

MON NATIONAL AFFAIRS BUDGET CUT IN CONTROVERSIAL DECISION BY CHIEF MINISTER



November 1, 2018

HURFOM: During a revision of the 2018-19 budget the State Government has significantly reduced its allocation to Mon National affairs. One third of the budget from the previous year has been scraped in favour of Karen National affairs. The lower budget will not cover proposed projects, impacting the most on Mon education programs.

The Mon State government has decided to allocate just 100 million Myanmar Kyat (MMK) for all Mon affairs, cutting the budget by 50 million MMK. "Last year, we funded the Mon National Day and the Mon Summer School Program costing 100 million MMK for these projects alone. No funding will be left, but we have other programs to support" said Dr Min Kyi Win, the Mon State Minister of Natural Resources and Environmental Conservation.

Last year, a total of 450 million MMK was allocated for all ethnic affairs, with 150 million MMK for Mon, and 100 million MMK each for the remaining Karen, Pa-O and Bamar groups. Despite economic growth in Myanmar, the Mon State government has not increased the overall budget and has reduced the Mon ethnic affairs budget by 50 million MMK which has been allocated to Karen National affairs.

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HURFOM RELEASES "I STILL REMEMBER": DESIRES FOR ACKNOWLEDGEMENT AND JUSTICE FOR PAST AND ONGOING HUMAN RIGHTS VIOLATIONS IN MON AREAS OF SOUTHERN BURMA"

YOU CANNOT IGNORE US:
Victims of human rights violations in Burma from 1970 - 2017 outline their desires for justice

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72ND MON NATIONAL DAY EXPERIENCING A FUNDING SHORTAGE



December 19, 2018

HURFOM: According to the Central Organizing Committee of the 72nd Mon National Day, there is currently a funding shortage affecting the preparations for the historic event.

The organizing committee held its 6th meeting in the Mon Public Hall in Mawlamyine on December 16th and the committee said plans to allocate approximately 120 million kyat (US \$76,088.78) for the central celebration of the 72nd Mon National Day were currently experiencing a funding shortfall.

The central celebrations for the 72nd Anniversary of Mon National Day are scheduled to be held in Pegu (Bago) City, Pegu Division on February 20th 2019. Pegu was previously known

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News

LOCAL WOMAN DIES AFTER BEING HIT BY VESSEL HIRED BY MCL

October 3, 2018

HURFOM: On September 19th 2018, Daw Myo Tha Dar Shwe, aka Ma Pae Pae, a local fisherwoman, died after having an accident with the “MV Kaung Hein” vessel of the High Mix Company that was hired by the Mawlamyine Cement Limited (MCL) to transport coal to their coal-fired cement factory in Kyaikmayaw Township, Mon State.

“According to U Ohm Tun, a local fisherman, his boat was behind Ma Pae Pae’s. Upon seeing the vessel, Ma Pae Pae rowed her boat to the [Ataran] riverbank. But the vessel tried to avoid the fishing net and also came near to the riverbank. After that, the rear part of the vessel hit Ma Pae Pae and she fell into the river. U Ohm Tun tried to save Ma Pae Pae, but he had to row back to the riverbank as another vessel reached the scene of the accident. After the [second] vessel left, U Ohm Tun tried to search for Ma Pae Pae, but he found nothing.” said U Aung Tin Oo, the Chairperson of Kyaikmayaw Fisheries Department.

Ma Pae Pae lived in the 3rd Shin Saw Pu Ward and earned her livelihood from farming, livestock, and fishing. But during the growing season, she stayed in Kha Now village on the opposite side of Ataran River.

“She lived in Kha Now village during the growing season. On that day, she went to her home to send fish and prawns caught by her father to sell in the Kyaikmayaw market. She had an accident during her way back to home,” said Daw Than Shane, the mother of Ma Pae Pae.

According to the Kyaikmayaw Police Station, the body of Ma Pae Pae was found at 6 am on September 21st.

“The MCL gave 500,000 kyat [US \$326] to our family to provide food for those who helped with searching for the body [of my elder sister],” said the sister of Ma Pae Pae.

An official and two interpreters from MCL also visited the victim’s family again during her funeral on the 7th day of Ma Pae Pae’s death, September 21st, and publicly gave two envelopes with MCL logos to her father.

“The MCL said that they gave money in order to offer their sympathies, and that the death of Ma Pae Pae wasn’t related to their company, but to the company who directly owned the vessel. The envelopes included 300,000 kyat [US \$195],” said U Nyunt, the father of Ma Pae Pae.

U Nyunt continued that no officials from the (MCL) company visited them to make a formal negotiation, and they had been waiting for state lawmaker Daw Khin Myo Myint, a sibling of U Nyunt, to start a negotiation with the companies.

However, on September 22nd, a vessel manager from High Mix Company visited the victim’s family and said they would pay for a “Rangoon-style”^[1] funeral.

Lawmaker Daw Khin Myo Myint said, *“Our tradition doesn’t like Rangoon’s tradition. We don’t just offer noodles [Moke Hin Garr] at the funeral.”^[2] We didn’t request anything from them but we’ve been*

monitoring them. If they do something wrong [or unfair], we’ll take legal action against them.”

According to the Kyaikmayaw Police Station, the skipper of the vessel of MN Kaung Hein was charged under Penal Code No. 303 of culpable homicide and No. 280 of navigating any vessel to endanger human life which can sentence the perpetrator up to ten years and six-months imprisonment, respectively.

“This case is related to Penal Code 303, so that as a prosecutor, I have to follow the legal procedure. I’ll sue him at the court. Now, I’m investigating the witnesses. The perpetrator has been held on remand,” said Sub-Inspector Ei Phyo Aung.

After the MCL started its project in Kyaikmayaw Township, the fishermen and farmers who rely on the Ataran River have faced lots of livelihood challenges.

“This is the first time that a person died of a vessel accident, but the fishing net has been destroyed by vessels very often. The fishermen are in trouble [as their fishing materials have been destroyed by the vessels],” said U Kyaw Oo, a local fisherman.

^[1] Just provide “Noodle – Moke Hin Garr” to visitors and it cost just small amount of money.

^[2] Usually in Mon funerals, the visitors are provided with three meals for seven days. It costs a lot.

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MON NATIONAL AFFAIRS BUDGET CUT IN CONTROVERSIAL DECISION BY CHIEF MINISTER



Mon State lawmakers have pointed the finger at the Mon State Chief Minister Dr Aye Zan and his government officials for this controversial decision. "Karen groups will receive more funding than Mon in Mon State. This is inappropriate. The lawmakers and the Mon State Chief Minister have responsibility to explain their decision" said Nai Karan, a Mawlamyine resident.

Other projects that will suffer from lack of funding are predominately for Mon based education programs. "The Heritage of Mon Culture Group requested us to support them with 10.7 million MMK for Mon Traditional Music Training. We also have to support Mon National Schools, Mon Author Association and others," said Minister Dr Min Kyi Win.

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72ND MON NATIONAL DAY EXPERIENCING A FUNDING SHORTAGE



as the "Hongsawattoi Kingdom"—one of the largest ancient kingdoms of the Mon people.

"We've not gotten any financial support from the Mon State government yet. The Pegu Division government said they would decide how to support the event after they know the [amount of] support from the Mon State government. We've also decided to stop selling raffle tickets [for fundraising] this year as it doesn't make too much profit. Now, we have no cash in hand and it's difficult for us to

start [planning] the big activities," said Nai Bnyair San, the Head of the Finance and Fundraising Sub-Committee for the central 72nd Mon National Day celebrations.

The 71st Mon National Day in Htaw Ha Plan (Zar Tha Byin), Karen State, allocated approximately 80 million kyat (US \$50,729.35), but the 72nd anniversary is budgeting an estimated 120 million kyat due to new planned activities.

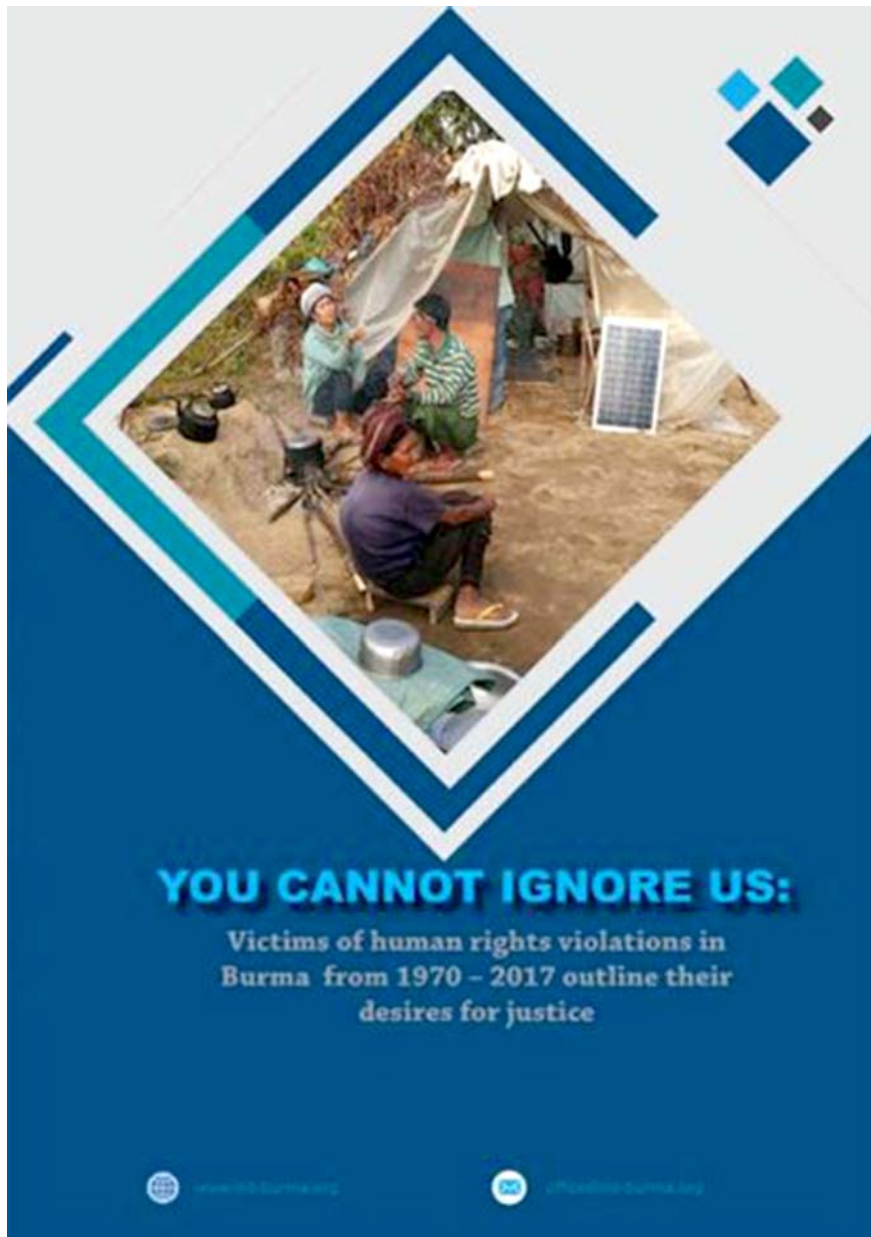
"As we don't have cash in hand, we can't finish our activities in time... There are lots of challenges in our work," said Mi Jondal Non from the sub-committee responsible for producing souvenirs for the 72nd Mon National Day.

The organizing committee has hoped that the Mon State and Pegu Division governments will support the 72nd anniversary with 50 and 20 million kyat (US \$31,704.35 and \$12,681.74), respectively, and the committee expects to receive 18 million kyat (US \$11,413.57) from fundraising activities.

"We need 120 million kyat to organize the event smoothly. We've organized the event in Pegu this year, so we need more funds... But it is a burden for us to get 120 million kyat," said Nai Bnyair San.

The Mon State government allocated 100 million kyat (US \$63,411.21) to support Mon affairs activities in this year's budget, but the amount does not cover all Mon affair activities, and the government has experienced difficulties in allocating the allotted budget.

YOU CANNOT IGNORE US: VICTIMS OF HUMAN RIGHTS VIOLATIONS IN BURMA FROM 1970 – 2017 OUTLINE THEIR DESIRES FOR JUSTICE



1970 – 2017 outline their desires for justice, draws from 111 separate cases based on interviews with 170 individuals in 11 states and regions. The cases present the testimonies of survivors from Burma's 70-year civil war, former political prisoners, and land grab victims. The majority of interviewees have experienced either the repression of the 1988 student-led protests against the military-run Burmese Socialist Programme Party, the military operation during the 1991 Bogalay crisis in Irrawaddy Region, and the ongoing armed conflict in northern Shan and Kachin states. Victims and their families have suffered a range of human rights violations, including arbitrary arrest, torture, killing, disappearance, rape, forced relocation, and arbitrary taxation.

The new report highlights the common impacts of human rights abuses, including economic hardship, health, and psychosocial issues and education. "The suffering and injustice that victims such as political prisoners experienced must be acknowledged by the Government," said Thwin Lin Aung, Director of Genuine People's Servants. "The Government must recognize and apologize for those violations, and accept that victims deserve reparations through a government-administered programme established through a Reparations Law," he continued.

As the Myanmar government prepares to meet ethnic armed organizations this month, the peace process has not brought with it a decline in conflict, as the decades-long armed conflict rages on in northern Burma. The ongoing armed conflict has been accompanied by systematic human rights violations including arbitrary arrest, torture, extrajudicial killing, forced labour, sexual violence, death by landmines, indiscriminate shelling, military targeting of civilian structures, and confiscation and destruction of property. In addition, fighting has started to re-ignite and state forces have once again been accused of violations.

October 16, 2018

Yangon: Victims of human rights violations desire government reparations and deserve to see justice for what they have suffered, said the Reparations Working Group initiate by the Network for Human Rights Documentation Burma (ND-Burma) in a new report released today. The report, which is the first ever needs assessment of victims of human rights violations in Burma of its kind, offers preliminary recommendations for action that must be taken for victims of human rights violations to restore and rebuild their lives, including

justice and accountability for the abuses that they have suffered and guarantees of non-recurrence. [Download the Report]

"The Burmese government's attempt to ignore the past and build a new Burma has failed," said Han Gyi, Coordinator of ND-Burma. "The government's failure to acknowledge the country's decades' long history of human rights violations has led to ongoing abuses and a deterioration of the human rights situation across the country. This must come to an end," he continued.

The new report, *You cannot ignore us: Victims of human rights violations from*

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News

FAMILY ALLEGE TORTURE BY POLICE TO FORCE A CONFESSION FROM A 13-YEAR-OLD ACCUSED OF RAPE AND MURDER IN MAWLAMYINE

November 27, 2018

WCRP: A 13-year-old boy's family is accusing police of torture to try to force a confession from a 13-year-old boy after he was taken into custody. Thirteen-year-old Mg A— is suspected of raping and killing his 8-year-old adoptive sister on November 18th in the Tar Yar Aye Quarter of Mawlamyine, Mon State. The perpetrator's family said that the boy is currently being held in a Youth Care Training Center, under the control of the Ministry of Social Welfare, Relief, and Resettlement.

On October 18th, around 10 am, the victim left for her aunt's house but never returned home. The family, worried, went to look for her but could not find her. The family reported her as missing to the police on November 19th, and her body was found around 2 pm in a brick-making pit near Hlaing Yadanar Street.

The police suspected the 13-year-old brother, Mg A—, and arrested him on November 1st around 11 pm.

"Police from the Zayar Thiri Police Station took my son to the police station two times and sent him back home on November 1st. Then they took my son again at around 11 pm [that day] while we were sleeping. I was not at home as I was selling at my shop at the festival in Mawlamyine. After I got back home at 3 am, my husband was sick and told me that the police had not returned our son back home yet. Early the next morning, I

went to police station and I asked to meet with my son, but they did not allow me to see him," said Daw T—, the mother of 13-year-old boy.

On November 2nd, the boy's father died from a previous illness. On the evening of that day, the mother of the boy phoned the police asking to send food to her son, but police told her that her son had been sent to the Youth Care Training Center in San Kyi, Mawlamyine.

Daw T— explained, *"The police did not tell us about sending my son to the center and they did not let us meet with our son. I met him only once on the day of his father's funeral on the Saturday. His father did not have a chance to see him."*

She added, *"My son told me on the phone that on November 1st the police took my son to the police station and tried to force him to confess. The police also told my son that if he confessed that he raped and killed the girl, they would send him back home. However, my son said he did not do it [sign the confession], even though the police forced my son to stand up as if he was driving a motorbike for the entire night [not allowing him to sit]."*

Inspector Maung Win from the Zayar Thiri Police Station explained, *"The boy and the female victim were not real brother and sister. The female victim was an adoptive daughter of the boy's parents. While the female victim disappeared from the house, the boy was not at home. We suspected him as the perpetrator because once we searched*

and found the girl, we could not find him as well."

However, Mg A—'s neighbors informed the police that he had been playing with his friends in the village while the victim went missing.

Ma Thidar Aye, who lives on the same street as the boy explained, *"Most children normally like to play in front of our house with my child. He [Mg A—] was playing with his friends in front of my house on that day. My child fell asleep early that night, and after we watched television at about 11 pm, I saw the boy, Mg A—, was sleeping and we woke him up and told him to go back home."*

The neighbors commented that it was not impossible that the boy raped and killed his adoptive sister, but that he was only being accused by the police.

Inspector Maung Win said, *"We have asked the court to hold him for 20 days beginning on November 2nd. As the court has given us permission, we sent him to the center. If we obtain some evidence during these 20 days, we can charge him and if we find nothing, we will release him."*

In regard to this case, the police from Zayar Thiri Police Station are holding the boy and charged him under Article 376/302 (punishment for rape/punishment for murder) of the Penal Code on November 1st.

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"Although the much-touted peace process has been ongoing for many years now, the situation of armed conflict, particularly in northern Shan and Kachin States is getting worse, and there are more victims of human rights violations with each passing day," said Lway Poe of Ta'ang Women's Organization.

"Victims of human rights violations must receive justice for what they have suffered," said Seng Htoi of Kachin Women's Association – Thailand. "There must be a genuine building of trust towards peace, and at the same time, international accountability is

also needed to end impunity of the Burmese military," she continued.

"Even though some parts of Burma such as Mon State have seen less armed conflict in recent years, there remain many victims of land grabs," said Nai Aue Mon of Human Rights Foundation of Monland. "Restitution of their housing land and property rights must be a priority of the Government," he continued.

The report urges the Government of Burma to make substantive measures to begin addressing justice and accountability for the victims of decades of human rights violations

such as reparations and symbolic acceptance. Until there is a genuine process of achieving justice and accountability, the opening that Myanmar has experienced in recent years will remain unfinished and genuine democracy will not be able to take root.

Network for Human Rights Documentation Burma (ND-Burma) is a 13-member organization whose members represent a range of ethnic nationalities, women and the LGBTI community. ND-Burma has been documenting human rights abuses and fighting for justice for victims since 2004.

News

ACCESS TO JUSTICE IN MON COMMUNITIES

November 15, 2018

Human Rights Foundation of Monland

Fighting reduced and tensions eased after bilateral ceasefire agreements were signed in 2012 by the Government of Myanmar with the New Mon State Party (NMSP) and the Karen National Union (KNU) respectively. While both KNU and NMSP were involved in negotiating the Nationwide Ceasefire Agreement (NCA), KNU signed in 2015 and NMSP waited until 2018.

Regardless, military activities decreased in Mon communities after the bilateral ceasefire agreements. There have been also decreases in human rights violations targeting suspected “sympathisers” of ethnic armed groups with arbitrary arrest, extra-judicial killing, forced disappearance, forced portering and forced relocation. However, the Mon State, Karen State and Tanintharyi Region authorities have not been able to stop the rise of new forms of human rights abuses.

Some abuses are still committed by members of Tatmadaw. Indeed, the ceasefire offers an advantage for the Tatmadaw troops as they can travel wherever they like, including areas they never reached previously. On 9 March 2018, a captain from Light Infantry Battalion (LIB)# 280 shot and killed two villagers in Magyi Chaung Wa village, located in Mon State’s Khaw Zar Sub-Township, in Southern Ye Township. Then on 16 May 2018, a captain from LIB #587 detained a local resident of Kalagoke Island in Ye Township who was subsequently killed on a military base.^[1]

Both of these extra-judicial killings occurred after NMSP signed the NCA in February 2018. However, the perpetrators were brought before secret military tribunals and neither case was transferred to the civil courts. The families of these victims have not been

informed about any judicial actions, findings or sentences delivered in the military courts. This lack of transparency remains a challenge for the administration of justice, especially when military personnel are involved.

After the ceasefire, the western coastal areas of Mon State have become increasingly vulnerable to land grabbing. Domestic companies have tried to capitalize on the relative stability in remote areas by collaborating with local authorities to seize land for the sale of concessions to foreign investors. For example, local landowners in Kyaukmayaw Township were coerced into selling over 1,000 acres well below market rates. Concessions were then sold for foreign companies to build a coal power plant and cement factory. As relevant provisions under the Foreign Investment Law and Environmental Conservation Law were not enforced, local livelihoods have been looted.

Land restitution is also a big challenge for internally displaced persons, refugees and irregular migrants who would like to return from Thailand and Malaysia. Attempts to re-establish livelihoods and reintegrate into Myanmar are so much more difficult after protracted displacement and/or mixed migration when former homes and agricultural lands have been claimed by other settlers in the meantime. State and Regional Governments, as well as the Ministry of Border Affairs and National Races, offer generalized assistance for reintegration. However, there is a gap in terms of providing restitution, or even compensation, for families who have lost their land.

Sexual harassment against girls and women remains a widespread concern. According to the reports by media and documentations by human rights and women rights organizations, there were

about 26 cases of sexual harassments of children or girls in 2016, and there has been no much actions taken to justice. There are two problems in seeking justice for the survivors and holding the perpetrators to account. Firstly, communities in rural areas have limited awareness of, and access to, information about laws and legal procedures. Even though some legal assistance groups are developing, they have very limited funding. Secondly, the justice system in Myanmar is notoriously corrupted which discourages victims of crime (and particularly survivors of sexual assault) from engaging with the system. However, civil society advocacy has at least led the Mon State Parliament to form a “Women and Children’s Rights Affairs Committee” in order to monitor sexual violence and gender-based discrimination.

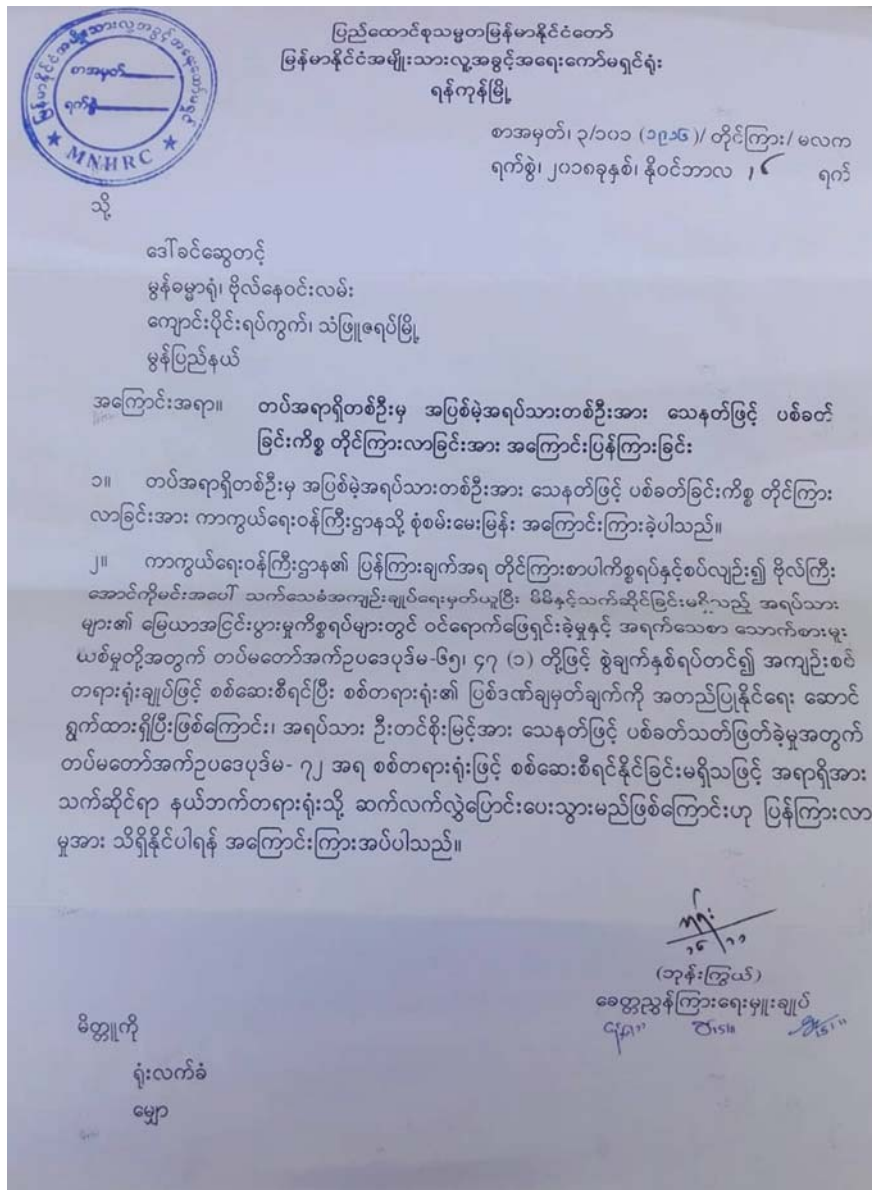
Apart from stopping abuses and preventing reoccurrence in the future, there is also the challenge of recognizing the survivors and promoting justice for human rights violations committed in the past. Transitional justice issues are particularly challenging because the Constitution provides immunity for Government and Tatmadaw authorities accused of committing human rights violations prior to 2008. However, many human rights violations committed after 2008 have not been brought to the courts for justice and many perpetrators still enjoy impunity.

In summary, the new human rights challenges are to protect the rights of local communities to manage their natural resources and protect their environment. However, past human rights abuses remain as scars in the hearts and minds of survivors.

[1] <https://www.bnionline.net/en/news/man-killed-kalagoke-island-after-tatmadaw-captain-took-him-away-nrc-inspection>

News

MILITARY CAPTAIN WHO SHOT AND KILLED CIVILIAN ON KALAGOKE ISLAND TO BE TRANSFERRED TO CIVIC COURT: MNHRC



November 28, 2018

HURFOM: On November 16th 2018, according to a letter from the Myanmar National Human Rights Commission (MNHRC), Captain Aung Ko Ko Min from Light Infantry Battalion (LIB) #587, who shot and killed U Tin Soe Myint, a villager from Kalagoke Island, Lamine Town, Ye Township, Mon State, will be transferred to civic court to face further legal action.

"I'm satisfied because of the reply of the MNHRC. I know nothing about legal proceedings in the military courts. Now, the case will be transferred to the civic courts. I'll see how the legal action goes

on. I want the truth. I'm satisfied [with the action taken by the MNHRC]," said Daw Khin Swe Tin, the victim's wife.

According to the letter, the captain was already sentenced under Defense Services Act #65 and #47(1) for breach of discipline for his interruption in a land dispute between civilians and for intoxication, respectively. However, the military court failed to sentence Captain Aung Ko Ko Min under Defense Services Act #72 for his involvement in shooting and killing an innocent civilian. Therefore, Aung Ko Ko Min must be transferred to civic court to face further charges for the murder of U Tin Soe Myint.

Daw Khin Swe Tin said she filed a report with the Mon State Parliament to take legal action against the murderer of her husband on June 6th 2018, and the Speaker of Parliament replied on August 1st 2018 that the final decision of the case would be informed to the victim's family.

On July 27th 2018, the Daw Khin Swe Tin and a member of a local CSO went to Military Operation Command (MOC) #19 in Ye City and had a discussion with the commander about the case. The commander replied, "We can take legal action related to military members but can do nothing with cases related to civilians."

Daw Khin Swe has three children who are school-aged, and she has struggled to support the education of her children.

On May 19th 2018, Commander Soe Moe Kyaw visited Daw Khin Swe Tin and offered her 800,000 kyat (\$503.00). However, she refused the payment and said she did not need money but the truth.

On May 16th 2018, Captain Aung Ko Ko Min from LIB No. 587 shot and killed U Tin Soe Myint on Kalagoke Island, in Lamine Town, Ye Township, Mon State, as a result of him being unable to produce his national registration card (NRC).

I'm satisfied because of the reply of the MNHRC. I know nothing about legal proceedings in the military courts. Now, the case will be transferred to the civic courts. I'll see how the legal action goes on. I want the truth. I'm satisfied [with the action taken by the MNHRC],

News

LOCALS IN MUDON TOWNSHIP DEMAND REMOVAL OF ILLEGALLY OPERATING CHINESE-OWNED FACTORY BECAUSE OF NEGATIVE ENVIRONMENTAL AND HEALTH IMPACTS

November 30, 2018

HURFOM: According to locals, a Chinese-owned factory in Mudon Township has been operating without the official permission of the Mon State government and is badly damaging the local environment. The Pin Lae Pyar Swan Arr Company is running an elephant foot yam operation between Hmane Ga Name and Kyauk Ta Lone villages angering local residents due to the reported negative health effects experienced by a number of locals.

"We can't sleep well at night because of the factory. When they are processing the elephant foot yam in the factory, there are loud noises and we're awoken by the sound. The factory also produces dirty water and the runoff [into local paddy fields] make us itchy. The smoke emitted from the factory has a burning smell and we can't tolerate it. [Once], a child had difficulty breathing because of the smell and was admitted to hospital," said a villager from Kyauk Ta Lone village, Mudon Township.

"Even the local villagers have not suffered any acute attack from the factory emissions, they are worried about long-term consequences and

health problems," said one 80-year-old villager.

The Hmane Ga Name village administrator stressed that the factory should follow the current rules and laws in Mon State regarding operating a business, and that they should obtain prior consent from the local community before starting a project.

"We can't accept that they've run the factory without permission [from the Mon State government]. They do their business, but we have to suffer the impacts. It's unacceptable. They have a responsibility to reduce the impacts. If they are going to go on like this, the local people will file a report against them, even if they get permission from the government," said Administrator U Han Win Aung.

Because of the negative impacts on local villagers and the environment, the local residents have demanded the removal of the factory.

On November 23rd 2018, the Mudon Township General Administration Department sent a letter to the Hmane Ga Name administrator stating that the factory was operating without the permission of the government; however,

the factory did not stop their production and is still currently operating.

"Regarding permission, we've filed documents with the Mon State Chief Minister. I don't know clearly what permission [you mean]. The permission to run the factory? The permission to build the factory? Or the permission for the investment? We've been running our project under the [Foreign Direct] Investment [Law]," said U Thein Myint Aung, a clerk official from the company.

The company officially appealed to members of the Mon State Parliament and particular government departments in order to continue operating, according to U Thein Myint Aung.

"We made an appeal because we don't want to lose our investment. If we produce all of our raw materials [this year], we will stop our factory. After that, we'll request instruction from the government. If the government approves our appeal, we'll operate our factory again next year," said the clerk official.

"Yes, the factory is noisy. But we don't waste water carelessly. We have two tanks that filter the wastewater. The factory has produced a burning smell [in the past] because we used coal-fired power, but we use a kind of biomass power now," continued U Thein Myint Aung.

HUMAN SECURITY FRAGILE IN SOUTH EASTERN BURMA/ MYANMAR ACCORDING TO NEW RESEARCH FINDINGS

November 15, 2018

On 14 November 2018, The Border Consortium (TBC), which has been working with refugees from Burma/ Myanmar since 1984, announced the launch of a research publication on human security in Southeastern Burma/ Myanmar. This research shows at least 162,000 civilians remain internally displaced, while assessments found that 17 percent of children in communities affected by conflict are acutely malnourished.

This research has been prepared by TBC, who collaborated with sixteen civil society organizations including the Human Rights Foundation of Monland. The main purpose of this research was to compile food security assessments, internal displacement estimates, civil society perspectives, and refugee

returnees' experiences of resettlement in southeastern parts of the country.

"Given that another 87,000 refugees are still spread across nine camps in Thailand, it means that one-quarter of a million people remain displaced by decades of conflict. In many cases, communities are too afraid to return because the same troops they fled from have now established outposts near their villages," commented Sally Thompson, TBC's Executive Director.

Interviews with returnees suggest that factors pushing refugees to leave the camps, such as the gradual withdrawal of assistance, are the most prominent reason for return to Burma/ Myanmar. Obtaining citizenship cards and household registration documents to re-establish a legal identity

is highlighted as key to successful reintegration. However, securing land tenure and re-establishing livelihoods appear to be the main challenge.

"The peace process has not begun to address the causes of displacement," reflected Ms Thompson.

Analysis from civil society organizations underscores the importance of building on local capacities in designing policy and delivering services to respond to this protracted emergency. Local civil society organizations have the trust of conflict-affected communities after providing life-saving support for decades. As Ms Thompson notes, *"If we want to leave no one behind, then ethnic service providers need to be embraced rather than marginalized during this interim period between war and peace."*

News

FARMERS AFRAID TO ATTEND PLANTATIONS AFTER MAN INJURED FROM LANDMINE BLAST IN YEBYU TOWNSHIP



November 6, 2018

HURFOM: On October 28, a plantation worker was seriously injured by a landmine blast in Kyaung Shar Kwin, Yebyu Township, Tanintharyi Division. Around 100 owners and daily workers are too afraid to attend their nearby farms in case of further blasts. The area is currently under territorial dispute between the New Mon State Party (NMSP) and the Karen National Union (KNU).

Min Mon Chan, stepped on a landmine at a betel nut plantation near Ah Le Sa Khan village. His right foot was



shattered and he was rushed to Mawlamyine hospital. *"The doctor from Mawlamyine hospital told us that his right foot would need to be cut off or he would lose his leg",* said the victims his brother Nai Yo who was also concerned about Min Mon Chan's family and their livelihoods. *"He has a 10 month year old and his wife has health problems."*

Furthermore, the relatives of the victim and local farmers are not sure how to proceed with farming in the area. They do not have the equipment or skills required to make the area safe. Authorities have yet inform the farmers of the incident. *"No one has informed us about the landmines and which areas to avoid."* Nai Yo says.

Two people have been injured by landmine blasts in NMSP-KNU disputed-area in Kyaung Shar Kwin, Yebyu Township, within a month. On October 15 an NMSP soldier Mon Chan Naing, age 25, was injured after stepping on a landmine while he was patrolling and his left leg has been amputated from above the ankle at the Bangkok Hospital in Thailand.

There have been reports that the KNU and NMSP have engaged in skirmishes on October 16. As a result villagers are scared to tend to their farms for

their livelihood. The following week, the NMSP said they talked with the KNU and informed villagers not to attend their plantations in the area. The Ah Le Sa Khan village administrator (VA) is concerned the landmines have been planted recently by the KNU.

Nai Tin San (VA) reported the blasts to the to the various government administrative departments in Tanintharyi Division on October 29. He explained to HURFOM that

"the government have done nothing about the blasts. We do not understand that why they are quiet. We are considering other avenues if the government departments do not respond."

Further incidents involved the KNU were reported by the village administrator. On October 8, the KNU physically assaulted three plantation workers with rifle ends and knife blades in Kyaung Shar Kwin. *"They assaulted the workers and burned their huts. We also have reported to respective government departments about it as well. We have heard nothing from them yet"* Nai Tun San said.

The NMSP Dawei District Battalion 2 and the KNU Battalion 10 under Brigade 4 have been active in Yebyu Township engaged in skirmishes in Kyaung Shar Kwin area since 2016.

"The doctor from Mawlamyine hospital told us that his right foot would need to be cut off or he would lose his leg", said the victims his brother Nai Yo who was also concerned about Min Mon Chan's family and their livelihoods. *"He has a 10 month year old and his wife has health problems."*

News

NEW SEAPORT ROAD IN YE TOWNSHIP LEAVES VILLAGERS UPSET OVER LAND GRABBING AND UNFAIR COMPENSATION BY SOUTHERN MYANMAR DEVELOPMENT CO. LTD.



November 28, 2018

WCRP: Landowners in Ye Township, Mon State are upset with the Southern Myanmar Development Co. Ltd. over reported land grabbing and unfair compensation. The company is constructing a road to a seaport project between Nit Karen and Tha Pyay Thit villages, leaving many villagers unhappy.

"My brother saw that they have planted red flags on our farm and he told me

about it. They should not do it. Even though we were in the farm, they did not tell us and measured our land. The next day, they told us about it and said that they will look into the price of the plantation. Nit Karen's village administrator, U Than Naing, threatened me, saying that my plantation is very close to the company's area and if I did not sell it and accept the compensation that they will pay me, the company might be able to confiscate my land. Then he told me that if the company

confiscated my land, they [village administration] could do nothing for me," said Daw Kyin Hla, from Nit Karen village.

In October, approximately six people, including the former village administrator, current village administrator, and staff from the Land Records Department went to rubber plantations in Tha Pyay Thit village without any notification to the owners, and measured and planted red flags on the land.

In addition to lack of free, prior, and informed consent about the project, villagers also claim Southern Myanmar Development Co. Ltd. are offering below market prices for some villagers' land. According to land owners from Tha Pyay Thit village, some are refusing the company's offers as they are only paying 7,000,000 kyat (US \$4,430.00) per acre, compared to 8,000,000 kyat (US \$5,063.00) per acre in Nit Karen village.

"We want to request that the company should pay the same price that they pay the land owners in Nit Karen village. If they agree, we have nothing to say about it. I don't understand why they pay 8,000,000 kyat to Nit Karen villagers and only pay us 7,000,000 kyat per acre. We



[Read more on page 11 >>](#)



cannot accept it," said U Win Tun, a rubber plantation owner from Tha Pyay Thit village.

Daw Kyin Hla from Nit Karen village continued, *"The rubber trees from some plantations are young and if we have to sell it, we would feel bad to cut the trees down. For instance, our plantation is not for selling and if we have to sell it to the company, we would not sell if they don't pay us 8,000,000 kyat per acre as compensation."*

The Nit Karen village administrator explained, *"Ten years ago, a monk constructed a new road and the land owners donated 30 feet of their land for free. Then, the company [Southern Myanmar Co. Ltd.] expanded the road again [in October/November 2018] and they gave compensation to the land owners. However, the price of plantations in our area never got to 8,000,000 kyat per acre. The company only paid 6,000,000 kyat (US \$3,797.00) per acre, but we requested 7,000,000 kyat per acre and they agreed to pay it, but they could not pay for every owner such high prices."*

The company ended up paying 8,000,000 kyats per acre to the land owners from Nit Karen village as they only had to expand from the old road, but they reduced the compensation to 7,000,000 kyat per acre for the land owners from Tha Pyay Thit village, because they have to dig along the rubber plantations for the new road construction [instead of just extending the width of an existing road]. However, some owners from the Tha Pyay Thit village do not accept this compensation and they are requesting the same price as Nit Karen village.

Land owner Ko Min Thein Tun said, *"The owners who agree with the 7,000,000 kyat per acre, those all are the relatives of the former village administrator from our village. We think there may be some corruption in this case. There are about three or four of remaining land owners who do not agree with the compensation."*

According to U Chit Tin, the current village administrator from Tha Pyay Thit village, there are 38 land owners

who have been affected by the road construction and 34 owners have accepted the compensation. However, the four remaining land owners have not accepted the compensation unless the company pays them 8,000,000 kyat per acre.

The new seaport road runs along a 3-mile stretch and is 60 feet wide from Nit Karen village to Tha Phya Thit village.

"We want to request that the company should pay the same price that they pay the land owners in Nit Karen village. If they agree, we have nothing to say about it. I don't understand why they pay 8,000,000 kyat to Nit Karen villagers and only pay us 7,000,000 kyat per acre. We cannot accept it,

News

NEW REPORT AND DOCUMENTARY THE ATTRAN RIVER TO PYAR TAUNG HIGHLIGHTS THE MCL CEMENT FACTORY'S DAMAGE TO LOCAL ENVIRONMENT AND LIVELIHOODS

November 27, 2018

HURFOM joined together with Pyar Taung Region Social Development Association to launch a new report and documentary—*The Attran River to Pyar Taung*—on November 15th 2018 at the Rehmonnya Hotel in Mawlamyine, Mon State. The event was attended by around 150 people, including community-based organizations (CBOs) and locals from Kyaikmayaw Township. The report highlights the voices of locals negatively impacted by Mawlamyine Cement Ltd.'s (MCL) coal-powered cement factory and the resulting effect on natural resources and the environment along through Attran River and throughout the Pyar Taung Region in Kyaikmayaw Township, Mon State.

"We have collected [almost] two years' worth of data to write this report. We also did research about what kinds of careers locals had before the company [MCL] built the [cement] factory. What is going to happen in future? Is it true that the living standards of the rural people have improved after building this factory?" said A Shin Baddanda Aow Ba Tha, a monk from Ni Ton monastery, from Ni Ton village, Kyaikmayaw Township.

The event discussed the survey of the current status of land, water, and other natural resources in the Pyar Taung Region, explaining the impact of the cement factory and coal-fired power plant, showing the documentary and providing a summary about the impact on Attran River from the vessels used to transport coal to the coal plant which powers the cement factory.

Many farmers in the Pyar Taung Region lack official Land Use Certificates to verify ownership of their land and reported being pressured by MCL to sell their land to the company. In 2015, MCL built the coal-powered cement factory despite widespread local opposition. Farmers lost their land, natural resources were destroyed, and locals

reported difficulties in accessing fruits for traditional medicinal purposes and materials such bamboo for construction materials after the erection of the plant.

In addition, soil erosion and water displacement from passing ships, as well as noise pollution from the ship's engines, have negatively impacted nearby communities and houses have been destroyed and livelihoods gained through river activities, such as fishing, have suffered as a result.

Moreover, according to the report, land, water, forest, and further environmental destruction will only continue in the future as air pollution from the coal-powered cement factory, dust from the stone mining factory, and ships using the Attran river on a daily will continue to take their toll.

"We don't really have many cement factories in Burma. There are a lot of cement factories in Thailand. We have seen that many people around the world receive trouble because of coal-powered cement factories. They should not destroy limestone mountains using large machinery as it destroys the natural beauty", said the writer, Dr. Khin Maung Nyo.

According to the report, the Attran River has about 140 villagers who rely on fishing for their livelihoods. Previously they could catch about 700 *peittha* (1 *peittha* = 1.65 kg) per year; however, during 2015 to 2018, after MCL built the cement factory, fishermen have reported only being able to catch 140 *peittha* per year—an 80% decrease.

"I am not sure when the monetary income of the fishermen will [completely] collapse, and the locals' houses will [start] floating through the river [because of the soil erosion]. We are worried about this. We never see animals from the river anymore. We think that they just stay in deeper in the water because of the [large] ships. We

have collected data to write this report for about 18 months," said A Shin Badanda Nalrada, a monk from Damalawka monastery, in Mawlamyine.

Currently, not only is MCL operating in Kyaikmayaw Township, but also June Cement Industry Ltd. and Zaykabar Co. also entered into Kyaikmayaw Township to start mining limestone resources for their factories.

"We want to request that the company should pay the same price that they pay the land owners in Nit Karen village. If they agree, we have nothing to say about it. I don't understand why they pay 8,000,000 kyat to Nit Karen villagers and only pay us 7,000,000 kyat per acre. We cannot accept it,"

Information on HURFOM and Invitation for Feedbacks from Readers

Dear Readers,

Human Rights Foundation of Monland (HURFOM) was founded in 1995, by a group of young Mon people, The main objectives of HURFOM are:

- ☐ Monitoring the human rights situation in Mon territory and other areas in southern Burma
- ☐ Protecting and promoting internationally recognized human rights in Burma,

In order to implement these objectives, HURFOM produces the monthly “Mon Forum” newsletters. If publication is delayed it is because we are waiting to confirm information, and it comes with our heartfelt apologies.

We encourage you to write to us if you have feedback or if you know someone who you think would like to receive the newsletter.

Please email or mail a name and address to:

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Website: <http://www.rehmonnya.org>

With regards,

Director

Human Rights Foundation of Monland

8-YEAR-OLD GIRL RAPED REPEATEDLY AND THREATENED BY HER GRANDFATHER IN MUDON TOWNSHIP

November 29, 2018

WCRP: In November, an 8-year-old girl from Htin Kone village, Mudon Township, Mon State, reported being raped five times by her maternal, 50-year-old grandfather, who she had lived with since she was 3 months old. The girl's parents had migrated to Thailand five years ago for work.

According to the young girl, the last incident took place on November 11th while she was watching TV in the afternoon. Her grandfather took her to his room and raped her. While he sexually abused the young girl, a 14-year-old girl from the neighbor's house passed by in front of the victim's grandparents' house and saw the incident taking place. She then informed the perpetrator's wife about what she saw.

On November 16th, U L— from the neighbor's house phoned the young girl's paternal grandfather and told them about the incident. The girl's paternal grandfather went to see her granddaughter and asked her about what took place; she told him that she had been raped five times by her maternal grandfather.

On November 18th, the girl's paternal grandfather went to the Mudon Police Station to report the abuse to the police, and they arrested the perpetrator who was charged under Burma Penal Code Article #376 (punishment for rape) at the Mudon Police Station.

“My grandfather would take me to his room if I had no school. Sometimes he would take me to his room once my grandmother went to the farm to find wood during the day, and sometimes he would wake me up during the night and take me to his room. My grandfather

would sleep between my grandmother and me. Then he would threaten me that if I told anyone about it, he would beat me. I am afraid of him,” said the 8-year-old girl.

“Recently, we let the girl stop studying [and going to school] for a while. The police told us not to bring the girl to other places during the investigation process. We do not allow her to stay at her [maternal] grandparent's house. We let her to stay with us. We heard that her mother is coming back from Thailand,” said the paternal grandmother of the girl.

On November 25th, the perpetrator confessed to his crimes at the Mudon Police Station but admitted to raping her only twice and to sexually abusing her twice.

The perpetrator is currently being detained at the Mudon Police Station.

VILLAGERS RAISE CONCERNS ABOUT HEALTH IMPACTS OF COAL MINING POLLUTION IN KAREN STATE



November 15, 2018

HURFOM: Villagers affected by coal mining in Karen State have been speaking out with concerns for their health. Sparked by new plans announced in October 2018 to convert the natural gas powered cement factories in Myine Kalay and Hlar Kar village tract into coal-fired ones, villagers say the trucks lack proper protection against scattering stones and powder. The factories are owned by Myanmar Economic Corporation (MEC) operated by the Burmese military.

Coal stones will be crushed into powder by the trucks on route to the 4,000 tonne producing cement factory, the loose powder can spread into the air on the road affecting homes and people commuting on motorbike. *"Students attending school beside the road and local villagers who pass by everyday, we dare not think of the negative health consequences impacting us"* said U Pan Hline a villager from Myine Kalay. Moreover, when it rains coal residue can be passed into nearby waterways causing pollution.

"Some children in the village have already suffered from cough, asthma and lung problems. We are concerned that inhaling coal particles will worsen these health problems." said Saw Myat Kyaw San from Hlar Kar village. Farmers are also concerned whether they can safely eat vegetables if contaminated by coal powder. Villagers want to know who will take responsibility for addressing the many potential health risks.

Local villagers are worried not only for their health but their livelihoods as well. *"We're farmers and we catch fish and frogs in the waterways. The fishes and frogs may be extinct in the future and our livelihood will be in trouble,"* said a local from Hlar Kar village.

If the careless transport of coal continues, the locals say they take action to stop the transportation. When the factory announced they would use coal-fired power in 2016, locals opposed the decision and they thought the decision was finalised. However, in early October 2018, the factory has been preparing to use coal-fired power has commenced mining coal. Villagers have not been consulted and suspicious that the company has not been granted permission from the government to use coal-fired power.

"Their action showed that they do not care about the local people. They have neglected us and they do as they like. We are not satisfied by their action and we will oppose it," said Daw Soe Soe Htay, a community leader of Hlar Kar village.

The Karen State government said they did not grant permission (to transport coal). However they also have no power to stop the action. This has not swayed the villagers, who have decided to continue their fight against using coal-fired power.

Local villagers are firm in demanding their right to Free Prior Informed Consent (FPIC). The local villagers said that before starting a project, the benefits and consequences of the projects must clearly be explained to them and the project could go ahead only after getting consent of the local people. Their demands include a better transportation and storage system for coal, and systemic reduction of negative impacts on locals and environment. If the government fails to do so, the local will take action to stop the project.

In a statement released by the local villagers said that the 4000-ton cement factory has not provided benefits to the locals but brought impact on both the health and environment. Moreover, there is no job opportunities and the local development, the education system and the social issues have still been underdeveloped.

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