

The Mon Forum

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Some Acronyms in This Issue

- DKBA- Democratic Karen Buddhist Army
- TPP- Three Pagodas Pass
- LIB- Light Infantry Battalion
- KNLA- Karen National Liberation Army
- SPDC- State Peace and Development Council
- MOC- Military Operation Command
- TPDC- Township Peace and Development Council
- AI- Amnesty International

News

Locals in Thanbyuzayat Township Continue to face Abuses of Land and Property Rights

January 31, 2012

HURFOM: Thanbyuzayat Township: Local residents, who are heavily dependent on farming and tapping rubber trees from their own lands for their livelihoods, face abuses of land confiscation, property destruction, and extortion. Government Infantry Battalion (IB) No. 62, Military Advanced Training School No. 4 and Artillery Regiment Command (ARC) No. 315, commits these abuses. HURFOM's interviews, conducted with victims of the land seizure, extortion and property destruction, reveal that local farmers have not only had their huts that were built on their farms burnt down. Additionally, they had their farms seized, while rubber-plantation owners have had their plantations taken over, as well as being extorted. The abuses unveiled in this report took place in Sa-khan Gyi, Taung Aunk, Pain Nae-taw and Ka-line Pa-daw villages, Thanbyuzayat Township. All interviews were conducted between the second week of November and the beginning of December 2011.

Gov't Battalion Burnt Down farming huts after Confiscating the Farms

During the last two weeks of September 2011, troops led by Captain Min Htun, from the government's Infantry Battalion (IB) No.62, burnt down huts owned by villagers on their farms. Once again, these troops frightened local residents that [if there is any] house, hut or any other construction,



Infantry Battalion (IB) No.62 confiscated these rubber plantation near Anin village, Thanbyuzayat Township

built on land marked as 'Army Land' by the government, the Infantry Battalion would burn all down. According to local farmers, those farms are not property of the army. Since the land owners/farmers did not have any funds to cultivate their farms, these farms have been abandoned approximately two-and-a-half years ago. However, those abandoned farms were seized by IB No. 62, which was deployed to guard the gas pipeline.

Saw Naing Win (pseudonym for security purposes), owner of damaged property, explained how his hut, which was as large as an ordinary house, a hut to store hay, and a cowshed were burnt down by the IB No. 62:

"I have become so poor that I could not finance my farm, as I did not have any money to invest in it. These investments would include the costs of [paddy] seedlings, fertilizers, pesticides, and hiring laborers. Since 2009, for this reason, my 6-acre farm has been left without being cultivated. Now, the army took over, assuming the farmers no longer work on their farms. Yet, the army men did not only confiscate the farms, but they also burnt down three huts on my farm as they took over the farm. These were all my belongings. Now, I have only two oxen left with me. My daughters and sons are now working in Thailand. Since they cannot send money back, I can not cultivate the farm. It was in September that eight government soldiers came to burn down the huts on my farm. The leader was Capt. Min Htun. But, now he has transferred to somewhere else – that is what I heard. I am attempting to and want to get my farm back, so help me please," said Saw Naing Win.

According to Saw Naing Win and his wife, similar to their experiences and sufferings, eight other farm-owners were unable to cultivate their farms. These farmers had their farms confiscated in Sa-khan Gyi village and comprised of 48 acres in total. Until today, those farms are left without being cultivated as Army Land and the farms are given to the Sa-khan Gyi village's administrator.

Rubber Plantation owners wishing to get back the plantations after over one year confiscated

Rubber plantation owners in Thanbyuzayat, expressed that they want to regain and work on their plantations that were confiscated by Thanbyuzayat based IB No. 62. These plantation owners are native to Sa-khan Gyi, Taung Out, Pain Nae-taw and Ka-line Pa-daw villages and stated that they requested human rights activists to help them get back their plantations after they had their plantations seized over one year ago.

"The rubber plantation that our family owns is 8.4 acres. The rubber trees were as old as 30 years when they were taken over last year. Our rubber plantation was confiscated by Thanbyuzayat based IB No.62 and

Wae Kalee based Military Advanced Training School captains. After confiscating the plantation, IB No. 62 charged [us, the owners] 20,000 Kyat for the permission of tapping the rubber trees on [our] own plantation. After 3 months of working on our farm, the rubber trees on our plantation became 30 years and the trees were pretty old. So, they cut down the old rubber trees. The villagers from Taung Out village were forced to work on cutting down the rubber trees, and then plant new rubber plants during the beginning of the rainy season. For us, we wanted to get back to our plantation. And, we wanted to work on our plantation again. Now, it has been over one year since the plantation was taken over. I am a bit worried that it will be difficult to request to get our plantation back, if it was confiscated such a long time ago. In this case, for us, we need help from those activists or groups working to improve our land and human rights," said Nai Chan Dein.

Nai Chan Dein [pseudonym], 46, a Sa-khan Gyi villager, is now working on the remaining three acres of his rubber plantation in Sa-khan Gyi village, Thanbyuzayat Township, Mon State. HURFOM conducted an interview with him in the second week of November.

Plantation owners still charged with monthly allowances by the ARC No.315 for not to seize the plantations

A Taung Aunk villager, Saw Pain Phyo [pseudonym], 40, who wants to keep working on his 5-acre rubber plantation recounts that he [has to] continue paying a monthly 30,000 Kyat fee to Captain Taw Zin Htun from Artillery Regiment Command No. 315 for the permit of tapping rubber trees on his own plantation:

"It is as if they took over my rubber plantation. Most of the land [rubber plantations] that has been considered as Army Land, is confiscated by Thanbyuzayat based IB No. 62, Military Advanced Training School No. 4 based in Wae Kalee village, and Artillery Regiment Command (ARC) No. 315. When they took over the plantations, there was no proof shown and there were no official letters that ordered that our land would be confiscated. These officials, acting on behalf of the government would set up signs indicating that our land would be Army Land for four months and then ended up seizing our plantations. Later, a verbal order from Sergeant-level Aye Kyaw from ARC No. 315 came to me that I have to pay 30,000 Kyat in monthly allowances, if I want to keep working on my 5-acre plantation. This was all last year, after the water festival. Now still, I have to pay these fees. But, the people that are in-charge to collect the monthly fees changed; yet people come to gather fees as usual. Even during rainy season, we are being charged although we cannot tap rubber trees during this season. We know that it's not fair to pay money to work on a plantation that is ours; however, we continue to pay fees although we are short

of money. This is because we are just worried that those who can pay will come to work on our plantation and we will lose our plantation if we do not pay 30,000 Kyat every month. Because of these costs, we cannot afford to send our daughter to school. We have managed to survive and pay these fees, so far. To solve this issue, I am not brave enough to report about this to anyone, not even brave enough to report during this new government's term. I can only continue to wait what will happen. I cannot do anything since the army men are still here. Like me, there are more than 40 other rubber plantation owners who do not want to have their plantations lost and have to pay 20,000 – 50,000 Kyat fees per month respectively, depending on how many acres their plantations are," remarked by Saw Pain Phy.

Saw Pain Phy is 40 years old and he is from Taung Aunk village, Thanbyuzayat Township. HURFOM conducted an interview with him on 2 December, 2011, after meeting him in Ye Township.

The Infantry Battalion No.62 is based in Thanbyuzayat Town and the Military Advanced Training School No. 4 and Artillery Regiment Command No. 315 are based in Wae Kalee village, Thanbyuzayat Township. It is obvious that the government troops stated above continue to violate the local residents' rights despite installing a new civilian government. Also, even though the signs of change are startling in the country, for those locals residing in rural areas, particularly in Sa-khan Gyi, Taung Aunk, Pain Nae-taw, and Ka-line Pa-daw villages, Thanbyuzayat Township, no changes have been implemented. Instead, villagers continue to suffer from the same human rights abuses that they faced during the former government – the State Peace and Development Council.

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Government's Navy Units continue to violate rights of Locals in Yebyu Township

January 20, 2012, Northern Yebyu: The local villagers who make their livelihood through fishing along coastal areas of North-West of Yebyu Township, Tenasserim Division, were abused by the navy administrative unit No. 43, which, according to the field records, operates under Mawrawaddy Navy Command. During the interviews, the locals mentioned that the navy units continues to commit abuses such as extorting money, commandeering fishing boats, demanding gasoline and rations and forcing the local villagers to serve as guards. These field records were collected from ten locals in fishing villages in North-West of Yebyu Township by two field reporters from HURFOM between December 28th 2011 and January 10th 2012.

The local navy administrative unit No. 43 has been collecting a monthly fee which ranges from twenty thousand kyats to seventy thousand kyats per

household, as local security subsidy from the villagers of Kyauk Hta-yan village, which has over 160 households, and Da-Min-Seik village, which has about 80 houses. Ko Thar Kyi (Not real name), 36, who depends on fishing for his living, said on January, 2 that unlike villages in other regions, (his village) had to pay heavy monthly security fee to the government navy unit and have suffered from many abuses, including financial abuse.

"The fishermen from our village had to pay more local security fees. Fishermen can make money (easily) when they catch more fish and prawns. Therefore, the navy officials showed reason that the peaceful livelihood of the villagers is due to their fully-supported security services. The households which have only one fishing boat are obligated to pay twenty thousand kyat per month. The households which own more than one boat are forced to pay general security fees on up to seventy thousand kyat every month. Thousands of kyat has been paid to the navy unit No 43. Our livelihood is just easier than those of hand-to-mouth people. A big problem occurs on the day we cannot work. When that time comes, extracting from our saved money for food, the monthly fee of twenty thousand (kyats) has to be paid."

Ko Thar Kyi and most of his neighbors have to pay twenty thousand kyat to Navy Official Captain Min Zaw Moe who used to be based in Kywe Thone Nyi Ma. Moreover, for military transportation, their boats were commandeered at least three times per month. Each time [if commandeered] it could last from one day to two days, said Ko Win Myint [not real name], Own-pin-kwin villager and boat owner.

Unlike other villagers in Yebyu Township, Kyauk Hta Yan and Da-Min-Seik villagers have to make their livelihoods only on fishing, not on plantation and other businesses. Even the less-earned small boat owners could not avoid the abuses of the local-based government's navy unit. The households who go for fishing with small boats which do not include engine and has to be paddled manually was ordered to pay one gallon of gasoline per month to the navy authorities of Kadike harbor situated in the estuary of the Heinze river, according to U Htun Myint [not real name], 55, a resident of Own-pin-kwin village.

Kadike Navy Command operates under Heinze Naval Region Command Head Quarter and the navy administrative unit No 43 is based in Own-pin-kwin Village located near Kywe Thone Nyi Ma Island. After late 2010, over one thousand acres of rubber and perennial fruit plantations were confiscated and about 3,000 acres of rubber plantation were surveyed to be confiscated in the mid of 2011. According to reports from HURFOM's researchers, the local authorities are making money by granting permission to the owners to work in the confiscated plantations after receiving monthly allowances.

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Interview

An Interview with a Released Mon Political Prisoner: Young Buddhist Monk Zaw Latt

Following the first amnesty announced by President Thein Sein on May 16, 2011, an estimated 14,600 prisoners, including some political prisoners were promised released. The most recent amnesty by the order of President Thein Sein on January, 13, as part of the release of 302 political prisoners, a Mon political prisoner, young Buddhist monk Zaw Latt was released.

Young Buddhist monk Zaw Latt, otherwise known as Ashin Oak-kan-sa, was put in prison by the military regime to serve his 15 years sentences under three different charges including a violation of Burma's draconian Electronics Act. On January 7, 2010 he was arrested by military intelligence and local policemen, in Kya-khine-ye ward, Thanpyuzayat Town after distributing posters opposing the 2010 general elections and the Guiding Star newspaper in Krain Ka-rate village and the nearby Thanbyuzayat Township.

This below is an interview with Ashin Oak-kan-sa conducted by HURFOM. In the interview Ashin Oak-kan-sa shares his opinions on future freedoms and rights of Mon people, the military regime-drawn 2008 Constitution, the varying points of view on federal systems among political prisoners, and his personal experiences as a prisoner of conscience.

Question: In your opinion, what kind of future can we hope for for our Mon nationals to get freedoms and rights?

Answer: In my opinion, for our Mon nationals to get freedom, first, since there are many ethnic groups in our country, and they all want the country to become a federal union, we have to establish our country as a federal union. And, from that, we will get the freedom that we want and the rights to do what we want to do. Then, from that, we can get freedom for our Mon nationals.

Question: What is your opinion on the 2008 Constitution?

Answer: If we look back at the 2008 Constitution, there are very few opportunities and rights for minority ethnic groups. If we just go through this 2008 Constitution, for the people in Burma and minority ethnic groups, there is no hope for equality, which is what we want. Obviously, this is because the Constitution only includes few rights for minorities – the rights are very, very few. And, this is because the Constitution was drawn by no representatives representing on behalf of the minorities, but by the government itself. So, we can not accept this 2008 Constitution.

Question: Do you think the 2008 constitution should be re-drawn by the government itself again or together with representatives of ethnic minorities?

Answer: This 2008 Constitution should be re-drawn. The representatives from ethnic minorities and people must be included in drawing the Constitution. The real representatives from the people and minorities must participate in drawing the Constitution. So, that will be the federal system. I believe that that is the only way to be a federal system. And, from that step, the federal system, we can later get the freedom and rights for our Mon people.

Question: Did you get the chance to talk with other political prisoners about the future of Burma? If yes, what did you and other political prisoners discuss? And, were there any different perspectives between ethnic political prisoners and Burman political prisoners?

Answer: When I was in prison, we, together with many other ethnic political prisoners, used to have discussions. When I met with ethnic political prisoners, I always came across the discussion and agreement that we must have a federal system in our country. I heard the same voice from ethnic political prisoners, to have a federal system. But, from the views of Burman

political prisoners, they did not agree with this federal system. They did not want to discuss about the federal system – they said that this federal system will lead the country to split apart. But, we, the ethnic political prisoners, said a federal system is the one structure that can lead the country to unity – not to separate and split apart. And, only a federal system can make the country a united country. Those are the different opinions and voices from the Burman political prisoners and the ethnic political prisoners, and that is what I heard during my prison term.



Ashin Oak-kan-sa (aka) Uzin Zaw Latt explaining his painful experiences during his time in Government detention center

Question: Could you tell us why you were chased and arrested by the military intelligence and policemen in Thanbyuzayat Town? What were you doing before the arrest?

Answer: It was when I was on the back of a motorbike heading to Krain Ka-rate village, and yes, some devices were brought with me before I was chased and arrested by the military intelligence and policemen. Actually, I was heading to Krain Ka-rate village to copy some CDs as the memory of the video-recorder was full with data and the monastery in Krain Ka-rate had computers. Also, there was a celebration of a deceased monk at the time.

I distributed small posters and stuck the posters on some vehicles, cars and motorbikes, and on the way, I stuck some posters on the utility poles. The posters were about opposing the upcoming 2010 election. Right after I hung up the posters, I shot the videos. Also, at the time, there was a sentence at the bottom of every Mon National Day signboard, which had been erased by the government. It was the anniversary of the 63rd Mon National Day. There was an order from the district governor to erase the last sentence on the announcements of Mon National Day right after the signboards were put up. I was taking the photos of the erased part of the announcements. And, I already took the videos and distributed the posters boycotting the general elections. These activities were intended to alert the media, that was my plan.

Question: Could you explain how you were chased and arrested by the military intelligence and policemen? How did you run with your bag, which included some technical devices?

Answer: Actually, my first plan was to go to Krain Ka-rate village. I knew that there were policemen and military intelligence following me at the time. One of them had a phone and they were in plain clothes. When I took a tricycle they would take tricycles too. I got off the tricycle at the entrance of Krain Ka-rate. I knew clearly that the men were military intelligence and police. Then, I accompanied one local youth and I headed into an Internet café. Worse yet, the connection was down so I could not hide in the Internet Cafe and had to leave the café and headed to Krain Ka-rate village. I took a motorbike taxi and right after driving outside Thanbyuzayat Town and arriving a Kuu Yar-bar village another motorbike followed. They stopped our motorbike and asked me where I was heading to, and, I said I was heading to Krain Ka-rate village. Then, they told me that one official from Thanbyuzayat wanted to see me, I asked why and what he wanted to do with me. They replied that they did not know. I told them I could not meet with the official as I was in hurry, but they retaliated and told me I could go after my errands to meet the official. At the time, I knew what was happening, but I still maintained myself not to panic or get frightened. I agreed to see the official and we turned our

motorbikes around driving and drove to see the official. While I was on the motorbike heading to see the official, I thought that I should not let myself get caught and that I would run away, so I asked the motorist to drive me away. But, the motorist said he could not drive me away as his motorbike's license was clearly visible. And he added that if he drove away, he would be caught. I understood his case, and I thought that I would let them arrest me. However, when we arrived near Kya Khaing Yae quarter in Thanbyuzayat, I asked the motorist to slow down and I got off the motorbike and ran away. I was very worried, not just for myself, but I was also worrying for others since there was a lot of data in the computer, video-recorder and camera. After running for a while I went into a home. But, they were just following me. The homeowner asked me if they could help hide my stuff, but it was too late. At the time, I still had three posters left in my bag. The remaining three posters were the main problem as they have already seen the posters. They caught me and took me to the police station. At the police station, they did not check my computer and videos, but they asked me where I was heading to and I replied to them that I was heading to Krain Ka-rate village for the celebration being held for the deceased monk.

Question: Where were you taken to after the questioning at Thanpyuzayat Police Station? Had you already been disrobed at the time?

Answer: I was taken to Moulmein at about 8 PM, and we arrived in Moulmein around 9:30 PM. I was sent to No.5, Special Branch of Police Office, which is located on the top of a mountain. No, I was still in monk robe when I was being questioned at the Thanbyuzayat police station, but I was handcuffed.

Question: What did the government officers at the No. 5 Special Branch of Police Office do to you? When were you forced to disrobe and how did the officers make you disrobe?

Answer: Arriving at the office I was ordered by the officers to sit down right at the entrance office, where people take off their shoes, with my monk robe. As ordered, I sat down. But, a bit later, another officer found it inappropriate and let me sit on a chair. Then, they said, "Because of you, we are starving and suffering." And they tried to disrobe me. They phoned a Mon monk at San-kae Nae-ka monastery first. After talking on the phone, which I could not hear the officer told me, "You are no longer a Buddhist monk. the chairman of San-kae Naka monastery said so. So, you can take off your robes now." I responded, "It is nothing concerning you: I myself know whether or not I am a monk." Then, they said "We do not know about that. We have to follow orders given from the high ranking officials, and we do not know other things. So, take off your robes." Yet, I did not take off my robes and I just stood there. But, they said "If you do not take off your robes, we will do take it off." And, they just pulled down my robe. At the time, I felt very sad, my tears ran down my face, thinking that I never thought

they could do to this to me. After taking off my robe, they gave me some clothes to put on. They then sent me to main No. 5 office, where they opened the case and started questioning me.

Question: How did the officers question you and did they treat you well while you were at the office?

Answer: At the place, where they were questioning me, there were 15-20 people. And, there were five to six guys surrounding me to beat me if I did not answer the questions. The men started harassing me after I was



Ashin Oak-kan-sa was in Thanbyuzayat Township administration office in January 2010

disrobed. It was obvious that they would beat me if I did not answer their questions. At the office, I was bombarded with endless questions the whole night, from evening until the next morning. They questioned me on whom I worked with and if there were any other people concerned with the case.

Question: So, what did you tell them when you were being interrogated?

Answer: Well, actually, I had already sworn to myself while

I was on the truck being taken to Moulmein from Thanbyuzayat that I would accept this case by myself; I would not accuse my friends, monks and laypersons, and our Mon organizations. I would not betray them, and I would accept this case and face through it by myself. I told them that this case concerned no one but only me.

Question: When were you sent to Rangoon after being kept and questioned at No. 5, Special Branch of Police Office? Where were you sent to and what happened after that?

Answer: I was sent to Rangoon from Moulmein on 8th Jan, 2010 in the afternoon. We arrived in Rangoon around 2-3 AM the next morning. In Rangoon, they opened the case in the court of law at the office of Aung Thabyay Sitt Kyaw Police Station, 8 miles Ward, Mayam Gon Township. They investigated me for two nights and two days and they gave me nothing to eat and drink for two days. That was what their policy, not to give food and water if their questions were not answered.

Question: How were you interrogated and tortured while you were kept at the Aung Thabyay Sitt Kyaw Police Station?

Answer: They used many techniques like tricking and persuading me to answer their questions. Among the many types of tortures they did to me, one type that hurt the most was when they would beat my head and my face with their boots. They took off their boots, and from behind they beat my head and face with their boots. They did this because I did not answer their questions. They also tortured me in many different ways. However, they did not torture me to permanently disfigure me. Besides that, they tortured me physically and tortured me mentally. They were trying to persuade me to tell them everything. Yet, I was aware that they would trick me to talk. What they said was that if I did not tell them who and what they want to know, my case is such a big one that they would detain me for up to 40-50 years. But, if I told them information that they wanted to know, they would reduce the years of imprisonment. They were trying to convince me by saying that was in their hands to reduce and increase the time served in prison and that they could even release me. I knew that they were tricking me. That is how they tricked and persuaded people. Another tactic they used was telling me that they would arrest the abbot from Naing-ha Lain village and my parents. Frightening me like that, my tears ran down my face, and they asked me whether or not I was afraid. I asked them in return "Why they were concerned with this?" They replied "Whether or not it concerns them, it is our responsibility to arrest your teachers and parents." That was how they frightened me. That's the time they interrogated me.

Question: At the Aung Thabyay Sitt Kyaw Police Station in Rangoon, how long were you kept there and what did they do to you while you were kept there?



Ashin Oak-kan-sa was seen on Military Intelligence truck in front of Thanbyuzayat police station

Answer: At that police station, I was kept there for about 23 days, and I was questioned non-stop for two days and two nights. They also sometimes interrogated me on other days. They bombarded me with endless questions on the first two days that I had got there. They did not let me rest and sleep nor did they give me something to eat and drink. I was worried about my friends. Concerned with their interest in my photos and videos. I would counteract their questioning with the fact that photography and film have been my hobbies since childhood. I was very interested in them since I was young. Whenever I went anywhere, I always took my camera and shot photos, that is my hobby. Also, at any meeting, whether or not they invited me to attend, I always went there to participate and when I got there I always took photos and videos. I did not know what their meetings were. They were none of my business and I did not care about that. People did not ask me about my ideas and opinions and I did not tell them either. Because there were lots of photos in the camera, I could make them blurry and complicated. So, they could not know and check out what they were and did not find many problems with the photos. The photos included the entire Mon nationals, and there were thousands of photos. Because there were so many photos, they did not focus much attention on the photos. Yet, what they found problems with me was with the Guiding Star newspapers that I distributed and the posters opposing the general elections, these were the main problems.

Question: When were you transferred to Inn-sein Prison? And what happened right after your arrival at the prison?

Answer: That was on February 1, 2010, when they transferred me to Insein Prison. Having been transferred to Insein Prison, they opened the case in a trial court in accordance with the laws of Insein Prison. It took more than 8 months. And, it was on 27th October, 2010 when they announced that I would be imprisoned. Right after their imprisonment announcement, I said “Thar Duu” three times and I also thanked them. Upon the announcement I was neither afraid or sad, I was even happy. This is because I knew that I was now a Mon political prisoner. Afterward, I started singing our Mon National Anthem right in the court. At the time, their eyes became wide since they did not know what I was singing about. I said Thar Duu and sang our Mon National Anthem as I wanted to show that I was still brave and loved our Mon people even though I was announced to be jailed as a political prisoner.

Ashin Oak-kan-sa is 30 years old and he is a resident of Mu-doon Village, Chaung Zone Township, Mon State. Before his incarceration, he was an assistant lecturer in Buddhism at Aung Zay Ya, Buddhism-teaching Monastery, in Nine-halon village, Mudon Township, and he lived and served as an assistant lecturer there for more than five years.

After his release, Ashin Oak-ka-sa continues his Buddhist monkhood. In addition, he will keep fighting for his beliefs and his people’s freedom and rights through politics and journalism.



Report

The Continuation of Human Rights Violations Despite Reforms

Summary

In Burma, after the civilian-led government was installed, some real steps of change was taking place, such as dialogue with pro-democracy leader Daw Aung San Suu Kyi and the allowance of her party, the National League for Democracy (NLD), to contest in the by-election, and relaxing some restrictions on the press and media. However, human rights abuses committed by government troops continue unabated in the ethnic minority areas.

HURFOM's field researchers gathered accounts of human rights abuses committed in the areas in which ethnic minorities reside during the eight month-long aftermath of the installation of the President Thein Sein-led civilian government. From December 2011 to the 2nd week of January 2012, HURFOM field researchers documented the human rights violations of local residents, of whom the majority are Karen people, from Than-ta-bin Township, Toungoo District, Pegu Division. The documented human rights abuses were committed by the battalions under Military Operations Command No. 9 (MOC). The abuses include forcing locals to serve unpaid labor; commandeering local-owned motorbikes, trucks and oxen carts to transport army supplies; and the use of truck drivers as human shields to drive their trucks through newly-made military routes as a purpose of clearing landmines.

In addition, from December 2011 to February 2012, HURFOM also documented the human rights abuses faced by local residents in Kyainnseiky Township, Kawkaik District, Karen State. The abuses committed by the government troops include the enforcement of villagers to porter and to serve as human shields; forcing local truck drivers to carry government troops' supplies; shooting innocent villagers and accusing villagers of having contact with rebel groups.

HURFOM has so far found out that human rights abuses are still being committed by government troops in spite of the establishment of a new civilian government and the founding of the National Human Rights Commission.

Background

Harvesting durian, mangoes, and betel nuts is what local residents in Htan Ta Bin Township, Toungoo District, Pegu Division depend on for their families' incomes. The majority of residents are Karen and they have to struggle for their daily meals. However, besides struggling for their daily lives, they face various human rights abuses committed by local based government's battalions under the authority of Military Operations Command (MOC) No. 9.

According to HURFOM's findings, both male and female villagers from Htan Ta Bin Township are forced to serve as porters, carrying army supplies, while also having to provide a large amount of money for government troops to celebrate the New Year holiday.

In addition, the villagers in Three Pagodas Pass Sub-township and Kyainnseiky Township, Kawkaik District, Karen State depend on the farming of rice, corn, tobacco leaf and other seasonal crops for their livelihood, while some also depend on driving trucks for their income. It is, however, not easy for them to escape the local based government battalions from forcing them to serve as porters and human shields.

According to a truck driver from Ye-lae village, Kyainnseiky Township, many truck drivers in the area are frequently ordered by the government battalions to carry their supplies, while they also have to provide the gas

and money for transportation. For them, there is no guarantee of safety during their term of forced labor because of the constant fighting between government troops and the rebel groups in the area.

Government Troops Commit Forced Labor in Htan Ta Bin Township



A frontline base of Military Operation Command (MOC) No. 9 in Toungoo District, Pegu Division

Starting in December 2011 to the 2nd week of January 2012, HURFOM documented the human rights abuses of villagers in Htan Ta Bin Township, Toungoo District, Pegu Division perpetrated by the government's battalions under the command of Military Operations Command (MOC) No. 9. The abuses include unpaid labor, and the commandeering of their motorbikes, oxen-carts and trucks for the use of transporting military supplies.

Bawgaligyi and Yethogyi villagers were forced by the troops of Bawgaligyi-based frontline of MOC No. 6, in Taungoo Town, Pegu Division, to carry army rations. Each villager had to carry two packages of rice on his or her motorbike from Palae Wa military base to Bawgaligyi

base. HURFOM field reporters documented that those 18 villagers who were forced to carry army rations were between the ages of 20–37.

The villagers who had their motorbikes and trucks commandeered were forced to un-plant landmines, and were also kept for the use of forced labor.

Arbitrary Fee Collection Practiced by Government Troops in Htan Ta Bin Township

On 2, December 2011, the Border Guard Force (BGF) No. 1014 led by Captain Tin Win called the village head of Ta-kaw Bo village and gave him some vouchers to collect fees from villagers for the celebration of the New Year. The villages that were also given vouchers and the number of vouchers given to each village are listed:

- 1) Mae-lae Kee village, 3 vouchers
- 2) No-kaw village, 1 voucher
- 3) Ta-kaw Bo village, 2 vouchers
- 4) Tal Pon village, 2 vouchers
- 5) Kon-tan gyi village, 2 vouchers
- 6) Sein-kyaw Lat Ta-pan village, 1 voucher
- 7) Mae-yae village, 1 voucher
- 8) Baw Tapa-ro village, 2 vouchers

- 9) Htee Panal village, 1 voucher
- 10) No-ta ray village, 1 voucher
- 11) Lae-kal Kaw village, 1 voucher
- 12) Kwee Ta Kaw village, 1 voucher
- 13) Htee Mae Baw village, 1 voucher

On 15 December 2011, the troops from Division No. 44, and LIB No. 102, together with Column No. 2's Captain Khin Zaw, Pa'an Township-based Border Guard Force's Major Taw Ma-na and Captain Tin Win entered Pa-lon Taung village and discharged gunfire and mortars near the village. They also forced the village head to accompany them and demand money from locals in Kyaung-wa village in order to celebrate the New Year. The villages that were forced to provide the fees for the New Year Celebration include:

- 1) Kya-sa village, 300,000 Kyat
- 2) Pa-lon Taung village, 300,000 Kyat
- 3) No-aw-lar village, 300,000 Kyat
- 4) Ta-lain Kayin village, 300,000 Kyat
- 5) Ye-aye village, 200,000 Kyat
- 6) Bal Ta-pyu village, 300,000 Kyat

If the amount of money demanded were not paid, the troops would intimidate the villagers by threatening to come to the village and ruin the village's New Year celebrations. Because of the intimidation tactic the villagers had to pay the demanded amount on 17th December 2011. Saw Baw-par, a villager from Tar-thu Kee village, was also taken by the troops as they accused him of being a member of the KNU.

Bawgaligy based MOC No. 9's Captain commandeered a truck and five motorbikes, besides taking a driver of a digging truck from Bawgaligy village, on 5 December 2011. The 6 drivers had to drive from Bawgaligy village to Maung Daing Gyi carrying military supplies as ordered by the MOC No. 9's Captain.

Female Villagers Also Face Forced Labor

On December 9, 2011 32 local residents from Ye-ta-kon village were forced by LIB No. 375 based in Ye-ta-kon village, Htan Ta Bin Township to cut and clean the bush on the way from Ye-ta-kon village to Pa-lae-Wa village. On 7 December 2011 48 male villagers and two female villagers from Ye-ta-kon village were forced by LIB No. 375 to cut and clean the bush on the way from Ye-ta-kon military base to Pa-lae-wa village. On 7 December 2011 from 18:40 pm to 20:00 pm there were about 10 mortar shells fired from outside the village by troops from MOC No.9's LIB No. 378 led by Battalion Commander Lin Thein Oo from Maung Ngaw-gyi Frontline base including gun firing in to the village. Of 10 mortar shells fired five shells went off in the village while the other five shells exploded outside the village; no villagers were injured.

On December 13, 2011, 16 villagers, made up of 13 males and three females from Maung Ngaw-gyi village, were forced by LIB No. 378's battalion commander Lin Htein Oo to porter their rations from Maung Ngaw-gyi village to Nan-Changkwin village. On December 15, 2011, again, there were 13 male villagers and three female villagers from Maung Ngaw-gyi village forced to carry army rations from Maung Ngaw-gyi to Nan-change-kwin village. On 14 December 2011 seven villagers from Ye-ta-kon village were forced by LIB No.375 to clear out the road from Ye-ta-kon village to Pa-lae-wa village, Htan Ta Bin Township.



Ethnic Karen villagers forced to fence government plantation's base in Htan Ta Bin Township

On December 18, 2011 LIB No. 357's Column No. 1 and Column No. 2, made up of over 100 fighters, came to the station in Sat-ka-wat village. The two columns headed back to Taung-palon village on December 20, 2011. On their way back, they took about 24 Sat-ka-wat villagers, consisting of males and females, to lead the troops to Taung-palon village as human shields. Some of those villagers were middle-aged adults while some were as old as 60-67 years old.

In addition, on December 29, 2011 MOC No. 9's LIB No. 375, based in Tap-bu village, ordered the drivers of 16 Ox-carts

from the village located at the bottom of mountain to carry their army supplies to Htee-Muu-tar base.

Human Rights Abuses Continue to Happen in Kyainnseikyi Township

Villagers Forced to Serve as Porters and Human Shields

On 14 December 2011 IB No. 62's Column No.2, led by Major Ko Ko Oo, arrested two residents from Ah-nan Kawin village, Three Pagodas Pass (TPP) Sub-township, while two other villagers from the village were arrested by the same Column again the next day, December 15 2011. The arrested villagers were forced to guide the way for the troops and made to carry the army's food supplies and other materials. On December 16 2011, the first two villagers escaped from the forced labor, whereas the other two arrested villagers were freed to go home on the same day.

Local Villager Subjected to Inhumane Torture

HURFOM documented that with the reasons of ongoing fighting in the region, the government troops continue to commit human rights abuses to ethnic groups living in Kyainnseikyi Township, Kawkareik District, Karen State. During their military operation, the government troops from LIB No.562 shot a local resident. The resident was being interrogated by the troops on KNU movements, which the resident could not answer properly due to language difficulty.

This event shows that the ordinary villagers who have to struggle for their daily meals and who have no knowledge of ethnic armed group's movement are still facing inhumane torture committed by government troops.

The shooting of the innocent villager took place near Ta-po Poe-hta village, which is located west of Hongta-raw stream, lying west of Kyaik-don -- Kyainnseikyi highway, in Kawkareik District, Karen State. Ta-po Poe-hta village has only 25 households and the majority of the villagers depend on farming for their living.

The villagers depend on roughly a two mile long farmland close to the village to grow rice, corn, tobacco leaf and other seasonal crops for their livelihoods. The government troops' suspicion and treatment of the Ta-po Poe-hta villagers as informants of the KNU place the villagers in a dangerous situation in which they are always questioned by authority. The latest case occurred during the military operations. When the villagers could not answer the troops' interrogations, they were beaten up, killed, and had their belongings taken away.

An interview with Saw Ka-lon Sae (not the interviewee's real name), the witness stated that on 30 January 2012, Saw Khaing Kyi (not the victim's real name), 35, a Ta-po Poe-hta villager, was questioned by a Column from LIB No. 562, led by Second Colonel Kyaw Naing, when he was heading back from his crop field and before getting to his village about 5 Furlongs. Saw Khaing Kyi's right thigh was shot.

“Saw Khaing Kyi is from my village. He can only speak Karen. We, the villagers, know that he is quiet and innocent. He can not tell anything about armed-related issues in Burmese. The Colonel Kyaw Naing is the worst Colonel in the region. Saw Khaing Kyi was taken to the troops' base when he was heading back from his crop field. He was questioned there, and then his jaw was hit. As he could not reply in Burmese, he was verbally abused and finally got shot in his right thigh by the troops. We saw the occurrence and we thought he was dead. We took him to the village after he stopped bleeding. Because the bone in his leg got hit by the bullet, we are not sure that his leg will recover and if he can even use his leg like before. He has three children and the whole family depends on him.” Witness, Saw Ka-lon Sae.

When HURFOM contacted a member of the Township Administration in Kyainnseikyi Township, Kawkareik District, he said that that the case was true, but the troops did not ask any questions concerning with the KNU but Saw Khaing Kyi just got shot as he could not reply to what they asked. The official could not give any more details.

An officer from the KNU's Kyainnseikyi Township Administration gave his opinions that the new national reforms only take place in the country's capital and other large cities and towns but not in the countryside. Unless the government troops stop committing human rights abuses, there will be no such democratic reform taking place in the whole country; he urged to end the ongoing abuses and the oppression of local people:

“It is sure that change and reached peace agreements talks have only taken place in Rangoon, Nay Pyi Taw, and other big towns. But for the local villagers residing in the countryside (or in rural areas), they just continue to face abuses that affect their livelihoods. We hear about that. The real reform will not happen if human rights abuses continue to be committed in the rural areas. The army troops should obey their government's order and respect human rights. I just want to say that ongoing abuses and oppression should be stopped right now.”, Officer from the KNU's Kyainnseikyi Township Administration.

Local Truck drivers Forced to Carry Army Supplies

On 13 February 2012 at 8 AM, LIB No. 283's Lieutenant Colonel Moe Myint Kyaw, together with his 35 men, demanded five truck drivers, who were driving to Kyainnseikyi, to carry the army's rations and other materials. The drivers themselves had to load on the stuff and they were forced to drive ahead of the frontline troops. Also, the drivers had to give some gallons of their gas and money to the troops. The statement below was given by a driver, a native of Ye-lae village, Kyainnseikyi Township. His name is Pan-ko, 30, a Lon-shan native.

“In this year alone, the truck I drive has been commandeered about 12 times already. I had to provide labor, gas, and even money. I do not own the truck, I'm just hired to work as a driver according to the seasons. It really affects us as they just use their power, pointing their guns at us and forcing us to work. On 13 February at 8 AM, we had to drive to Pin-ma Kon 283 army base in Three Pagoda Pass Town to load on their stuff and then drive out on the same day. They did not feed us anything. Not only did we have to drive their rations on the trucks, we, the



Private trucks owned by local villagers are commandeered by Government Battalion in Kawkareik District

people, were also used. We had to load their rations and other stuff on the trucks by ourselves. And, they did not let us go home after using us for one day. Whenever they demanded us we had to work, they only let us go home after three days to one week. And, this last time, they let us go earlier they used us for only two days. Yet, 1,0000 kyat of mine was taken by a soldier. Some other drivers were slapped on the face and yelled at by the soldiers when they asked to let them go home. And, we could not drive as we wished. It was just like we were driving held by gunpoint, the enemies could shoot anytime they wanted. I was just tired, I kept praying that no fighting would breakout while I was driving for them. If I was unlucky, the truck would be damaged and I would be dead.. Last year, a friend of mine was driving to Ye-lae and Taung Sone villages as demanded by the government troops. He was shot dead since fighting broke out while he driving. I had to pray for it not to happen to; it was very dangerous. We knew that we would be forced by the troops as long as they were here. It was too unfair to force us like this. We just wanted them to understand our situation and how we had to struggle for our daily meals.”,Pan-Ko.



A group of civilian porters seen in Taung Zone village, Kyarinnseiky Township on January 21st,

Conclusion

It is clear that although many people believe that President Thein Sein and his Administration have taken some steps of change, for those villagers in Htan Ta Bin and Kyainnseiky townships the “change” is just a word as they are still experiencing human rights abuses at the hands of government troops, such as those documented in this report.

The findings in this report show that civilians residing in the affected areas have become the victims of extortion and inhumane torture by government troops. In addition, they are forced to carry military supplies, to clean and cut the brush, and to clear landmines by walking ahead of the troops, besides providing their oxen-carts, motorbikes, and trucks for the use of carrying military supplies. Finally, they were demanded to provide a large amount of money for the government battalions’ New Year celebrations.

Despite the establishment of a supposedly civilian-led government and the formation of the National Human Rights Commission, human rights abuses are still prevalent throughout the rural areas. Hence, it is a moral imperative for the new civilian government to move towards expansive democratic reforms, which contributes to all ethnic groups. And to establish political dialogues with all ethnic armed groups in order to end fighting and to bring about a stable peace. If the government continues to ignore the human rights situation throughout Burma, the people of Burma will continue to face and suffer human rights abuses in an environment of impunity.

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