KHRG Karen Human Rights Group
Documenting the voices of villagers in rural Burma

News Bulletin
March 22, 2015 / KHRG #15-5-NB1

The Asia Highway: Planned Eindu to Kawkareik Town road construction threatens villagers' livelihoods

This News Bulletin describes the proposed construction of a portion of the Asia Highway from Eindu to Kawkareik Town, crossing 17 different villages and one town in Hpa-an, Kyonedoe and Kawkareik townships in Dooplaya and Hpa-an districts. The Burma/Myanmar government has demarcated the route and plans to construct the road with funding from the Asian Development Bank (ADB). The planning of the project has thus far been carried out with little consultation with local communities, who remain suspicious of such projects. If implemented, the highway construction would result in the confiscation of villagers' land, posing a threat to their basic livelihoods.[1]

The Asia Highway is a large-scale, regional project funded in part by the Asian Development Bank (ADB). The section of the highway under consideration in southeastern Burma/Myanmar will connect Eindu to Kawkareik Town and will cross through 17 villages and one town in Hpa-an, Kyonedoe and Kawkareik townships in Dooplaya and Hpa-an districts: 1) Mya Pyi village; 2) Eindu village; 3) Lu Nya village; 4) Ka Nay Du village; 5) Kawk Ka Da village; 6) Thayar Gone village; 7) Weh Kayin village; 8) Durein village; 9) Kyakalay village; 10) Ma Neh K'Kyeh village; 11) Kyonedoe Town; 12) Nwa Cha Kone village; 13) Nya Taing village; 14) Yay Pu village; 15) Lay Taing village; 16) Kone Taing village; 17) Tada Kyo village; and 18) Hlaing Wa village.

As a result, road construction will affect many villagers' plantations, paddy fields, shops and houses along the route, resulting in a number of possible negative impacts. The Burma/Myanmar government often undertakes such projects without respecting the rights of local people or considering the benefits they may gain from the project. In this particular case, only one of the affected communities has reportedly been consulted regarding the project thus far. In addition to the direct effects of the road construction itself, the completion of this particular road will have additional spillover effects, as it will grant greater access to the area for foreign direct investment and additional development projects that may also occur.

[1] This News Bulletin was written by KHRG office staff and is based on information from a community member from Dooplaya District who has been trained by KHRG to monitor local human rights conditions. It was received by KHRG in February 2015. In order to increase the transparency of KHRG methodology and more directly communicate the experiences and perspectives of villagers in eastern Burma, KHRG aims to make all field information received available on the KHRG website once it has been processed and translated, subject only to security considerations. For additional reports categorised by Type, Issue, Location and Year, please see the Related Readings component following each report on KHRG's Website.

The photo on the left was taken on February 14th 2015 in Eindu village, Hpa-an Township. This photo shows a large sign titled, 'No Trespassing in Road Area'. A villager stated that the community building directly behind the sign will be destroyed if road construction starts. The photo on the right was taken on February 7th 2015 in Weh Kayin village, Hpa-an Township. The photo is of a concrete marker announcing 'Road Area' which was placed in a villager's field by a group of government planners who came to the area. This kind of activity has led to concerns amongst local villagers because villagers do not know when road construction will start, when their property will be destroyed, and whether they will be compensated for any lost land. *[Photos: KHRG]*

In late 2014, villagers noticed a group of people who came and surveyed a route for the Asia Highway from Eindu to Kawkareik Town. The survey team placed signs and many concrete markers along the planned highway route. An unnamed villager said, *"We asked them, 'why are you measuring the road?' They said that they were measuring the road according to orders given to them from their leaders* [Burma/Myanmar government authority] *and that they did not know anything."* These road developers did not engage or consult with the villagers, and instead demarcated the planned route while disregarding the villagers' property rights, as well as their right to free, prior and informed consent (FPIC).[2] Such activity has raised villagers' concerns regarding the highway construction project.

In Thayar Gone village, one of the villages affected by the road project, a few representatives from ADB did meet with community members. Although they asked about the villagers' perspectives and concerns regarding the Asia Highway, they did not provide any information when villagers inquired about whether they would receive any compensation for their lost land. This is the only case KHRG has received of a village having had any consultation.

Moving forward, there are four main points to keep in mind regarding the Asia Highway project. First, groups involved have not been properly consulted with or guaranteed compensation for potentially lost land, and have therefore had their right to FPIC violated. Second, the planned route of the road will lead to the destruction of individuals' property in 17 villages and one town, including homes, shops, paddy fields and plantations being destroyed. Third, the destruction of this property will impact villagers' livelihoods, with the

[2] Article 10 of the United Nations Declaration on the Rights of Indigenous People, which Burma/Myanmar signed on September 13, 2007, states that, "Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior, and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return."

possibility of displacement and economic migration as a result. Finally, the road project has already negatively affected community members, as the presence of road planners and route markers have placed villagers along the highway in a position where they feel under threat due to not knowing if and when their property will be taken over, when the road construction will start and whether or not they will receive fair compensation.

This photo was taken on February 14th 2015, in S--- village, Hpa-an Township. The proposed highway will cross through the centre of Saw M---'s paddy field, depicted in the picture. He lives under threat of potentially losing his land, which would negatively affect the livelihoods of him and his family. He has not been told whether he will receive any compensation for his lost land. *[Photo: KHRG]*

Villagers have come to distrust the Burma/Myanmar government due to the fact that the Tatmadaw has confiscated hundreds of thousands of acres of land for military purposes[3] while the government has also allowed domestic and foreign companies to establish gold mines, carry out logging, build dams, develop infrastructure, and seize land for large-scale agricultural projects which have been creating land tenure problems throughout southeastern Burma/Myanmar.[4]

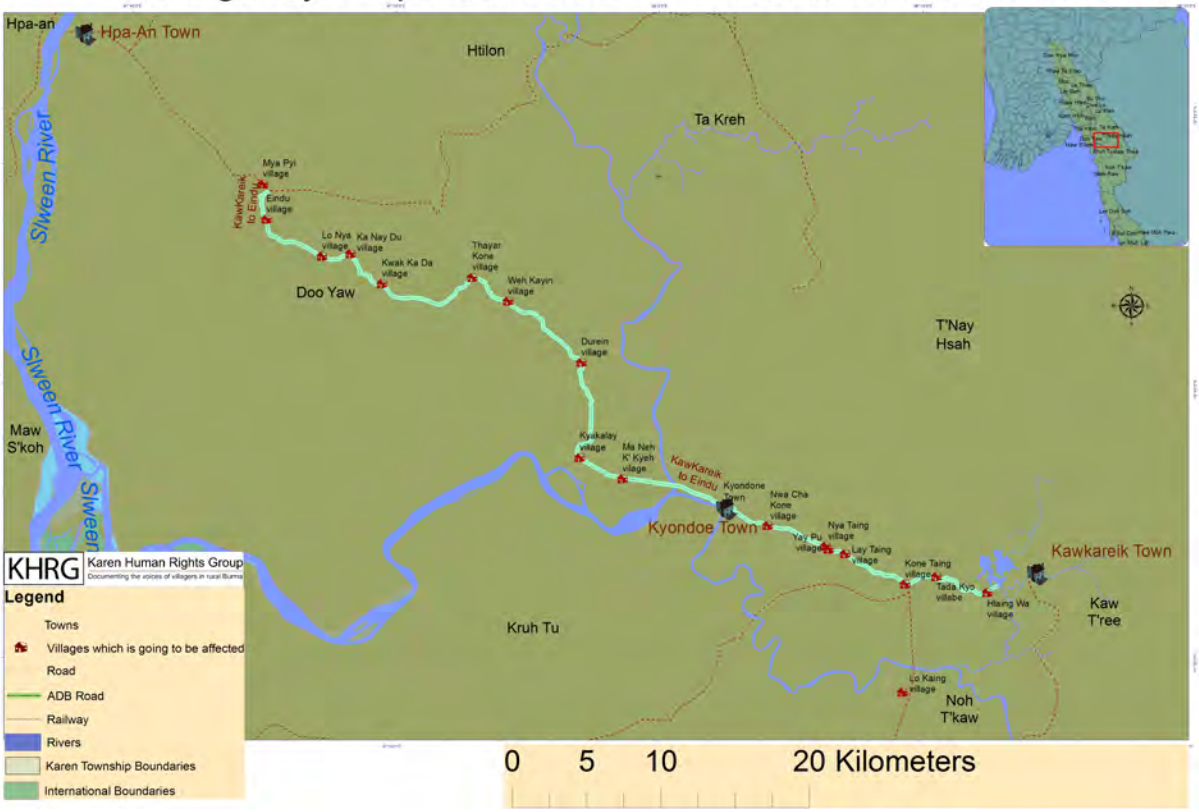
Although not a direct part of the proposed route above, a nearby road construction project is indicative of the problems associated with these types of projects. The road goes from Lu Kaing village to Htee Ngu Thaw village, and construction began on this project in February 2015 with no consultation with local villagers or compensation paid for land destroyed. Villagers were only made aware of the project with the arrival of heavy machinery, which quickly destroyed villagers' homes and rubber plantations. Such cases of abuse have made surrounding villages wary of the newly proposed highway project, which has the potential to have a similar effect on their own communities.

[3] The Farmlands and other Acquisitions Inquiry Commission released a report in March 2013 which documented the seizure of approximately 250,000 acres of land by the military; see Htet Naing Zaw and Aya Kyawt Khaing, "Military Involved in Massive Land Grabs: Parliamentary Report," *The Irrawaddy*, March 2013.

[4] KHRG's 2013 report, *Losing Ground: Land conflicts and collective action in eastern Myanmar*, documents these trends in detail.

These photos were taken on February 13th 2015, in Lu Kaing village, Kyainseikgyi Township, Dooplaya District. The photos are of the road from Lu Kaing village, 2km from the Asia Highway route, to Htee Ngu Thaw village, which is already being constructed and is not a direct part of the Asia Highway proposal. The road construction destroyed villagers' rubber plantations and homes, however the Burma/Myanmar government has not provided any compensation. No consultation meetings were held with local villagers and villagers only became aware of the project when road construction started and they saw bulldozers destroying their property. *[Photos: KHRG]*

Further background reading on the situation in Dooplaya District can be found in the following KHRG reports:

- "Dooplaya Interview: Maung A---, August 2014," (February 2015)
- "Ongoing militarisation of southeastern Burma/Myanmar, sine the January 2012 ceasefire agreement between the Karen National Union (KNU) and the Burma/Myanmar government," (February, 2015)
- "Dooplaya Photo Set: Land confiscation in Kawkareik and Kyainseikgyi townships, December 2013 to September 2014," (February 2015)
- "Dooplaya Situation Update: Kawkareik, Kyainseikgyi and Kyonedoe townships, May to October 2014," (February 2015)
- "Dooplaya Interview: Ma A---, May 2013," (January 2015)

Asia Highway: Proposed Route From Eindu to Kawkareik Town