

SHRF MONTHLY REPORT - APRIL 2008

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COMMENTARY

Land Confiscation

Land confiscation, one of the major factors that has been depriving rural farmers of their livelihood and often consequently displacing them, by SPDC military authorities is still going on unabated in Shan State.

Although land confiscation started to take place during the 1960s after the Burmese military seized state power and started deploying their troops all over Shan State, it had been small scale and less frequent compared to what has been taking place over the last decade or so.

Over the last 2 decades, in their effort to militarize all the rural areas in Shan State, the Burmese military junta have increased the numbers of military battalions many times and have confiscated many lands to accommodate new battalions.

Although at first lands were confiscated only to set up military bases and camps, after the junta mandated their troops to live off the land, the troops started to confiscate extra lands to create their own income from the local populations, depriving them of their ancestral lands and their livelihood..

Lands have also been confiscated for other reasons, e.g., building state infrastructure; setting up state-run plantations of various plants and crops.

Incidents of land confiscation that have taken place, which have been collected by SHRF field workers, during the course of 2007 are being reported in a special section in this month's issue.

This issue also contains reports on arbitrary killing, beating and forcible displacement committed by the SPDC troops in Shan State.

LAHU VILLAGERS BEATEN UP, SHOT DEAD, IN KAE-SEE

In January 2008, a Lahu villager was shot dead and 2 other were beaten up by SPDC troops from IB287 near Murng Lerm village in Murng Nawng village tract, **Kae-See** township.

On 4 January 2008, a patrol of about 15 SPDC troops from IB287 came to Murng Lerm village in Murng Nawng village tract, Kae-See township, and forcibly took away 3 male villagers, all of them aged about over 40, to the east of the village.

At a place about 3-4 kilos from the village, the SPDC troops interrogated the 3 villagers about the situation of the Shan soldiers in the area. The troops said they had heard that Shan soldiers had often passed through the area near their village and asked the villagers if they had seen them recently.

During the interrogation, the SPDC troops beat up the villagers because they denied having seen any Shan soldiers that had passed near their village. Eventually, out of anger the troops shot dead one of the villagers before they released the other 2.

The 2 villagers reported the incident to their village and community leaders,

taking off their clothes to show the bruises and sprains on their bodies which they had sustained from the beating. A whole-village meeting of the Lahu community was then held, at which a decision was made to lodge a complaint with the authorities in the area.

The Lahu villagers first went to report the incident to the Shan ceasefire group, Brigade 7, in the area, who said they would help in any ways possible within their capacity. After that, they went to the base of IB287 at Murng Nawng village and filed a complaint with the authorities there.

Although the military authorities said that they would look into the matter and immediately take actions against the perpetrators, no such things happened up until the time this report was received in February 2008.

VILLAGERS SEVERELY BEATEN UP IN KUN-HING

In November 2007, 2 villagers of Nam Seng village in Kali village tract, **Kun-Hing** township, were repeatedly beaten up by SPDC troops from IB246 so severely that both of them lost consciousness and were near dead, at their village.

On 5 November 2007, at about 10 o'clock at night, Aung Sa (m), aged 20 and Zaai Thi (m), aged 18, were returning together from courting village girls when they ran into a patrol of about 12 SPDC troops from IB246 at the entrance of their village, Nam Seng.

The SPDC troops stopped the 2 villagers and asked them about movements of Shan soldiers in the area. When the villagers said they did not know, the troops accused them of lying and beat them with sticks. The troops repeated their questions and beat the villagers several times.

After a while the SPDC troops said to the 2 villagers that if they agreed to join the Burmese military and become a soldier to serve the country and go with them to their base, they would forgive them for lying and stop punishing them.

But the villagers refused to comply with the troops' demands and they continued to beat them until they both lost consciousness. They were beaten with sticks on the head, neck and all over their bodies and were near dead. They regained consciousness only some time after they had been carried home by their relatives and fellow villagers.

Although the villagers were well aware of the fact that they had done nothing wrong and were beaten up only because the SPDC troops wanted to, they dared not do anything because they had no place to file a complaint other than the authorities at the IB246.

FORCIBLE DISPLACEMENT IN MURNG-SART

In November 2007, SPDC authorities in **Murng-Sart** township issued an order requiring Murng-Sart townspeople to fix and beautify their fences and houses, or build new ones, especially those on the main roads, stating that those who did not comply would be relocated away from the main roads.

The reason for issuing such an order was because there would be foreigners passing to and fro through Murng-Sart town during the coming dry seasons, and the SPDC authorities did not want them to see any dilapidated fences and houses along the main roads.

People who could not afford to comply with the order because they could not find enough money to build new houses or repair their old ones in time were forced

to dismantle them and move to other places away from the main roads. People who could not afford the cost even to do that had to abandon their houses and leave.

There were at least 15 families from just one of the town quarters who had abandoned their houses and come to the Thai border during the end of 2007 in the hope of resettling somewhere in Thailand, or at least working and earning enough to feed their families.

“We had been oppressed by the Burmese soldiers for so long that we had lost all our decent means of livelihood. We were just struggling to survive from day to day when they forced us to build new houses. We were not even able to feed our families properly or fix our old houses, let alone build new ones”, they said.

SITUATION OF LAND CONFISCATION IN SHAN STATE DURING 2007

Over the last 2 decades, hundreds of thousands of acres of lands on which local people wholly or partly depended for their livelihood have been confiscated by the SPDC troops that have been expanding their presence in Shan State.

Lands have been and are being confiscated for several reasons, including for setting up military bases and facilities; for creating sources of income for military battalions; for constructing state infrastructure; for setting up state-run agricultural projects; etc..

Since confiscated lands often were those that traditionally belonged to local people who had to depend one way or another on the lands, many people also lost their livelihood together with their lands and became destitute landless farmers.

Land confiscation also often involved requisition of forced labour and extortion of money and things by the SPDC authorities from the destitute villagers.

LAND CONFISCATION, FORCED LABOUR AND EXTORTION, IN KUN-HING

*During July and August 2007, many acres of cultivated lands, mostly rice and sesame farms, belonging to local villagers were confiscated by SPDC authorities in **Kun-Hing** township to expand state-run physic nut plantations.*

Unpaid forced labour of the people was used to clear the lands of the crops that had already been grown by the villagers. Money and rice were also extorted from the people during the time of the confiscation.

The following are 2 such incidents:

In July 2007, members of civilian administration, working at the behest of the SPDC authorities, in Kun-Hing township joined hands with the SPDC troops and confiscated several acres of cultivated land belonging to villagers in Lai Kaam village tract in **Kun-Hing** township.

The land comprised 22 plots of rice farms belonging to 22 village families, in which rice plants were already more than one foot tall at the time of confiscation. Each plot of rice farm was at least over 2 acres wide so that altogether the area of the land was not less than 50 acres

After confiscating the land, the authorities ordered mini-tractors of the people in the area to clear the land of the rice plants. Three mini-tractors per day had to work clearing the land for several days until it was finished, which was at least not less than 15 days.

Tractor owners in the area had to take turn and provide unpaid forced labour with their tractors, while people without tractors had to provide money to buy fuel for the tractors. Even owners of the confiscated rice farms who also happened to be owners of mini-tractors were not spared.

The reason given by the authorities for deliberately choosing the rice farms, instead of other empty land areas, for physic nut plantations was because they were close to the main road so that senior military authorities passing through could see them and assume that the military and the people in Kun-Hing township were united.

In August 2007, many acres of villagers' rice and sesame farms belonging to villagers in Paang Nim village tract in **Kun-Hing** township were also confiscated by the SPDC troops to make way for physic nut plantations.

The SPDC troops conducting the confiscation were from IB246 who were stationed at an outpost camp in Pang Nim village tract. There were about 40-50 of them with a lieutenant taking charge. The farms they confiscated were located close to the Kun-Hing - Nam-Zarng main road.

The farms belonged to the villagers of 4 villages in Paang Nim village tract, e.g., Kung Pao, Nam Hoo, Kai Ek and Paang Nim, which were all villages of the Palaung people. There were 56 plots of rice farms and 37 plots of sesame farms, each of which belonged to one family and was not less than 2 acres wide.

At the time of the confiscation, the rice plants in the farms were almost ready to produce rice ears and the sesame plants were already flowering. Although the SPDC troops did nothing immediately to the farms they did not allow the villagers to look after them and the crops were left to die.

Only after some time, about a month, did the SPDC troops conscript forced labour of the villagers from the nearby villages to clear the land of the rice and sesame plants, which were already ruined, to prepare the ground for planting physic nuts. But the land was still left empty, with nothing being planted, until this report was received at the end of 2007.

At about the same time, the SPDC troops also issued an order requiring the villagers to provide rice for the consumption of the outpost camp. Every household in the area was required to bring 3/4 basket of husked rice to the camp within a month without fail.

LAND CONFISCATION IN KAENG-TUNG

*In early and mid 2007, SPDC military battalions based in Kaeng-Tung township confiscated thousands of acres of villagers' lands, which had been useful sources of building materials and firewood and in many other ways for the villagers for generations, in several village tracts in **Kaeng-Tung** township.*

The reasons for confiscating the land were to set up rubber and physic nut plantations, (mainly rubber) to generate incomes for their respective battalions.

The following are some such incidents:

In June 2007, SPDC troops of a unit known as (G - 1), based in Kaeng-Tung township, confiscated more than 1,000 acres of land in Kaad Pha and Murng Lang village tracts in **Kaeng-Tung** township to set up rubber and physic nut plantations for their own battalion.

The confiscated lands were located in the areas where the frontiers of Kaad Pha and Murng Lang village tracts met and included hundreds of acres of woodlands that had belonged to the villagers in the 2 village tracts for generations.

After confiscating the land, the SPDC troops did not allow the former-owner villagers to cut any wood or gather other forest produce from it. Not even villagers' livestock such as pigs and cattle were allowed to enter the land.

Once they entered the forbidden land, pigs and chickens were simply hunted and eaten by the SPDC troops while cattle would be held and the owners forced to pay fines to get them back. It was quite difficult for the villagers to prevent their livestock from getting into the land areas because of their closeness to their villages, and they often had to lose their pigs and chickens and pay fines for their cattle.

The villagers had tried to appeal for help from the Kaeng-Tung township SPDC authorities, but they gave up after nothing happened in their favour for some time. The villagers were completely helpless and many of them stopped keeping livestock because of the unbearable troubles.

In June 2007, one SPDC artillery battalion, based in Murng Zaem village tract in Kaeng-Tung township, confiscated more than 700 acres of villagers' land in Murng Zaem and Murng Laab village tracts in **Kaeng-Tung** township.

At the same time, one SPDC communication battalion, based in Murng Zaem village tract in Kaeng-Tung township, also confiscated 600 acres of villagers' land in Murng Zaem and Murng Laab village tracts. These land areas were adjacent to the land areas confiscated by the above-mentioned artillery battalion.

The lands were mostly woodlands of the local villagers who had depended on those lands for building materials and firewood for generations. The reasons for confiscating the lands were also to set up rubber plantations for their respective battalions.

After the confiscation, although the lands had not yet been used in any way, no villagers were allowed by the SPDC troops to cut wood or gather any forest produce in the land areas.

Earlier in January 2007, the commander of (G - 1) had already confiscated more than 500 acres of villagers' woodlands in Yaang Kaeng village tract in **Kaeng-Tung** township. This was also for planting rubber, but apparently only for the commander and his cohorts.

The former owners of the woodlands had asked the commander for permission to cut wood for the last time on the lands before the trees and bamboo were cleared away for planting rubber. But the commander did not permit the villagers, saying he would give them to whoever he chose to run the rubber plantation for him.

It was said that the land had been given to a businessman who lived in Kaeng-Tung to take responsibility to set up and run rubber plantations on behalf of the commander, the profits from which would be shared by them later.

LAND CONFISCATION AND FORCED LABOUR IN MURNG-PAN

In early part of 2007, more than 20 acres of villagers' ancestral farm lands were confiscated by the SPDC troops of LIB575, at Nawng Pa Mon village in Naa Law village tract in **Murng-Pan** township, to grow physic nut and other crops for their battalion.

In March 2007, the SPDC commander of LIB575 summoned 4 villagers of Nawng Pa Mon village to the military base and told them that they would have to find new lands for growing crops because their farm lands that were located near their village would be confiscated by the military.

The SPDC troops said that they had to confiscate the lands because they needed to grow physic nut and other crops to generate income to help support their battalion, as had been ordered by higher up authorities who they could not defy.

The confiscated land areas were altogether about 20 acres and were located just east of Nawng Pa Mon village, and had been used to cultivate seasonal crops and fruit plants such as banana and papaya, etc., by the villagers for generations.

In May 2007, the SPDC troops requisitioned forced labour of Nawng Pa Mon villagers to grow physic nut and other crops on the confiscated land. Villagers' mini-tractors were also conscripted to clear the land and till the ground.

All the villagers, including the owners of the confiscated lands, the mini-tractors' owners and the forced labourers, received nothing for what they had to give to the military, and no one could do anything about it.

LAND CONFISCATION, FORCED LABOUR AND EXTORTION, IN MURNG-TON

The following 3 incidents are examples of land confiscation by the SPDC troops and their cohorts in Murng-Ton township:

(Land confiscation for planting teak trees using forced labour, and extortion of money)

In mid 2007, about 600 acres of cultivated lands of the villagers of Naa Kawng Mu village in Murng Haang village tract, **Murng-Ton** township, were confiscated by the SPDC troops of IB65 for planting teak trees.

In July 2007, after 3,000 teak saplings were transported from Ta-Khi-Laek-based LIB331 to the base of IB65 at Naa Kawng Mu village in Murng Haang village tract, Murng-Ton township, the SPDC troops of IB65 confiscated villagers' farm lands and, using forced labour of the villagers, planted teak saplings in them.

Together with members of a Lahu people's militia group in the area, 25 villagers of Naa Kawng Mu village each day were required to plant the teak saplings on lands specified and confiscated from the local farmers by the SPDC troops of IB65.

The confiscated lands covered an area of about 600 acres which consisted of many plots of rice and sesame farms belonging to not less than 125 village families of Naa Kawng Mu village, many of whom had been working and mainly depending on those farms for several years.

The SPDC troops compensated nothing for the losses of the farmers except letting them harvest their last crops which had already been planted at the time of the confiscation of their lands. But the harvest would not yield much because many crop plants had been destroyed during the planting of the teak trees.

About a month earlier, those farmers had already been forced to pay 2,000 kyat for each acre of land they grew crops on as land taxes by a group of SPDC troops calling themselves something that could be roughly translated as "military security force".

(Land confiscation for building state infrastructure)

In mid 2007, more than 20 acres of villagers' rice fields located near Murng-Ton town in **Murng-Ton** township were confiscated by the SPDC troops of IB65 to make way for building a large electricity relaying power station.

In May 2007, earth was dumped and spread over an area of rice fields belonging to Murng-Ton townspeople by the SPDC troops, using trucks and an excavator machine, without informing the owners in advance that their lands would be confiscated.

The land area altogether covered over 20 acres of rice fields belonging to more than 15 local farmers who had cultivated rice in them every year in the past for a long time up until the previous year before they were taken from them by the SPDC troops.

The SPDC troops said that the land area had been chosen for a power relay station which would be built in the future and an office for conducting relations between Burmese and Thai officials. The station would receive electricity from Ta Sang dam power plant, which would be build on the Salween river, and relay it to Thailand.

The authorities did not compensate anything for the losses of the farmers, saying that the lands originally belonged to the state and they could be taken back by it any time it wanted. Farmers should be grateful for being allowed to use them for their own benefits during the previous years, they said.

In fact, many plots of local people's lands on the outskirts of Murng-Ton town had already been confiscated for several other purposes by the SPDC troops since 2003-2004 with no compensation whatsoever, often stating that the state was just taking back its property for the benefits of many.

(Land confiscation for people's militia group)

In April 2007, several acres of farm lands belonging to villagers of Me Ken village in Me Ken village tract, **Murng-Ton** township, were confiscated by the SPDC authorities and given to a Lahu people's militia group who were stationed near Me Ken village.

The confiscated lands included 6 acres of banana and sugarcane farms and 2 acres of rice fields which belonged of 2 families of Me Ken village who had been working and depending for their livelihood on them for generations.

Since setting up their base near Me Ken village on the order of the SPDC authorities several years ago, the said Lahu people's militia group, led by a man named Tin Win, had been trying to claim ownership of several acres of lands around their base. But most of the lands had already been cultivated by villagers of Me Ken for generations.

However, in April 2007, officials from Land Survey Department of the SPDC came to Me Ken village and measured up some 8 acres of lands near the base of the Lahu people's militia group and declared them belonging to members of that Lahu people's militia group.

When some villagers of Me Ken tried to plead with the authorities explaining that the lands were their ancestral lands which they had been working for generations, they were told by the authorities that all lands belonged to the state and they could be taken back by it at any time.

