fill up a gallon of gas in my motorbike for them to use, and I myself had to take the bike back from their base.”

According to residents, the navy men from the western part of Kywe Thone Nyi Ma village explained that their superior officer, Captain Aung Kyaw Moe, ordered that they take the motorbikes to use to patrol for the village’s security and for their personal use during their term of service on the island.

It’s obvious that the use of Loh Ah Pay by the Navy Unit No.43 really affects the villagers’ income because they cannot do their own work. And as a result, they do not earn their daily wages, which is very important for their families’ survival. Worse yet, aside from being unable to work and earn money, they have to take their money from their savings to fill up gas in their motorbikes for the navy men to use. Therefore, it’s very frustrating for the villagers and puts great hardship on them.

According to HURFOM’s recently-published report, titled Burma’s Navy Attacks Civilians’ Livelihoods, the lives of villagers, whose lands – such as rubber plantations, orchards, and farms on the Kywe Thone Nyi Ma Island – were taken over, fell apart because they had depended on their lands heavily for their families’ income. Consequently, they became jobless and it really affected their livelihoods. However, they struggle on to make a living and to find jobs with daily wages. But their dreams of a stable life after losing their lands haven’t come true. Rather, the nightmares continue to block the way, leaving their lives in pieces. This is because now, besides having their lands seized and becoming unemployed, they face forced labor. They have to go for Loh Ah Pay, working for the Navy Unit No.43 without any pay, instead of finding jobs and working for themselves and their families.

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## Villages at deep sea project prepare for relocation

IMNA, Tavoy, August 2011:

Five villages located in the area of the new Tavoy deep sea port development project are preparing to relocate.

The affected villages are Mu-do, Paradart, Mayin-gyi, Htain-gyi, and Khing-gyi in Tannier Division.

“All five villages are near Nabule Village. Currently they have not moved yet, but they were already informed to

relocate,” said a Tavoy resident who met with the affected villagers. The residents are not sure when they will actually have to move.

Villagers were informed about the impending relocation at the end of July by the heads of Village tract and a representative from the Max Myanmar Company, the Tavoy resident said. Moreover, identification numbers have been posted on houses, listing the number of the trees and measurements of the land.

The company has told the villagers that at the relocation site they will first be given zinc roofing material, and later will also be given wood for constructing new homes.

In total, thirty villages will be relocated to make way for the development project. Five villages were selected to be moved first because they are located in the main area of the Tavoy deep sea project. The Max Myanmar Company plans to provide a new site between Barwo beach and Barwa village for relocation.

The Tavoy resident said, “Villagers don’t want to relocate, and they worry how they can survive at the new place because the company hasn’t prepared anything for them yet”. Saw Alnar, a local reporter, said that although the authorities and representatives of the company have told villagers that they will pay compensation to villagers, in reality the villagers have not received anything yet.

“The company told the villagers that it will pay compensation after they list all of the villagers, but they haven’t told how much they will pay, or when they will pay,” he said.

The local residents around the construction area of the Tavoy deep sea port development project largely earn their living with fishing and farming, including pineapples, nipa palm, and palm.



Map of relocation places

## Personal Accounts

*Under the assumption they were rebels; two villagers were unjustly arrested, detained, and tortured by local government security forces on August 16 in Three Pagodas Pass Sub-township, Kawkaeik Township, Karen State. Following the arrest, family members and relatives of the two victims were interviewed on August 24, 2011, and the events were recorded.*

### Case No. 1

Name	Nai Hlaing (not real name)
Age	50 years
Ethnicity and Religion	Mon/ Buddhist
Occupation	Logger
Address	Ward No. 3, Three Pagoda Pass Sub-township, Kawkaeik Township
Violators	U Aung Kyaw Min, member of the local security forces of TPP Sub-township and Military Detective U Shwe Win
Place of event	Logging site in the forest, outside Three Pagoda Pass Sub-township, Kawkaeik Township
Date of event	August 16, 2011
Date of interview	August 24, 2011

\*This interview was conducted with the 22-year-old eldest daughter of Nai Hlaing.

“My father [Nai Hlaing] was unfairly arrested and beaten. As we have lived here for a long time, everyone in the ward knows what my father does. My father is just an ordinary villager who has never had any involvement with any political party or armed group. On August 16, my father and his neighbor, Ko Aung Kyi [not real name], 30, were arrested by the security forces at 7 pm. The militia leader, U Aung Kyaw Min, said my father and Ko Aung Kyi must accompany them because some inquiries needed to be made. The force that arrested them is well-known as ‘Sub-township Local Security Forces’. That force includes USDP members, militiamen and military informers. My father and Ko Aung Kyi were sent to the police station and accused of having direct contact with Mon rebels [Rehmonnya Force], and then they were beaten. The one who beat my father was Militia Leader U Aung Kyaw Min, 53. According to eyewitnesses, my father was mostly beaten by him.

After that, a member of Military Intelligence [now called Military Affairs Security Unit], U Shwe Win, 40, also participated in beating and questioning. They accused them of being members of Rehmonnya Force, the Mon rebel group, they questioned my father and Ko Aung Kyi by beating them. They were beaten and punched. My father’s face was beaten with the short part of a solid bamboo pole. There was a bruise on his right cheek. After

that his eye couldn’t open due to the swelling. His back was also injured from the kicking. My father is old, so being beaten and kicked was still painful for him later, he said. My father said after being arrested at 7 pm on August 16, he was beaten and questioned daily up to August 23<sup>rd</sup>, when they were released. Now my father can’t speak comfortably. He has to be in bed and is being treated with traditional medicine now. Because he is younger, Ko Aung Kyi was beaten by them more. Ko Aung Kyi was bombarded with questions besides being beaten. Ko Aung Kyi had more serious injuries. As his injuries were more serious, he had to be sent to the hospital in the country on the other side [Thailand].”

“Only after excessive beating, they realized our father and his neighbor were just ordinary villagers working hand-to-mouth. Our family relies on my father’s labor – so we have suffered a lot during this time. Not only our family but also our neighbors in the ward were upset with this case. The security forces arrest and beat people. After that, they release the people with injuries and no accountability. Therefore, the victims suffer a lot. As for us, we want them responsibly to promise not to do this to anyone else. Only after they promise [to stop], we can continue our lives peacefully.”

**Case No. 2**

Name	Ko Aung Kyi [Not real name]
Age	30
Ethnicity and religion	Mon/ Buddhist
Occupation	Logger
Address	Ward No. 3, Three Pagodas Pass Sub-township, Kawkareik Township
Violators	U Aung Kyaw Min, member of the local security guard of TPP Sub-township and Military Detective U Shwe Win
Place of event	A tree-cutting place in the forest outside Three Pagoda Pass Sub-township, Kawkareik Township
Date of event	August 16, 2011
Date of interviews	August 24, 2011

HURFOM tried to meet in person with Nai Hlaing [Not real name], 50, and Ko Aung Kyi, 30, who were arrested and beaten by local security forces in Three Pagoda Pass Township, accusing them of having contacts with Mon rebels of the Rehmonnya Force. However, HURFOM did not meet with them because they had been just released and were unable to speak comfortably due to their injuries. The following interviews were conducted with neighbors of the victims.

“At 7 pm on August 16, Nai Hlaing and Ko Aung Kyi, accused of having contact with Mon rebels of the Rehmonnya Force, were arrested by the security forces operated under the township governor. The arrest occurred at 7 pm of that night, and at 9 pm Ko Aung Kyi had to be sent to the *Wi-ma-lai* Hospital in the country on the other side [Thailand]. From that hospital, he had to be sent to Kanchanaburi Hospital because the injuries he got were severe. It was said that they beat and punched Ko Aung Kyi more because of his young age and stubborn manner. People in our ward couldn’t go to the hospital in Thailand to visit him, so his real condition was only known when he was discharged from the hospital on August 22. His mandible was broken and only a few teeth were left. Now, his lower jaw has to be supported with stainless steel screws.

You can only imagine how he was beaten. Moreover, it seems his ribs were kicked or beaten, because I could see that his chest was bandaged up even after being discharged from the hospital. There was also an over-one-inch-long cut at his coronal suture. Ko Aung Kyi was the one who had suffered the most.

Nai Hlaing is older and was more cooperative, so he suffered less. However, he was detained until August 23. He was released yesterday. After his release, he is not willing to talk and it seems he is afraid.” — *Nai Htun, 49, is a social activist who lives in Ward No. 3, Three Pagodas Pass Township.*

“They were arrested at night and taken to the police station. The person who mainly beat them was U Aung Kyaw Min, 53, a militia leader and former headman of Ward No. 3. After that it was Ko Shwe Win. He is over 40. He served as a military informer for every military who comes to Three Pagodas Pass Township and Kawkareik Township. For doing his job, he gets economic opportunities and has a strong financial situation. The guiltiest person in this case, besides U Aung Kyaw Min and Ko Shwe Win, is the Three Pagodas Pass Township governor, U Thein Tun, 40, who established the security forces without discipline and restraint. He proclaimed the civilians’ properties must be guarded by the civilians’ own force and recently formed this unruly force on August 10. Now, it is clear to me that they don’t protect the civilians’ belongings, but instead torture the innocent civilians. And, even though the victims were wrongly arrested and beaten, they didn’t get any compensation. So, I think, this event will end without justice.” — *Ko Kyaw is a friend of Ko Aung Kyi who lives in Ward No. 3, Three Pagodas Pass Township.*

HURFOM tried to contact Myanmar Police Forces (formally known as The People’s Police Force), of Three Pagodas Pass Sub-township, Kawkareik Township, where the arrests and torture occurred. But there was no reply.

## Report

# Biting the hand that feeds: Armed extortion in Karen State

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## Summary

From late June to mid-July 2011, HURFOM field reporters gathered human rights violation cases through conducting interviews with native residents of the villages under the administration of Kyon-doo Township, Kawkareik Township, and Kyarinnseikkyi Township. These villages include those that are located in western and southern Kawkareik Township, and some in the southern part of Kyarinnseikkyi Township, Karen State. Of native residents interviewed, 95% of them reported that they are being arbitrarily taxed by multiple armed groups. They experience immense hardship from trying to make a living while supporting all these groups, and they fear the prospect of having to maintain this arrangement long-term. The remaining 5 % of those interviewed reported that they are continuously being threatened, unfairly oppressed, and used as porters and human shields.

This report concerns local villagers in the aforementioned areas, 98% of which are Karen nationals and 2% are Mon and Burmese nationals. These local residents heavily depend on the income from their farms and orchards for their livelihoods while some, residing along the rivers and streams, work as fishermen for a living.

HURFOM has documented war crimes from ongoing war and armed conflicts happening in the following targeted areas: Karen State, Mon State, and Tenissarim Division. These are the areas where the government troops and Karen armed groups were active and engaged in fighting during HURFOM's information-gathering over a one month period. It's similar to the previous report about the breakout of fighting between government troops and a Karen armed group, which affected the lives of civilians where the conflicts took place. It also revealed that both sides, the government troops and the Karen armed group, harmed local residents by demanding military supplies, supporting fees, food supplies, and anything else their armies needed.

HURFOM's objectives are to document and report on human rights violation cases in order to promote human rights and lessen the chance of future violations. HURFOM gathers facts about all human rights abuses and will report on these cases regardless of which armed group or army committed them. Therefore, where possible, this report includes the names of any and all armed groups and local residents that were part of the fact-finding.

## Methodology

During a 25 day investigation, three HURFOM field reporters and their network of local sources gathered facts and stories secretly. Yet, as there were security challenges involved in collecting some of the stories/facts in the areas where the government troops are active, they failed to report on some other specific findings. This report is only able to be written three weeks after the investigation, drawing from interviews and specific sources of 30 local families and some other local residents who provided facts from 12 villages under the administrations of 3 townships: Kawkareik Township, Kyon-Doo Township, and Kyarinnseikkyi Township.

## Armed conflict in the Karen areas

The cases in this report took place in the context of armed conflict engaged between government troops and battalions No. 901,902, and 908 of breakaway DKBA led by Col. Saw Lah Pwe in Kawkareik and Kyarinnseikkyi townships since last April until now.

Because of the ongoing engagement between the Nay Pyi Taw government troops, with the help of its BGF troops, and Col. Saw Lah Pwe's breakaway DKBA battalions, life is hard for the local residents in Kawkareik Township and Kyarinnseikkyi Township. During battles, both of the armed groups, government troops and

breakaway DKBA, demand local residents to provide them with recompenses for casualties or lost equipment, food supplies, and other supporting fees. The local residents who HURFOM spoke with had to take out funds from their savings, while some had to borrow to fulfill the demands of the armed groups.

In the excerpt below, Mahm Nyut Maung, 69, a former Karen rebel living in Winn-ka village in Kawkareik Township, told HURFOM about the plight of local residents during the fighting:

“Every place where the fighting takes place usually becomes unstable and causes soldiers to demand things from villagers. And consequently, we cannot work and it leads to hardships for us. It is okay if it [the fighting] happens occasionally [because we can still work]. But it has been going on for 30 or 40 years. How can we have peace? It’s always one thing or another: fighting between the government troops and Karen troops or Karen troops fighting among themselves. It happens over and over. And, when there is a breakout of fighting, [afterward] there comes compensation fees for the soldiers’ losses while we’re also demanded to provide [food] supplies for them. If we are unable to provide, we will be tortured. Then, when it is known that one group is collecting supplies from a villager, another comes around to demand and collect. We, the civilians, have to provide what they demand, while the armed groups compete for control. And it leads us to hunger. Now, the compensation being collected here is not only by one group but 2-3 groups, as well. What I want to say is that the Karen [armed groups] are oppressing [their own] Karen [people] again.”

The instability in the region directly affects the lives of local residents. Residents often have to hide in bomb shelters to avoid the fighting. As long as the guns and artillery continue to fire, they are unable to work to earn a living.

Kawkareik Township’s residents, who are unable to work during the fighting, told HURFOM they are using their families’ savings to meet the demands of armed groups. Saw Ah-kyot, 45, from southern Kawkareik Township, described the strains that the fighting has put on him and his family:



A young DKBA soldier patrols near Win Ka village, Kawkareik Township

“Even though our children are hungry, we have to try to provide for their demands rather than feeding our children. Sometimes, we want to feed our children the things that we give them [the armed groups]. [But] we’ll be punished if we have nothing to give them. And, we have to work for them as ordered when we only have our labor left to give. Because of how the war has affected us in this way, the word ‘fighting’ is one of the words that I do not want to hear.”

In this report, HURFOM has included the opinions of local residents over ethnic armed groups in its previous reports. The interviews HURFOM conducted with local residents also reveal the opinion of local residents over the

current armed conflicts in Kawkareik and Kyarinnseikkyi Townships.

Most of the interviews show that residents are still fearful of government troops and want no armed groups in their area. They are also frustrated to know that the rebel groups are the sources of the problems. According to the local residents, the breakaway DKBA troops are the primary sources of their troubles. In the 3<sup>rd</sup> week of July, a 33-year-old villager from Ah-sone village, expressed frustration with the armed groups and their demands for money and supplies:

“For me, I want none of the revolutionary groups to be stationed here. They may heroically call themselves a ‘revolution group’, ‘defense force’, and/or a nationality group. etc. [But] we are the people who have to provide for them while they pick our pockets. It’s okay if we have things [to give them]. [However,] now, even for our own survival, we are struggling. So we do not have goodwill [towards the armed groups]. If there were no revolutionary groups, there would be less fighting. If possible, we want none of it; we just want to work for a living peacefully.

## Extortion and arbitrary taxation by breakaway DKBA armed forces

It is said that the success and failure of a revolution always depends on civilians' support. Every revolution requires sacrifices from civilians. These come in the form of financial support, supplies, and cooperation. A system of rules or a code of conduct is also necessary if these sacrifices are to be paid. Otherwise, it's like extortion if sacrifices are demanded in accordance with no system of rules or without reasons, in addition to demanding to the point of starvation for the civilians. The findings in this report show that during the current armed conflicts in Kawkareik and Kyarinnsaikkyi townships between the government troops and Breakaway DKBA troops, both sides have forced the local residents to provide for them without any system of rules to regulate their behavior.

The battalion No. 908 of Breakaway DKBA, led by Major Sein Myint, with its followers, has continuously demanded supplies and support from local residents in two townships, Kawkareik and Kyarinnsaikkyi.. They particularly demand financial backing, but they never give reasons or explanations for how they will use the residents' money. Worst yet, they have already demanded supplies and financial support from the same villages many times and appear poised not to stop.

On June, 27, HURFOM interviewed Kyaw Ah Htuu, a villager of Ah-sone village, Kawkareik Township, and he gave the details of how he was demanded to provide support for a unit, under Breakaway DKBA's battalion No. 908:

Just that one group, a group leader comes to collect, and still during that week, there come another group from the same battalion to collect. Now, the breakaway DKBA troops are using those methods, collecting the compensation. How can we provide? We do not have a money making machine! Everyone can see the prices of everything at the moment; and working for daily wage, we can hardly survive.

The local sources said that the troops from breakaway DKBA mainly demand support from two sources: every village and employer must provide accordingly. At the village-level, the fee is calculated based on the number of households, and it must be paid according to a schedule. This happens in most of the villages in Kawkareik Township, where the battalion of breakaway DKBA, led by Major Sein Myint, is active. According to local sources, the battalion required those villages with a few households, between 30 – 40, to provide 100,000 kyat per month; while those villages with many households have been demanded to pay 200,000 kyat or more per month. Also, some villages in Kawkareik Township have been demanded to provide not only money, but also rice. Below is an excerpt from an interview with a local source:

[We have been] demanded to pay 200,000 kyat per month in Htee Htu-tan village, Kawkareik Township, and paddy rice 200 *tin* (baskets of rice). Years have passed by, how can we continue to provide? We have to borrow the rice from others after giving them our stored paddy rice. We have to just give it them like that to fulfil our 'responsibility'. As Col. Sein Myint's DKBA troops are stationed here, we would be punished if we do not pay them. We can do nothing as they are the ones who have the power. So, we just have to provide for them like this.

According to another local source, the columns under command of the breakaway DKBA's combined battalion No. 901 and No.906, also come to ask for supporting fees in Laung-kyain village, Kyarinnsaikkyi Township:

### **DKBA controlled areas, led by Colonel Sein Myint from Battalion 908**

**Kawkareik Township** - Yay Kyaw Gyi, Yay Kyaw Lay, Houg Taraw, Tayet Taw, An Kaung, Thone Set Thone Su, Kyaik Ta Lite, Dauk Phalan, Boh Taing, Naung Nine, Nang Shwe Mone, Tamine Gone, An Phat Lay, An Phat Kyi, Koh Nwe', Yay Lae Gone, Myoe Houg, Ywa Tan Shae, Katoe Wa, Sakawet, Aung Hlaing, Mi Paline, Khutone, Sanpalan, Khutone Kanna, Asoon, Lan Phan, Kaw Sai, Maga Baw Si, Paing Kalar Done.

**Kyainnsaikkyi Township** - Kwin Kalay, Kyeik, Ka Doe Soh, Maw Kae Khee, Thae Phar Hta, Pu Yae, Ka Aww Khee, Kayah Khee (near Kyaik Don), Phaw Naw Khee, Wa Khoe Law Dae, Kwee Thaw Thuu, Khee Mae Baw, Tee Yoe Khee, Show Hta, Sanpya, Phar Kalaw Khee, Mi Tan, Kyaik Don, Mi Nan Up, Htee Thar Lu, Khee Kapaw, Htee Phoe Maw, Kamar Kalo, Azin, Phoe Chee Mu, Hta Wah Law, Kwee Kha Lae, Mae Tharaw Hta, Mae Ka Thee, Azin Chaung Phya and Mae Tha Law villages

### **DKBA controlled areas, led by Lt. Col. Thar Khu from combined battalion No.901 and No.906**

Hlaing Kwae, Taung Kyar Inn, Myauk Kyar Inn, Win Pote, Malar Gone, Yepu, Naung Taman, Kaw Wa Lae, Kaw Htu Ki, Ywa Kalay, Koh Khite, Phar Pote, Mi Galone, Kanne, Kywe Phyu Inn, Mu Wah, Ta Kone Ka, Phar Pyaught, Mi Kathit, Alae Kyun, Kam marike, Kam marike Lay, Ashae Kwin, Koh Phoung, Naung Talar, Laung Kaing, Phar Kya, Tamein Doh, Khu Nee, Win Ka, Htee Phoe Than, Aung Chan Thar, Htee Kalick, Win talwe, Ywa Dan Shae, Phar Thay, Noh Wah Kalah, Eee Pai, Kya Yoe Gone, Padauk Gone, Kyae Oak, Wapyan Gone, Kayin Hlaing, Pha Thay Kanna, Kyone Kwae, Noh Mi Waw, Koh Sa, Tayet Gone, Phaya Gone and Nyaung Gone villages

Between the battles, the columns under command of breakaway DKBA combined battalion No.901 and No.906 led by Major Htar-Kuu, demanded 200 *tin* of paddy rice per village. And they said that they will accept the money if we cannot provide them with rice. Their demand – 200 *tin* of paddy rice – is a lot to collect. The villagers in our village are facing lots of difficulties, as they have to provide not only for one group but for other groups as well. We're still not clear whether we'll be punished if we do not fulfill their demand. We do not know what they're saying [in the field] as we just live here [in the village]. Because they are active in this area, if we do not provide as they demand, the



Win Ka villagers share their experiences with arbitrary taxation by armed groups

villagers are afraid that they will make trouble for them. Because of this, the villagers pay what they have or have stored. In obtaining 200 *tin* of paddy rice, some villagers give only half *tin* while some give one *tin*. We just have to collect like that. It's very hard to get 200 *tin* collected from one village. The whole effort of collecting paddy rice is organized by the village head.

According to a local source, because the breakaway DKBA troops have been demanding food and support recklessly, it seems that they are no longer faithful to those Karen people who have been supporting them for over 60 years — for the purpose of Karen national liberation. Local sources said that they were unhappy with the behavior of the breakaway DKBA, as they have abused locals just like the government troops have done.

A local resident in Kawkareik Township, 54, reported that the majority of Karen people have gradually lost confidence in the breakaway DKBA:

I don't think any armed group should act like this if they really want to get support from civilians and fight for their revolution after they had abandoned their businesses. They 'said' they are protecting the people, and that they fight for Karen sovereignty for the Karen people. [But], they are breaking their promises. In my opinion, I see their demands as worse than the government troops' tax collection. This is like what I've just said: they are destroying peoples' confidence and beliefs in them.

Despite those strong words, HURFOM reporters found that many Karen local residents are afraid to claim that the breakaway DKBA battalions levied them with unfair taxes for the purchases of their rations and armed supplies. It's generally assumed or understood that it is risky for them to criticize the rebel armed groups, as some local people had already had bad experiences doing so. Thus, the main reason why local people do not call for justice when abuses are committed in their area is that they are afraid of repercussions from the armed groups. However, a general reluctance to admit guilt or seek justice in society has been common since the days when people lived in fear under the governments of the State Law and Order Restoration Council (SLORC) and the State Peace and Development Council (SPDC).

A local resident in Kawkareik Township, 54, described living with this situation:

Talking like that, I do not know, whether it seems like I'm supporting Burmese government troops'side Now, here, it seems like we do not have to pay what the government troops demand. For us, poor people, we have to be afraid of those who are holding guns, the ones nearest us, from generation and generation. Even though the government has changed, nothing [else] has changed in the country. What can we do? What is happening now is that we have to give the DKBA everything that we have for our own survival. When the BGF troops heard that the DKBA troops come to collect the money, they come to collect too. I also do not know whether they are competing with each other. It's now happening like this. As we are the persons who have to provide whatever we have, we have to give them whether we have. If we do not give them what they want, we cannot live because they will cause trouble for us.

## Local businessmen forced to pay armed groups of both sides

According to an estimate provided by local sources, there are over 800 pay-for-use telephones operated by local businessmen in the two townships of Kawkareik and Kyarinnseikkyi, Karen State. Most of the phones were cordless phone types, and in order to operate, the phone operators had to pay taxes to local DKBA authorities, who are cooperating with Thai Telecommunication Company. It was revealed that prior to the nationwide elections and the breakout of fighting between the government troops and breakaway DKBA in early November 2010, there were three times as many phone service providers in the two townships as there are now. The remaining phone service providers operate only for remittances and personal use.

Last July, those phone owners of remaining phone services in Kawkareik and Kyarinnseikkyi Townships who run their phone services but earn very little were saddled with heavy taxes from the breakaway DKBA troops. Some phone operators had to shut down their phone services because they could not pay taxes as demanded.



DKBA soldiers patrol near Win Ka village, Kawkareik Township on July 21, 2011

Ma Nyo, a phone service owner from Ah-sonne village, gave the following statement to HURFOM reporters:

“ We cannot even get 200,000 kyat – that’s the amount they demand from us – from running our service in one month. There are so many phone operation services. And, the number of people who come to [use the] phone [services] is gradually decreasing. Additionally, we also have to work for families’ survival and the expenses of taking care of the kids. The DKBA troops which come to ask for [money] are the troops from Battalion No. 908, led by Major Sein-myint. That was on June 14<sup>th</sup>, and they came to ask for it the whole week. After negotiating in various ways, we could get it cut down to 80,000 kyat. That’s just one group. I do not know yet which groups will come to demand again.”

Ko Nwge Tin, *Har Lar* mill owner, Pain-nae village, Kawkareik Township, describes in the passage below how he had to pay a 200,000 kyatt supporting fee demanded by DKBA battalion no. 908 and No.901, based in Kyondoo Township:

“ As far as we understand, – ‘we’, the civilians, should support ‘them’, the armed groups [who are] working for ‘our’ revolution – as they’re fighting for ‘us’, the civilians. Now, it appears like extortion, because their demands are not balanced with what we have with us to give them. And, we cannot profit from our work; we can just work and get paid for our daily meals; we cannot save more. They asked for a hundred thousand kyat, we can not afford to give them that much. Yet, the Burmese government troops do not ask for that much.”

The heavy taxes of hundreds of thousands of kyat from the breakaway DKBA battalions deeply affect the business owners running the phone services. Moreover, even though rates of service are only 300-400 kyat per minute, business owners said there are very few customers. When fighting erupted in this area, sometimes the government troops also imposed taxes on the phone service providers when they were planning a military operation. In short, phone service providers have been forced to pay fees to both sides of this conflict. .

In the second week of April, the government columns of Light Infantry Battalion No.543, under Military Operation Management Command (MOMC) No.5, charged local phone service providers heavy taxes in Ah-sonne and Lanphan villages, when they were doing military operations in Kawkareik and Kyarinnseikkyi Townships..

In late July, a 40-year-old former phone service owner described the impossible situation for business owners like him:

If I wanted to run a phone service, I had to pay taxes to both sides. And, because this was a communication business, if something [bad] happened, I would be accused of providing the information [for the enemy]. That’s by the time *Thin-gyan* [annual water festival] ended. I had already experienced this when the government LIB No. 543 came to our village. The Burmese soldiers accused me of being an informant

for [breakaway] DKBA because I opened a phone service. And they confiscated my phone system. I also had to pay 300,000 kyat to them. That's after I had already paid 80,000 kyat to DKBA as a monthly tax about 3-4 days prior. Because of this, without thinking about anything, I just shut down the service. I also became in debt.

## Fleeing armed conflict and forced relocation

Due to the outbreak of post-election fighting between the government troops and breakaway DKBA brigade 5 and ongoing fighting throughout northern and eastern Karen State along Thailand border, there are thousands of people fleeing their homes to safer places. Hundreds of families have fled their home villages to Mae Tha-war village in Myaing Gyi-guu area, which is in Hlaing-boe Township, close to the Thai-Burma border. However, because there is no humanitarian assistance and there are no job opportunities in the area, the refugees have faced many difficulties.

On August 22<sup>nd</sup>, HURFOM spoke with Saw Ka Lo-sae, 28, who is a member of the Karen Backpack Health Worker Team. He told HURFOM that medical aid, food supplies, and other assistance are in short supply and that everyone is concerned:

The refugees have many difficulties. Fighting breaks out every day in their home villages in Kawkaeik Township and Kyarinnseikkyi Township. And, because of the fighting, they could not work and had to flee to here, the border. Now, according to our list, the villagers from 10 villages, in Hlaing-boe and Par-bon townships have also left their homes. Everyone, including village head, left to come here. This area is called Myaing Gyi-guu. Here, we have accepted over a thousand refugees fleeing from the fighting. For housing, they just have to live in whatever they can. It does not seem like the amount of food supplies and medical assistance was adequate for the number of the refugees. So that's why we need to get international assistance.

Additionally, because of the fighting in Yaw-po, Tha-wee Ka-lar, Ka Mar-htar, and Pa-nwe Thar-ka-lar villages, thousands of people from these villages, including the village headmen, have fled to Mae Tha-war village, Hlaing-boe Township, close to border. And they have still not been provided with humanitarian assistance.

Also, according to an official from breakaway DKBA brigade No.5, because government Light Infantry Battalion No. 204, under Division No. 11, fired artillery shells into Mae-lar and Mae-seit villages, specifically in Htee Tha Taw-htar village ward, Par-bon Township, on 2<sup>nd</sup> August, the villagers from those locales have fled to Hlaing-boe Township, Myaing Gyi-guu area.

A Major from the Karen National Liberation Army (KNLA) Brigade No. 7 expressed his understanding of the hardships villagers taking refuge in Myaing Gyi-guu area were facing. According to him, in order for those refugees to return to their villages and live peacefully, the DKBA and KNLA troops that were active in the villages have withdrawn from the immediate vicinity of the residential areas:

We are not stationing in those villages anymore. We already drew back; otherwise, the cattle and buffaloes would eat up the paddy rice grown in the farms belonging to the villagers. If we kept deploying there, in the villages, the other side [the government's Border Guard Force (BGF)] would continue firing into the villages. And it would destroy the houses of villagers.



Most villagers are not able to pay taxes demanded by both the DKBA and the Government Army due to their economic hardship

This happened in late July, when the BGF troops and Breakaway DKBA troops were engaged in fighting. The BGF were in an elevated position, firing guns and artillery shells into the villages. Some villagers in the area were wounded and a local school was shut down. It has yet to re-open.

A Major from DKBA reported on 20<sup>th</sup> August, that BGF troops have forced the villagers from 9 villages to relocate to Myaing Gyi-guu area. Since mid-August until now, residents from the 9 villages – Htee Lar-nae, Tha Moe Yar, Mar Aee, Yaw Po-htar, Buu-say, Tha-wee Ka-lar, Htee-law Thee-htar, Pwe-poe Ka-lar, and Mae Pow Ka-lar – have been instructed by advisors of BGF batallions, Saw Par-nee and Saw Htun Hlaing, to relocate to Myaing Gyi-guu area. Below, are the Major’s words on the situation:



A Htee Huu Than villager explains her difficulties with various armed groups demanding money from her family and her

This was the order given by Lt. Par-nee and U Htun Hlaing. It was for the villagers to move out. As the situation is unstable, the villagers are also afraid to live in their homes. Those villages were hit by the artillery shells often. So, that’s why no one can live in there, and the people have moved out of their villages. But, some villagers still keep living in their homes.”

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### Conclusion

The post-election violence has devastated the lives of many who live in or around the battle zones. Additionally, the ongoing armed conflict has made it both dangerous and difficult for HURFOM’s reporters to get in and document the human rights abuses occurring each day. The human rights abuses, such as those documented in this report, are taking place throughout three townships: Kyon-doo, Kawkareik, and Kyarinnsaikkyi. And they are committed by both government troops and battalions of the breakaway DKBA.

The findings of this report show that civilians living in the affected areas have been the victims of extortion by armed groups. They are providing large quantities of rice, money (in the form of taxes and fees), and military supplies. Neither side of the armed conflict has held their soldiers accountable or practices restraint in their demands and ill-treatment of civilians. Their actions have led to extreme hardship for the villagers, who are unable to work and struggle to survive. Finally, many are reluctant or afraid to report the injustices in their villages owing to the climate of fear that has remained since the reigns of previous governments.

Accountability and transparency are the critical deficiencies in these areas where human rights abuses are taking place. If the armed conflict does not cease, it is likely both sides will continue to extort and abuse civilians without restraint.. As such, the lives of local people will always be in extreme danger.

Despite the transition to a supposedly civilian-led government, violence and injustice continue to occur in the country. Consequently, armed conflict and human rights abuse are still prevalent. Therefore, it is a moral imperative for the new civilian government to make changes democratically and to start dialogues with all ethnic groups at once to end the fighting and bring about a stable peace. If they do no act, the people of Burma can only expect more of the same.

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