

## DONATIONS SOUGHT TO SUPPORT CONSTRUCTION OF MON NATIONAL SCHOOL IN MUDON TOWNSHIP



January 29, 2019

**HURFOM:** With the backing of local residents, Buddhist Monk Baddanda Oak Ta Ra has appealed for donations to support the construction of a Mon National School in Pal Do village, Mudon Township, Mon State. At present, no such school exists in the village, and students seeking to pursue the Mon National School program in Pal Do are attending classes operating out of the local monastery, and the local community center.

Currently, the government-run Basic Education School in Pal Do only provides five years of Primary education (Kindergarten to Standard 4), whereas students who attend the Mon National School can study up to Standard 7. Apart from offering more classes, the curriculum is delivered in Mon, thus increasing the likelihood of academic success for students who may struggle with Burmese-language instruction.

*"We seek to establish a Mon National School and offer a Mon summer program. We have tried to do this for several years but have made little progress because we face financial difficulties. Last year, I traveled to Thailand and received nearly 800,000 baht (US \$25,201) in donations to build the school, but it was not enough. We've started building the school with that money, but we have to ask for more donations to finish the construction of*

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## INTERNATIONAL WOMEN'S DAY 2018 STATEMENT

#BalanceforBetter



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## VILLAGERS IN YE TOWNSHIP HOLD PRESS CONFERENCE TO CONDEMN EXCELLENT FORTUNE DEVELOPMENT GROUP COMPANY'S PROPOSED STONE MINING PROJECT



March 11, 2019

**HURFOM:** In their latest show of opposition to Excellent Fortune Development Group Company Ltd.'s (EFD) planned stone mining project near Dani Thakyar and Magyi villages, Ye Township, Mon State, villagers held

a press conference at the Shwe San Daw Pagoda in Ye on February 26<sup>th</sup> 2019 to spotlight how the project will put the livelihoods of many in the area at risk.

The project, which is to be undertaken by Shwe Aykarit Mining Company Ltd., a subsidiary of EFD, has been met with protest since 2017 when villagers sent a petition letter to Daw Tin Ei, the Speaker of the Mon State Parliament, after learning that EFD was planning to buy land near Mount Bleh Patoi, located between the two villages.

According to Ko Jimmy, a representative from the Human Rights and Justice

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## DONATIONS SOUGHT TO SUPPORT CONSTRUCTION OF MON NATIONAL SCHOOL IN MUDON TOWNSHIP



school buildings,” said monk Baddanda Oak Ta Ra.

The monk added, “the construction will cost about 60 million kyat (US \$1,890,073), and even though we’ve started construction with the donations we received from Thailand, we must continue to find new donors to help us finish the school.”

There are approximately 80 students currently studying in the Mon National School program in Pal Do, with the number of students increasing every year. As well, the Mon National School summer program attracts some 300 students, but the monastery where classes are held cannot accommodate such large numbers.

“The government school in this village only teaches until Standard 4. If students want to study Standard 5, they have to study in schools in other villages. For students who don’t want to study in other villages [outside Pal Do], they can move to the Mon

National School to study Standard 5 [once the school is completed]. I think that there will be more students after we build our new school,” remarked Mi Swe, a teacher with the school.

According to the principal of Pal Do’s Mon National School, Mi Thazin Mon, “The number of students is increasing, and we have to divide them between the monastery and the community center, as there is not enough space for all the students to study together. This creates difficulties for our teachers because they frequently have to move between both buildings. We teach kindergarten to Standard 7, and we have only six teachers to teach all the students.”

Teachers have complained that it is very difficult to teach students in the community center because there are no walls to separate classes, making for a classroom environment that is much too loud to properly instruct children. Further, there is no space to store school equipment and teaching

materials, and teachers have no option but to use the bathroom as storage.

Mi Thazin Mon explained, “We’ve sent a report about the difficulties [we face] to the Mon National Education Committee every year, but they cannot provide the finances needed to build the school. They only provide books and stationery, and the monastery provides for our other needs [food, snacks, drinking water]. Recently, a local monk and members of our community have collaborated to try and build the Mon National School for the students.”

The new school is being built close to 2500 Sarsanar Monastery in Pal Do quarter, Pal Do village, Mudon Township, Mon State.

As previously reported by HURFOM, this funding crisis is not limited to Pal Do, for townships across Mon State have had to rely on donations raised by the monastic community, and provided by Mon communities abroad, to ensure that Mon National School teachers are provided a salary, that school buildings are safe, and that students have the materials they need to study.

These budgetary woes will likely increase given that the Mon State government has significantly reduced funding for Mon National affairs in the 2018-19 budget, a move that is expected to most heavily impact Mon education programs.

According to Mawlamyine District’s Mon Education Department (2018), there are three Mon National High Schools, 16 Mon National Middle Schools, and 113 Mon National Primary Schools, with a total of 10,779 Mon students.

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## VILLAGERS IN YE TOWNSHIP HOLD PRESS CONFERENCE TO CONDEMN EXCELLENT FORTUNE DEVELOPMENT GROUP COMPANY'S PROPOSED STONE MINING PROJECT

Initiative (HRJI), in January 2019 petitions protesting the project were again submitted by villagers to the Chief Minister of Mon State, the Union government, and the Ministry of Ethnic Affairs.

*"Villagers already voiced their opposition to this project when it was first announced...But I think the company tried to bribe the three senior monks who were previously active in the opposition to the project. Later, those monks said the company would provide electricity, and build roads, and urged villagers to sign consent forms so the project could begin. Villagers oppose the project, but they are reluctant to speak out [against the monks]. Some villagers signed the consent forms against their will,"* said U Chit Tin, a Magyi resident.

*"People in these villages have great respect for the monks. That's why some villagers signed the consent forms even though they didn't want to. Religious influence shouldn't be used to persuade people. The monks should work to create peace. Even though we have laws [to protect people's lands], locals here will suffer,"* said HRJI's Ko Jimmy.

The three monks in question are venerable Monk Battanda U Pin Nyar from Kalog village, venerable Monk Battanda U Za Na Ka from Toe Tat village, and the Abbot of the Magyi Monastery, venerable Monk Ashin Thiri. According to villagers, these three monks sought to exploit the limited knowledge that many people had with respect to the stone mining project, urging them to sign the consent forms.

*"I think the company bribed these monks. If the monks only care about bribes and don't think about the damage this project will do to the people, we will oppose the monks. The Mon State government also acts like they see and hear nothing, so I think they were also bribed by the company,"* said U Chit Tin.

U Chit Tin said the company signed an agreement with the three senior monks on August 29<sup>th</sup> 2018. In the agreement, it was stipulated that the company will provide Magyi village with a 20-KVA power generator, electric cables, and utility poles, and build a kindergarten and crematorium for the village. As part of the agreement, the company also committed to organize a township-level charity to be managed by the above-mentioned monks from Kalog and Magyi villages.

Similarly, EFD has promised to provide Dani Thakyar village with a 20-KVA power generator, electric cables, and utility poles, and to help complete construction of the village monastery and build a crematorium, according to U Shel, a resident of Dani Thakyar.

The site of the proposed project, Mount Bleh Patoi, is home to the many rubber and betel nut plantations that provide area residents with their only source of income.

*"If we lose the mountain, the winds will become too strong. We'll also suffer from floods. Even now, local villagers must struggle for their livelihood. If the mining project proceeds, their lives will be much more difficult. This is why I oppose the project,"* said Mi Kon Baloy, a local activist working with the Magyi Youth Group.

*"The reason I oppose the project is that the company didn't follow the law. They didn't get consent from local villagers, but they've started to expand the roads to create easier access to the project area. Because there may be a lot of suffering among the local people, I oppose the project,"* said Ko Jimmy.

According to villagers, the Ye Township Department of Agricultural Land Management and Statistics is trying to classify Mount Bleh Patoi as vacant and fallow under the 2012 Vacant, Fallow, and Virgin Land Management Law, a move that would allow the government to confiscate the land

from villagers indefinitely. Given that the land is actively used by residents of Dani Thakyar and Magyi villages, the classification of Mount Bleh Patoi as vacant and fallow land would affirm villagers' suspicions that corruption is the driving force behind this project.

In a bid to win the hearts and minds of villagers, EFD pledged to send residents of Magyi village to Bodh Gaya, a sacred Buddhist pilgrimage sight in India's Bihar State.

*"The company offered the trip as an incentive [to support the project] to villagers, and it made many people happy...That wasn't their fault. The company wants to proceed with their project, so they've tried to persuade the villagers [by sponsoring the trip],"* stated HRJI's Ko Jimmy.

*"About 100 farmers have betel nut plantations on the mountain. My plantation is also there. It provides a great annual income. The compensation offered by the company [for our land] is enough only for three years. This plantation has provided for us since the time of our great, great grandparents,"* said U Shel, a plantation owner from Magyi.

The proposed mining project will place some 3,000 acres of plantation land on Mount Bleh Patoi under threat, endangering if not altogether eliminating the livelihoods of at least 700 households in Dani Thakyar and Magyi villages.

Beginning in December 2017, **HURFOM reported** that a combination of administrative misconduct, coercion, and threats of violence tied to EFD prompted villagers in Dani Thakyar and Magyi to voice their opposition to the company's proposed stone mining project. In January 2018, **it was reported** that out of deference to — or because of potential intimidation by — a prominent local monk, some villagers had agreed to sell their land to EFD. Now that EFD has sought to obtain the written consent of villagers, it appears the company is ready to proceed with its stone mining project. However, it remains wholly unclear whether EFD has applied for permission to legally begin operations.

News

## DRUG TREATMENT CENTER PROVIDING MEDICAL CARE, PSYCHOTHERAPY, AND VOCATIONAL TRAINING SET TO OPEN IN DAWEI DISTRICT



January 25, 2019

**HURFOM:** A drug addiction treatment and rehabilitation center is set to open soon in Dawei District, near Wal Zin village, under the authority of the New Mon State Party (NMSP), and with the support of monks and locals hoping to stem the rising tide of substance abuse among the region's youth.

The center will admit all who wish to seek support in their battle against substance abuse and addiction, irrespective of ethnicity. The three-part treatment plan the center hopes to provide to patients will consist of medical treatment, psychotherapy, and vocational training.

However, the NMSP Chairman for Dawei District, Nai Nyan Tun, has indicated that prospective patients exhibiting symptoms of **methamphetamine-induced psychosis** will not be admitted to the facility.

*"We will not accept patients if their condition is severe, and will recommend that they go to the mental [health] hospital [Yangon Psychiatric (Mental) Health Hospital] to get treatment. For users not showing such extreme symptoms, they will remain in the center until they have recovered. Patients will be released depending on their progress,"* said Nai Nyan Tun.

Returning to the treatment plan, Chairman Nai Nyan Tun added, *"To provide patients with psychological treatment, we plan to invite a trainer from one of the refugee camps on the Mon State-Thai border. We also plan to identify [our patients'] skills, and provide some vocational training based on those skills, but we have not arranged a detailed plan yet. Once construction on the center is completed, we will continue to discuss our plan."*

*"Currently, we don't have any donor support, and we're relying on the funding we've received from the monks and locals... We have to find donors so the center may operate in the long-term,"* said Nai Nyan Tun.

As stated by U Aung Naing Win, a local civil society activist in Ye Township, *"We are happy, and welcome everyone working with the drug addiction treatment and rehabilitation center, but we hope the center will operate in accordance with the law, and that it will be sustainable. Until now, the NMSP in Dawei District has detained drug users at the request of parents, but these efforts have not succeeded due to financial constraints, and limited resources [to adequately address substance abuse]... Once the NMSP*

*released them, many return to using drugs."*

Parents seeking to have their children enter rehabilitation at the center must provide 30 kilograms of rice and 10,000 kyat (US \$6.49) per month to cover food expenses. Currently, there are approximately 40 youth, ranging from 15 to 30 years of age, detained by the NMSP in Dawei District at the request of parents or guardians.

Similarly, youth struggling with drug addiction have been **detained by NMSP authorities in Thaton District** at the request of parents or guardians.

*"Before signing the Nationwide Ceasefire Agreement (NCA), the [NMSP] faced many difficulties when trying to work with other organizations, but now that they have signed the NCA, they can connect and work together with the government and civil society organizations [to support the treatment center],"* remarked U Aung Naing Win.

Treatment center staff will closely monitor the progress of patients, and when patients are deemed to have entered recovery from their addiction, patients will be released back into custody of their parents or legal guardians.

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## News

## 2,000 IN NEED OF HUMANITARIAN ASSISTANCE ON KALAGOKE ISLAND IN AFTERMATH OF CYCLONE PABUK



January 21, 2019

**HURFOM:** Nearly 2,000 people are in need of humanitarian assistance, while schools, monasteries, and some 400 houses sustained damage after tropical cyclone Pabuk swept across Kalagoke Island, Ye Township, Mon State, at approximately 8 am, on January 8<sup>th</sup> 2018.

According to Kalagoke Administrator U Taung Sein, Pabuk was only the second tropical cyclone to hit the island in recent memory. In all, 396 houses, two schools, and two monasteries were damaged.

*"For those whose houses were damaged, we let them stay in the monastery. Now, because exams draw near...we've hurried to repair the schools. For Basic Education High School on the lower part of the island, we've prioritized for 5<sup>th</sup>, 8<sup>th</sup>, and 11<sup>th</sup> grade students to return to classes....We're focusing on repairing the school,"* said the administrator.

Currently, the Ministry of Social Welfare, Relief, and Resettlement is working to repair the schools, monasteries, and utility poles damaged by the storm.

Of the 396 houses impacted by Pabuk, 111 have entirely collapsed, while the remaining 285 sustained exterior damage. Altogether, 1,927 people, 493

of whom are children under the age of 12, have been directly affected by the storm according to the administrator.

The Mon State government will provide 100,000 kyat (US \$65.31) to those who have lost their houses, and 50,000 kyat (US \$32.65) to those whose houses were damaged, explained Sein.

*"On January 10<sup>th</sup> we called a meeting so the government can plan how best to support the victims. Those who sustained little damage will be okay, but the people who lost their houses will face great difficulty,"* said the administrator.

*"I have two children who live in different houses because they're married, and three children who live with me...Those whose houses have collapsed will be supported with only 100,000 kyat, so it's difficult to rebuild our homes,"* said Daw Pie, a 67-year-old woman whose house collapsed during the storm.

*"We're lucky that the storm happened during the daytime. If it had happened at night, we would all be dead. As soon as the storm swept across the island, it was dark, and we couldn't see anything... The storm lasted for 15 minutes...It didn't take long, but it did a lot of damage,"* continued Daw Pie.

When Pabuk made landfall, most Kalagoke villagers were in a local monastery attending a Dhamma ceremony. Perhaps for this reason, Pabuk claimed no casualties despite the collapse of 111 houses.

On January 10<sup>th</sup> 2019, a team of made up of Mon civil society organizations including the Human Rights Foundation of Monland (HURFOM), Mon Women Coalition (MWC), Mon Women's Organization (MWO), and Jeepyah Civil Society Development Organization (JCSDO) traveled to Kalagoke to provide those affected by the storm with rice, cooking oil, and salt.

Though such aid is surely welcomed, the onus rests with the Mon State government to provide more financial support to those Kalagoke villagers who have been left without a home in the aftermath of the storm.

Tropical storm Pabuk was an out-of-season cyclone originating in the Gulf of Thailand before making landfall in the Pak Phanang district of Thailand's Nakhon Si Thammarat province on the evening of January 4<sup>th</sup> 2019. The first tropical cyclone to hit Thailand's south outside of monsoon season in 30 years, Pabuk was downgraded to a tropical depression as it moved westward across Myanmar and the Andaman Sea.



News

# FEARS OF LAND CONFISCATION GROW AS MILITARY MARKING-STONES DISCOVERED ON FARMLAND



January 23, 2019

**HURFOM:** Residents of Wae Kalee village, Thanbyuzayat Township, have growing concerns about land confiscation upon discovering land-marking stones demarcating some 500 acres of local farmland, believed to be laid by forces training at the nearby Advanced Military Training School No. 4, according to reports.

*“They [military trainees] planted land-marking stones a month ago but did not inform us. The demarcation started at the west entrance of their military base. The milestones are very near to each other at the west entrance and further apart a closer to the plantations on the hill. They didn’t inform the plantation owners about the demarcation. As the locals have experienced land confiscation by the military in the past, they’ve been worried about further land*

*confiscation. Because the military planted these new land-marking stones, locals believe their plantations will surely be confiscated,”* said Nai M—, a plantation owner whose land has been marked by the military.

The plantations in question, all of which primarily produce rubber, are divided between landowners who possess Land Use Certificates (LUC Form No. 7), and those who farm their land under traditional land tenure, but without official documentation.

*“When the rubber plants weren’t ready to produce latex, they [the military] did nothing. But the rubber plants have matured, and they all are ready to produce latex. Now, the military has planted land-marking stones and created demarcations so we’ve been worrying that our plantations will be confiscated. We complained that we*

*have [LUC] Form No. 7, and that it’s illegal to place a marking on our plantation...But they told us to just ignore the stones, and do our work on the plantation as usual. Still, we’re concerned because our plantations have been marked with milestones...We’re afraid that the military will confiscate our plantations one day,”* continued Nai M—.

In the past, the **Advanced Military Training School confiscated local plantations**, claiming that the lands fell within the boundaries of the school’s shooting range, and only allowed owners to resume work on their plantations once they had paid an **arbitrary tax**.

However, some plantations were **confiscated in their entirety** by the military, while others were seized and then **sold to new owners** by military officials. In particular, Burma Artillery Regiment Command No. 315 (ARC 315), stationed in Thanbyuzayat Township, has been documented as confiscating rubber plantations in the area and **selling them to new owners**.

Between 2001 and 2004, more than 1,500 acres of plantation lands close to Sakhan Gyi village, approximately 1,000 acres of plantation lands surrounding Wae Kalee military base, and between 400 to 600 acres of plantation lands in close proximity to ARC 315 were seized by the military.

Across Burma, land is people’s primary asset, with **70% of the population** living in rural areas and dependent on small-scale farming for their livelihoods. Though land lies at the center of rural life, land tenure for Burma’s small-scale farmers remains unprotected and insecure. Military expansion, the increase of foreign investment, and a general lack of rule of law mean that land confiscation is endemic throughout Burma, and for residents of Wae Kalee village, the appearance of new land-marking stones suggest the that military is preparing to once again seize their lands in what is only the latest episode in an on-going series of land rights abuses.



## News

## FATHER AND SON ARBITRARILY ARRESTED, DETAINED BY UNKNOWN ARMED GROUP NOT SEEN FOR 4 MONTHS, WIFE STRUGGLING TO MEET DAILY NEEDS



January 30, 2019

**HURFOM:** A father and son working on a rubber plantation in Kaw Sein Ban village, Hpa-an Township, Karen State, were arbitrarily arrested and detained by an unknown armed group on October 8th 2018, and nearly four months after their arrest, the family of the two detainees has yet to receive any information about their whereabouts or well-being, according to Daw Mya Tway Mon, the wife and mother of the two victims.

The victims in question are 42-year-old U Mon Htay Nyne, and 15-year-old Maung Thaw Zin Win, originally from Kaw Kha Loy village, Mudon Township, Mon State.

*"On the next Uposatha [Buddhist day of observance], it will have been four months since they were arrested...We haven't heard any news from them...I filed a report at the Eain Du Police Station. On the evening of January 21<sup>st</sup> 2019, Police Major Myo Aung of the Hpa-an Police Station called me and said an investigation team will visit me...So I'm waiting for them,"* said Daw Mya Tway Mon.

On the night of the event, the father, son, and two cattle-grazers had gathered in a hut on the plantation. At approximately 9 pm, three men in civilian clothes from an unknown armed group entered the hut, arbitrarily arresting and detaining the father and son. The three men also stole one of two motorbikes parked beside the hut, according to the wife of the victims.

At approximately 4 pm on October 9th 2018, the day after the two men were apprehended, Daw Mya Tway Mon was contacted by her husband's and son's neighbors on the plantation, and informed of the arbitrary arrest and detention. On October 20<sup>th</sup> 2018, Daw Mya Tway Mon went to the Eain Du Police Station and reported the disappearance of her husband and son.

On December 14<sup>th</sup> 2018, when authorities learned that the father and son were detained by an unknown armed group, the focus of their investigation changed from "missing persons" to a standing charge against the unknown assailants under Penal Code #365 – kidnapping or abduction with intent secretly and wrongfully to confine person.

*"They came into the hut, beat the father and son, and arrested them. Initially, we thought this was a 'missing persons' case, but when we learned they were likely kidnapped, we filed charges,"* said a police officer from the Eain Du Police Station.

After talking to witnesses, the police major of the Hpa-an Police Station confirmed that the father and son were indeed arbitrarily arrested and detained by an unknown armed group.

An officer from the Eain Du Police Station stated that at this time, authorities do not know where the victims are being held, or what condition they are in, but are proceeding with their investigation.

According to Daw Mya Tway Mon, she and her husband purchased the plantation, but registered her husband's elder brother as the plantation owner. Though both families worked together on the plantation for some time, there was increasing conflict over ownership of the plantation between the two brothers.

*"My husband and son don't have any enemies in Hpa-an. He [the husband] frequently argues with his brother about [ownership of] the plantation. Twice, my husband's brother has reported my husband to the police after having an argument,"* said Daw Mya Tway Mon.

She also alleges that this was a targeted attack on her family due to ongoing conflict over ownership of the plantation, and that her brother-in-law organized the arbitrary arrest and detention of her husband and son, using connections his wife has with an armed group in the region.

Daw Mya Tway Mon suffers from arthritis and is unable to work, thus the loss of income due to the arbitrary arrest and detention of her husband and son has profound implications for her family's financial security. She also takes care of their two other children, a 17-year-old son who is deaf and unable to speak, and a 4-year-old son. According to her neighbors, everyday life has become a struggle for Daw Mya Tway Mon.

*"Two weeks after they were arrested, I received a phone call from an unknown number...But I didn't hear the voice clearly and when I asked, 'who is this?', they just hung up. When I re-dialed the number, the operator told me the number wasn't available,"* said Daw Mya Tway Mon.

Though the arbitrary arrest and detention of civilians by unknown armed groups is no longer as common as it once was, such incidents nonetheless threaten the safety, security, and well-being of villagers across Mon State and other areas of southeastern Burma.

News

# MAWLAMYINE CEMENT LIMITED CONTINUES TO DESTROY LAND, PROPERTY, AND LIVELIHOODS FOR VILLAGERS IN KYAIKMAYAW TOWNSHIP



February 6, 2019

HURFOM: Residents of Ni Ton and Kwan Ngai, two riverside villages along the Attran river in Kyaikmayaw Township, Mon State, are fearful of remaining in their homes, as the powerful bow waves generated by vessels transporting coal and cement to and from the nearby Mawlamyine Cement Limited (MCL) power plant and factory are eroding the banks of the river and damaging the foundations of houses along this stretch of the Attran.

According to residents, the scale of damage resulting from the daily transportation of goods has increased every year since MCL's operations began.

"Cracks [in the foundation] have increased year after year. This year we've seen the greatest number of cracks. Since this factory has been in operation, we've been suffering. The factory has operated for just three years, and we're [villagers] already afraid to live in our houses...We have to move. High-ranking government officials must take responsibility for this problem. We've voiced our concerns many times, but nothing has changed. If your house has been damaged, you have to repair it yourself. We have to repair our house every year," said Daw San Maw, a resident of Kwan Ngai village.

A group of 15 villagers from both Ni Ton and Kwan Ngai shared similar stories, stating that the scale of damage to their homes has increased with each passing year, and added that the daily passage of vessels has led to environmental degradation.

The environmental impact of MCL's operations has been wide ranging. **Soil erosion**, a marked **decline in fish stocks** along the Attran, and difficulties accessing **clean water, fruits for traditional medicinal purposes, and natural construction materials** have all been reported.

"The river can't bear the momentum of the vessels. The riverbank collapsed and riverside houses have been damaged. It's not easy for us to move and build a new house. In the past, we organized many activities to oppose the project, but nothing has changed. We've given up," said villager Nai Ohm Pan Lay.

Although some residents may express defeat, **opposition to MCL's presence** in the region has been sustained since at least 2015, when residents first learned that the factory would be coal-powered. In February 2017, more than **2,000 villagers from the Pyar Taung region** of Kyaikmayaw Township demonstrated against MCL, calling for an end to the use of coal.

When speaking about the broader environmental impacts of the heavy river traffic, U Khin Maung, a fisherman from Kwan Ngai village, stated that the number of fish and prawns in the Attran had significantly decreased since MCL began operations.

"When the factory first opened, we still caught 30 peittha (48.9 kg) of fish and prawns per day, but now we have to fish all day to catch only 3 peittha (4.89 kg). There are practically no fish or prawns left. The future will be very difficult for us," said U Khin Maung.

To make matters worse, fisherfolk report that the vessels hired by MCL routinely destroy their fishing nets, compounding the livelihood challenges posed by MCL's operations.



## News

## TEENAGE GIRL IN MUDON TOWNSHIP SEES RAPIST BROUGHT TO JUSTICE MONTHS AFTER 25-YEAR-OLD PERPETRATOR TRIED TO SILENCE HER WITH COMPENSATION

February 12, 2019

**HURFOM:** On February 2<sup>nd</sup> 2019, Ko M—, a 25-year-old man from Kamarwat Town, Mudon Township, Mon State, was charged with the rape of a 15-year-old girl after the Chair of the Mon State Future Light Organization, Daw Ther Htar Lwin, brought the incident to the attention of Kamarwat police.

Although the perpetrator and victim were neighbors, Ko M— first came into contact with the girl through social media in April 2018, and the two kept in regular communication thereafter. According to the victim, on the day of the incident she had gone to her grandmother's farm to harvest vegetables but was unknowingly followed by Ko M—, yet it remains unclear how he knew of the girl's whereabouts. Once she arrived, Ko M— proceeded to rape her in an isolated area of the farm.

The girl soon discovered that Ko M— had impregnated her, which prompted the girl's grandmother to ask Ko M— that he marry her granddaughter. Ko M— refused any such request, claiming that he was not the father of the child.

Although the girl's family wished to seek justice, threats of violence from Ko M—'s family, and a Mon-Burmese language barrier between the girl's family and authorities combined to discourage the girl's family from reporting the rape to Kamarwat police.

In an effort to absolve himself of any wrongdoing and bring to rest any further accusations of rape, on November 7<sup>th</sup> 2018, the girl and her grandmother signed a letter of mutual agreement with Ko M— in exchange for 500,000 kyat (US \$325.31). The agreement was signed at their local General Administration Department (GAD) office in the presence of the 100 households head and the ward administrator, wherein it was stated that Ko M— was neither the perpetrator of the crime nor the child's father.

However, with the visit of the Daw Thet Htar Lwin, Chair of the Mon State Future Light Organization to Kamarwat Hospital, the search for justice was renewed.

*"After arriving at Kamarwat Hospital to observe progress on Future Light's orphan project, I was approached by a midwife and the girl. The girl told me that once she gave birth, she hoped to put her child up for adoption. When I asked why, the midwife informed me that the child's father refused to marry the girl and refused to acknowledge that the child was his,"* said Daw Thet Htar Lwin.

Wanting to know more, Daw Thet Htar Lwin met with the girl's grandmother who relayed that Ko M— had raped the girl, and that Ko M—'s family now claimed that the child is not his and that her granddaughter is mentally

unstable. Daw Thet Htar Lwin also learned that Ko M—'s family threatened to kill the girl and her grandmother if they filed a police report.

With this information in hand, on February 2<sup>nd</sup> 2019, Daw Thet Htar Lwin notified Kamarwat police of the incident. The Kamarwat police detained Ko M—, charging him under Penal Code 376 (Punishment for rape).

According to the Deputy Chief Officer of the Mudon General Administration Department, U Kyaw Zin Oo, charges will also be filed against the ward administrator if it is found that he authorized financial compensation to the victim as settlement in this case.

The Mon State Police Office state that 80 cases of rape were reported in 2018, 57 of which (71.25%) involved the rape of a child.

As documented by HURFOM's Women and Child Rights Project in *A Girl's Life Was Destroyed*, between June 2017 and July 2018, 14 cases of sexual violence against children were reported in Mon State. Still, it must be understood that the numbers reported by HURFOM and the Mon State police necessarily underrepresent the true scale of sexual violence against children given that many children are too young to understand and articulate such experiences, and that the stigma associated with sexual violence operates to discourage victims from coming forward.

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However, it is not just livelihoods that are under threat, for in September 2018 a fisherwoman died after being struck by a vessel transporting coal to MCL's power plant.

At the request of residents, a warning sign instructing vessel operators to reduce their speed was installed atop a bridge in Kwan Ngai village, though villagers report that MCL's vessels continue to travel at worrying speeds.

Villagers have also approached MCL, asking them to ensure their vessels remain at least one mile apart from one another when in transit.

*"At the very least, if the vessels reduce their speed the negative impacts will decline, and our suffering will ease,"* said Nai War, a local resident.

Mawlamyine Cement Limited is a joint-venture between Siam Cement Group (SCG) and Pacific Link Cement Industries (PLCI). The company has repeatedly come under fire from locals, the monastic community, and members of parliament for the negative impact its operations continue to have on local livelihoods and the environment.

For more information on MCL and the impact of foreign direct investment in Mon State, please refer to HURFOM's 2016 report *Examining Foreign Direct Investment in Mon State, Burma*.

News

## HUMAN RIGHTS DEFENDERS MEET WITH THE MYANMAR NATIONAL HUMAN RIGHTS COMMISSION IN MAWLAMYINE, SHARE CONCERNS ABOUT COMMISSION'S ACTIVITIES IN MON STATE



February 11, 2019

**HURFOM:** A human rights coordination meeting organized by Equality Myanmar (EQMM) and Local Resource Centre (LRC) providing local community-based organizations (CBOs) and human rights defenders an opportunity to meet with the Myanmar National Human Rights Commission (MNHRC) was held at the Rehmonnya Hotel in Mawlamyine, Mon State, on February 5<sup>th</sup> 2019. The MNHRC shared information about the commission's structure and activities, and discussed the commission's limitations with respect to human rights advocacy with those in attendance.

The Assistant Director of the MNHRC, U Za Lwin Htoo, told those present that the MNHRC was a Union government organization created by the state, and funded by the state, but that it was an independent body.

*"There are some issues that the commission can't address. The commission can't use its power to instruct the judiciary or intervene in court proceedings...The commission can't make a final decision in a human rights case like the court does...But the commission is fully authorized to advise the Union government on how to*

*address human rights issues,"* said U Zaw Lwin Htoo.

He also informed those in attendance that as part of its activities, the commission educates government staff, military personnel, the police, and prison staff on the importance of human rights, and holds consultation meetings with community groups to promote human rights.

Apart from the MNHRC, other government bodies and staff in attendance included the Mon State Legal Aid Team, the Mon State Rule of Law and Justice Coordinating Group, Dr. Aung Nyne Oo, the Deputy Speaker of the Mon State Parliament, U Aung Kyaw Thu, the Chairperson of the Mon State Complaint and Appeal Letter Review and Assessment Committee, and Daw Khine Khine Lei, the Chairperson of the Mon State Parliament Women and Child Rights Committee.

As the meeting progressed, human rights defenders and representatives of the CBOs in attendance engaged the MNHRC in discussion, sharing information about their respective organization's activities, and their experiences working to address issues of human rights and the rule of law in Mon State.

Some in attendance expressed their dissatisfaction with what they believed to be the MNHRC's lack of genuine concern about the human rights situation in Mon State.

*"When we collect evidence of human rights abuses and violations, to whom do we report and how? The MNHRC must become informed about the human rights situation in Mon State...This is the purpose of this meeting,"* said Min Win Bo, the Coordinator of LRC's Mawlamyine office.

Following Min Win Bo's lead, a local human rights activist from Ye Town asked why the commission had not replied to reports about human rights violations in Mon State. Specifically, the activist mentioned a dispute over land ownership that had gone unaddressed by the commission, wherein a judge had ruled in favor of someone holding a forged land use certificate.

Taking their cue from the activist, members of the Mon State parliament who were in attendance also voiced their frustrations to the commission about corruption in Mon State's judiciary, and the MNHRC's inaction to remedy such concerns.

Criticism of the MNHRC by civil society groups has been longstanding. Prior to its accreditation by the International Coordinating Committee Sub-Committee on Accreditation in 2015, **HURFOM along with 148 partner organizations** called for the commission's accreditation to be postponed given that the MNHRC was not supported by the people of Burma, and failed to fully comply with the Paris Principles, a set of standards by which all internationally accredited National Human Rights Institutions are required to operate.

In 2018, scrutiny of the MNHRC was renewed when **a joint report released by civil society groups** evinced the inability of the commission to address rights violations committed by the military, the commission's continued



## News

## FATHER WHO REPEATEDLY RAPED 7-YEAR-OLD DAUGHTER ON THE RUN FROM KAMARWAT TOWN AS POLICE SEEK TO PRESS CHARGES

February 14, 2019

**HURFOM:** On February 4<sup>th</sup> 2019, charges were filed against a 35-year-old man from Kamarwat Town, Mudon Township, Mon State, for the repeated rape of his seven-year-old daughter thanks to the resolve of Daw Kyi Kyi Aye, the girl's school principal, and the intervention of Daw Mya Thein Ge Maw, a Mawlamyine-based lawmaker.

As Daw Kyi Kyi Aye reports, the girl arrived at school on the morning of January 24<sup>th</sup> 2019 wearing a dirty school uniform and in need of a bath. Out of concern for the child's well-being, Daw Kyi Kyi Aye took it upon herself to bathe the young girl.

*"During the bath, I saw the girl's genitalia appeared to have been injured. When I asked her if she was okay, I learned that the girl's father had been abusing her since her mother had passed away [more than a year ago],"* said Daw Kyi Kyi Aye, the school principal.

According to residents living close to the school, the girl successfully hid from her father when he came to pick her up from school that day, eventually returning home without his daughter. It remains unclear why the girl was free to return to her father's house.

*"After seeing that the girl was alone on the street that night, local residents brought her to the house of the ward administrator. The next morning [January 25<sup>th</sup>], the administrator summoned the girl's father and aunt, and it was decided that the girl would live with her aunt,"* according to Daw Kyi Kyi Aye. It is not known whether the father's abuse of his daughter was discussed during this meeting.

The girl's aunt alleges that her niece said she did not want to live with her, so on January 26<sup>th</sup> the girl's aunt brought her back to the ward administrator who decided that the girl should be returned to the custody of her father.

Having learned that the young girl was again living with her father, Daw Kyi Kyi Aye informed the ward administrator that she would take responsibility of the girl, and by January 30<sup>th</sup> the girl had been placed in Daw Kyi Kyi Aye's care.

*"The girl had been telling her neighbors that her father was raping her for a long time, but the neighbors did nothing to help. I think they were worried that they would have to take care of the girl if they spoke out, so they stayed silent,"* said the principal.

On February 4<sup>th</sup>, Daw Kyi Kyi Aye went to the Kamarwat Police Station to have rape charges filed against the girl's father but was turned away after being informed that the police could not press charges without first speaking with the girl's father and investigating the allegations.

Frustrated with the response she received, and determined to bring the girl's father to justice, Daw Kyi Kyi Aye travelled to Mawlamyine to report the girl's father to the Department of Social Welfare. There, she met with Daw Mya Thein Ge Maw, a lawmaker working with the department, telling her of the ongoing sexual abuse, and that Kamarwat Police were unwilling to proceed with charges.

*"Members of the Kamarwat Police Force were also at the office, so Daw Mya Thein Ge Maw met with them and discussed the allegations. The police*

*then spoke with me and told me to file a report against the girl's father when I returned to Kamarwat. Because of the lawmaker, the police pressed charges against the girl's father,"* said the Daw Kyi Kyi Aye.

Kamarwat police charged the girl's father under Penal Code 376 (Punishment for rape) and 511 (Punishment for attempting to commit offences punishable with transportation or imprisonment). However, the girl's father is believed to have fled Kamarwat, meaning police have been unable to proceed with the charges.

*"The Mon Women's Organization (MWO) and the Mon National Education Committee (MNEC) say they will take care of the girl. At the moment, the girl is with me, and the MWO is providing financial support. I will send the girl to stay with the MWO soon. I feel unsafe because the perpetrator hasn't been apprehended yet. I'm afraid he'll do something to me,"* said Daw Kyi Kyi Aye

In 2017, a total of **61 cases of rape were reported to Mon State police**, 44 of which were cases of child rape, whereas **in 2018 this number rose to 80**, with 57 of these cases involving the rape of a child. The rise in reports of child rape from 44 to 57 signals a 29.5% net increase in cases of child sexual abuse reported in Mon State between 2017 and 2018, which is in keeping with a broader Burma-wide trend of increases in the reporting of sexual abuse to authorities over the last five years.

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## News from page no.10

failure to comply with international standards, and the commission's overall lack of transparency and independence from government.

According to the MNHRC, 3,281 reports were submitted to the commission in 2018, of which they investigated 668 as the majority of reports submitted were

deemed to be beyond their capabilities or without the information needed for the commission to proceed with an investigation. Of the 668 reports investigated, 516 received some manner of response from various, undisclosed government departments, while the remaining 152 received no response despite being investigated.

The commission also added that it had undertaken 14 field investigation in addition to these 668 investigations.

In all, 36 people from the MNHRC, the Mon State Parliament, legal aid groups, and community-based organizations along with independent human rights defenders convened for the coordination meeting.

News

# INTERNATIONAL WOMEN'S DAY 2019 STATEMENT

## #BalanceforBetter



March 8, 2019

**HURFOM:** Today, the Human Rights Foundation of Monland (HURFOM) is celebrating International Women's Day. This year's theme is #BalanceforBetter because gender balance drives a better working world and is essential for communities to thrive. Key to achieving gender balance is to notice its absence, celebrate its presence, and to work every day to challenge the existing gender roles and relations that deny women full participation in society.

To better understand what #BalanceforBetter means to women living in Mon State, HURFOM spoke with Mi Cherry Soe, the Program Director of the **Jeepyah Civil Society Development Organization's** (JCSDO) Women Empowerment and Child Rights Program.

When commenting on women's participation in politics and the decision-making process, Mi Cherry Soe had the following to say:

*"For me, I want to see gender parity throughout government with women holding 50 percent of the seats. This is what we hope to achieve, and it would be great if voters could begin to focus on equal representation so this can become a reality. This way, we will achieve the equal participation of women in the political process."*

Moving away from politics, Mi Cherry Soe also addressed the obstacles women confront in the social and economic spheres of their lives:

*"Gender-based discrimination can no longer be justified as being part of our tradition or culture. In the workplace too, gender-based discrimination in terms of compensation and benefits must end. By closing these gaps, we will create a better society for future generations."*

The issues raised by Mi Cherry Soe speak to a political reality where women are shockingly underrepresented despite making up **52 percent of the total population**, and highlight the challenges regularly faced by women across Mon State and throughout Burma/Myanmar.

Based on the data currently available, women hold only **10.1 percent** of seats in the House of Representatives, **10.2 percent** of seats in the House of Nationalities, and **16.1 percent** of seats in the Mon State Parliament. The underrepresentation of women in ministries and parliament may shed light on why the long-awaited Prevention and Protection of Violence Against Women Bill, first proposed in 2013, continues to collect dust.

By increasing representation at all levels of government, laws, policies, and practices that have historically been designed by men can be reimagined and created anew to reflect the diverse needs and priorities of women, families, and ethnic minorities, and ultimately move Burma/Myanmar toward becoming a society that not only protects women but guarantees women equal opportunity in all areas of social life.

#BalanceforBetter also means working to change attitudes, beliefs, and behaviors that prevent women from reaching their full potential. The frequency with which violence against women is reported provides a sobering example of how the lives of women and girls continue to be undervalued. In fact, between 2017 and 2018, there was a **31.1 percent net increase** in reports of sexual violence against women and children in Mon State.

The stigma and shame associated with sexual violence coupled with hush payments and a culture of victim blaming often keep survivors from coming forward to seek justice. However, since March 2018, at least 6 girls between 12 and 16 years of age have had the courage to speak out and hold their attackers to account.<sup>[1]</sup> In their refusal to remain silent, these young women have begun to dismantle a system of attitudes, beliefs and behaviors that threaten the safety, security, and well-being of women everywhere.

On this International Women's Day, HURFOM pledges to work every day to challenge the existing gender roles and relations that deny women full participation in society and wishes to acknowledge the tireless work of women human rights defenders in Mon State, Burma/Myanmar, and across the globe working to create a world where women's rights are respected, protected, and fulfilled.

**[1] 12-year-old domestic worker raped repeatedly in Chaungzone Township; Man charged with rape of 12-year-old girl in Ye Township; Second case of child rape in a month in Ye township; 16-year-old girl raped by her cousin's brother in Ye Township; 15-year-old girl raped repeatedly by her father in Mudon Township; Teenage girl in Mudon Township sees rapist brought to justice months after 25-year-old perpetrator tried to silence her with compensation.**



## News

## NEW REPORT FINDS PERSONAL SECURITY CONCERNS, LACK OF PROTECTION MEASURES GREATEST IMPEDIMENT TO WOMEN'S PARTICIPATION IN POLITICS



March 14, 2019

### Women and Child Rights Program

In a new report on women's participation in politics released by the **Jeepyah Civil Society Development Organization** (JCSDO), the JCSDO research team found that real or perceived threats to personal security figured as the greatest impediment to women's participation in politics. Specifically, concerns about personal security coupled with a lack of special measures to protect women lawmakers when in the community, or on an extended business trip, were identified as major obstacles to increasing women's participation in politics.

In conducting this research, the research team met with 30 lawmakers, 11 of whom are women, from Mon and Karen states, and Tanintharyi Region. The JCSDO team gathered the opinions of lawmakers regarding the role of women in positions of leadership and throughout all levels of the political process.

*"Mainly, [concerns about] personal security, gender stereotypes, and the expectation to perform housework are barriers to women's increased involvement in politics. Another factor is that when given the choice between*

*a qualified female candidate and a male candidate, [we found] most women choose to support the man. It's the mainstream way of thinking. The political community still doesn't favor women,"* said Mi Cherry Soe, the lead researcher and Program Director of JCSDO's **Women Empowerment and Child Rights Program**.

When approached by the research team, Dr. Aung Nyne Oo, the Deputy Speaker of the Mon State Parliament, stated that all political parties were lacking in systematically supporting their female members.

Beyond this lack of support, women's representation in parliament at both the state and union level does not reflect the composition of the population, with women making up **52 percent of the total population** based on the most recent figures available. At the parliamentary level, such underrepresentation means that women's issues are often overlooked and not accorded the importance they so deserve.

*"During the first parliamentary period under Thein Sein, the Mon State Parliament had no female lawmakers, but now 16 percent of its members are women. However, the Karen and Tanintharyi parliaments have an even*

*lower percentage of female members. Some people think women face no barriers becoming involved in politics. The head of state, some chief ministers, and the speaker of the Mon State Parliament are all women. Even though some women hold a high rank, it doesn't reflect the composition of population. Women still face barriers when they want to become involved in politics and leadership"* said Mi Cherry Soe.

A major finding of JCSDO's research, and one that will hopefully inform the parliamentary process at both the state and union level, is that issues that affect women will receive greater time and attention if there are more women in parliament. Further, female lawmakers may approach issues differently than their male counterparts, providing all lawmakers with a more holistic understanding of the issues faced by women and how they may be best addressed or resolved. The report also called for special measures to protect women lawmakers in the course of their duties.

Moving forward, Mi Cherry Soe stated that she will do her best to work as an advocate for women's increased participation in politics and will continue to raise awareness about the social and economic benefits that women's increased representation will bring.

The JCSDO has its roots in the Mon CSO community, mostly based in Thailand. In 2010, Jeepyah Education Services (JES) was established by members of HURFOM, and in 2012 HURFOM's Women & Child Rights Project (WCRP) added its support to JES to help form the Women Empowerment and Child Rights Program. In 2017, the name of the organization was changed from JES to JCSDO to better reflect the diverse activities being carried out through its programming.

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News

# MON STATE GOVERNMENT ORDERS MILITARY-RUN FACTORY TO SUSPEND OPERATIONS AFTER VILLAGERS SOUND THE ALARM ON WATER CONTAMINATION



*Because of these losses, my livelihood is in danger. I can't support my children's education and they had to drop out. In the past, we couldn't file a report about our suffering because the factory was owned by the military. We were too afraid to complain," said U A—, a local farmer.*

*"We built dykes to stop the waste water from entering our farm. But the factory staff secretly smashed the dykes at night. The stream water level rises in the rainy season, and the waste water flows into our farm. The waste water killed our rice paddies," said U T—, a local farmer.*

As highlighted by U A—, for many years farmers did not come forward with their grievances, for not only was there no formal process to lodge a complaint against the factory, fear of punishment and reprisal from the military worked to prevent farmers from speaking out.

*"Now, in the era of the NLD government, we can file a complaint. We haven't yet made a formal complaint, but we can at least speak openly about our suffering," said U A—*

After conducting his investigation, Dr. Min Kyi Win directed factory authorities to formulate an Environmental Management Plan (EMP), and to provide the EMP to the Mon State government when completed. Factory authorities were further instructed by Dr. Win to have factory operations reviewed, to secure authorization to operate from the Mon State Environmental Conservation Department, to apply for a business license from the Central Supervisory Board of the Prevention of Hazard from Chemical and Related Substances, to systematically purify the waste water produced, and to inform local populations about factory operations and the efforts undertaken to prevent chemical hazards.

*"We've instructed the factory to suspend operations until these steps have been taken. We also directed the factory to build a concrete waste water*

February 28, 2019

**HURFOM:** Due to the actions of villagers in Ye Pyar Gone village, Paung Township, the Mon State government has ordered the Pa Don Mar soap factory, operated by the military-owned Union of Myanmar Economic Holdings Limited (UMEHL), to suspend operations as waste water from the factory has contaminated the local water supply, destroying rice and vegetable crops and placing the livelihoods of farmers in Ye Pyar Gone under threat.

Farmers in the area have long relied on a local stream for crop irrigation, using a system of canals to redirect the water supply to their farms. However, with the disposal of waste water from the factory in to the same stream, this once rich water source has been compromised.

Heavy rains and flooding on January 8<sup>th</sup> 2019 are believed to have brought waste water into the system of canals throughout Ye Pyar Gone village, for in the days immediately following the flash floods, farmers reported that crops irrigated with canal water died. Typically, waste water from the factory bypasses the canals, but increased water levels enable the waste water to enter the canal system.

On January 14<sup>th</sup> 2019, farmers brought their concerns to the attention of the Ye Pyar Gone village administrator.

*"We conducted a field investigation on the day we received the report from farmers. When we arrived at the farms, we saw that some vegetables had wilted, and that some were dead. We also informed the National League for Democracy (NLD) village chairperson, and local lawmaker U Tun Min Aung of what had happened. That afternoon, the lawmaker, government officials, and Dr. Min Kyi Win, the Mon State Minister of Natural Resources and Environmental Conservation, visited the farms and conducted another investigation. They also visited the factory," said the village administrator.*

Farmers in Ye Pyar Gone village alternate between growing rice during the rainy season, and vegetables during the summer months, but waste water contamination means that crops have to be replanted leading to smaller harvests, and ultimately reduced household incomes from the sale of fewer cash crops.

*"The factory was built in 2002 and started to operate in 2003. Our crops have been destroyed since the factory started operation. I've lost at least one million kyat (US \$661.85) per year.*



## News

## MAN ARRESTED FOR ATTEMPTED RAPE OF HIS 17-YEAR-OLD DAUGHTER IN KYAR INN SEIK KYI TOWNSHIP



March 22, 2019

**HURFOM:** A 50-year-old man from — village, Kyar Inn Seik Kyi Township, Karen State, has been arrested and detained by the New Mon State Party (NMSP) for the attempted rape of his 17-year-old daughter. The young woman reported the attack to the — village administrator who then informed NMSP authorities. It is alleged that the man has been abusing his daughter for years.

The incident occurred when the young woman, who now lives with her husband, had returned home to visit her family.

*“The report that Nai S— [the father] raped his own daughter is valid. The abuse started when the girl was just 15-*

*years-old. When the girl came home to visit her family, her father tried to rape her again. The girl defended against his attack and screamed, alerting neighbors of the attack. We’ve arrested and detained him, but we haven’t begun our investigation yet,”* said Nai Raja, the Chairperson of the Kyar Inn Seik Kyi NMSP Office.

*“It is not only this girl, but also her elder sister, that Nai S— has raped. We consider this a case of child rape. We’ll thoroughly investigate this case and pronounce a sentence in accordance with the law,”* continued Nai Raja.

The mother of these two young women, who passed away approximately one year ago, is said to have been aware of the ongoing sexual abuse but remained silent.

Although it is not possible to determine why the girls’ mother would refrain from speaking out, it must be noted that silence — anchored in shame, stigma, and fear of victim blaming or further violence — is a common response to sexual violence in Burma.

This is the third incident of sexual violence against women and children that HURFOM has reported on since January 2019.<sup>[1]</sup> Still, it is likely that the true number of such incidents far outpaces the already troubling frequency of our reports.

As stated in *Cracks in the Silence*, a report produced by HURFOM’s Women and Child Rights Project, it is estimated that only 11 percent of victims of sexual violence immediately disclose of an incident to a friend or loved one without first being prompted. Even after disclosure, victims are often reluctant to report the incident to authorities.

The resolve of this young woman to report her father to the village administrator along with the general **increase in the number of cases being reported** in Burma may indicate that the culture of silence regarding such issues is slowly starting to change. However, until the Protection and Prevention of Violence against Women Bill has been enacted to provide women and girls with separate legal protection, the safety, security, and well-being of women throughout Burma will remain a secondary priority.

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[1] **Teenage girl in Mudon Township sees rapist brought to justice months after 25-year-old perpetrator tried to silence her with compensation; Father who repeatedly raped 7-year-old daughter on the run from Kamarwat Town as police seek to press charges**

News

# IN WAKE OF SILENCE FROM GOVERNMENT, VILLAGERS IN KYAIKMAYAW TOWNSHIP HOLD PRESS CONFERENCE TO DEMAND JUSTICE FOR LAND CONFISCATIONS



March 7, 2019

HURFOM: After their calls for restitution were met with silence from government, landowners from Kyon Kwel and La Mu Kho village tracks, Kyaikmayaw Township, Mon State, staged a press conference at Kyon Kwel's Parami Dipadi Monastery to call attention to land confiscations carried out with impunity by former village administrators in the region.

Although Kyon Kwel and La Mu Kho are under government control, the Karen National Union (KNU) still exercises partial authority over land management in the area because these villages are recognized as falling within the boundaries of the KNU's Doooplaya District.

Between 2001 and 2002, the village administrators of Kyon Kwel and surrounding villages seized more than 1,000 acres of land claiming it was needed for a development project. However, the land was divided among the administrators and sold to new owners shortly after it had been confiscated.

Those who lost their land say they have written to the President's Office, the Mon State government, and various government departments tasked to

oversee matters pertaining to land but have yet to receive any response. Frustrated with the continued silence, villagers took it upon themselves to organize a press conference and speak out about the injustices they have suffered.

"Even though we've submitted several reports to the appropriate government departments, the government doesn't seem to care...It's already been four years...But we've never received a reply. A month ago, we submitted another report to the President's Office in Naypyidaw...We haven't heard back yet," said Daw Y—, a local woman who lost five acres of land as part of the confiscations.

The person believed to be most responsible for organizing the land confiscations is Kaung Myat, the former Kyon Kwel village administrator and former member of the KNU. Kaung Myat now serves as a village-level secretary in the ruling National League for Democracy (NLD) government.

In collusion with staff from the Department of Agricultural Land Management and Statistics, Kaung Myat and other village administrators were able to illicitly obtain Form No. 7 Land Use Certificates (LUCs) and thus establish that only they were legally

entitled to use the land they had confiscated.

Though villagers have yet to receive any response from members of government they have attempted to contact, they say they have received threats from former village administrators responsible for the land seizures. In response to these threats, villagers filed a report with the KNU's Judicial Department in Doooplaya District.

"There is a man named Kaung Myat in Kyon Kwel who once served as the KNU's Township Chairperson. He seized farmland, religious land, marsh land, and cemetery land, and illegally obtained Form No. 7 for the land. Today, he is a village-level secretary in the NLD government. We asked him to come to our office [to discuss the land seizures], but he didn't come. If the KNU and the government are able to meet and discuss the land seizures, I think we can find a solution," said Saw R Ni, the KNU Township Organizer.

The chairperson of the KNU's Judicial Department in Doooplaya, Saw Maung Myint, stated that the KNU has a concrete land policy and a standard set of procedures to settle disputes over land ownership, but that the overlapping authority of the KNU and the government on land management in this area of Kyaikmayaw Township (Doooplaya District) complicates the resolution process. The chairperson went on to state that the NLD government has a responsibility to settle disputes over land in accordance with NLD policies.

"Before the ceasefire agreement, Kyon Kwel was under KNU control. After the ceasefire agreement was signed, the KNU lost its power in Kyon Kwel and we can't resolve issues without cooperation from the NLD. As Kyon Kwel has become a mixed-controlled area, people don't know whether they have to report to the KNU or to the government. The KNU faces difficulties in the decision-making process because of this," said Saw Maung Myint.

[Read more on page 17>>](#)



## 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:

HURFOM, P.O. Box 35, Sangkhalburi Post Office,  
Kanchanaburi, 71240 Thailand

E-mail: [info@rehmonnya.org](mailto:info@rehmonnya.org)

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

With regards,

Director

Human Rights Foundation of Monland

### News from page no.16



Villagers are now demanding that the government acknowledge the land confiscations and act in accordance with the law.

“Our farmland was confiscated and sold. We said we wanted to buy our land back but he [Kaung Myat] doesn’t care about us. He sold our land to those

who were close to him. A leader must protect and benefit the people. We demand that the government tell the truth about what happened to our land,” said Daw N—, a local woman.

“I want the government to investigate the land confiscations and explain to us what happened. There are disputes over

land in every village. We have land laws, but if the government doesn’t follow the law to resolve these problems, all ethnic people will suffer. To get the truth, each government department has to work correctly,” said U T—, a local man whose land was confiscated.

Disputes over land ownership in Kyon Kwel and La Mu Kho village tracks have been ongoing for years, though it was only after the NLD government came to power in 2016 that villagers began to seek restitution for land confiscations. For now, villagers will have to contend with the overlapping authority of the KNU and the government with respect to land management in Kyon Kwel and La Mu Kho as they move forward in their search for justice.

“Even though we’ve submitted several reports to the appropriate government departments, the government doesn’t seem to care...It’s already been four years...But we’ve never received a reply. A month ago, we submitted another report to the President’s Office in Naypyidaw...We haven’t heard back yet,”

# THOUSANDS OF KRATOM TREES DESTROYED BY MNLA IN KYAR INN SEIK KYI TOWNSHIP INDICATES NEED FOR MORE EFFECTIVE DRUG TREATMENT OPTIONS



March 18, 2019

**HURFOM:** According to reports, on March 1<sup>st</sup> 2019 Mon National Liberation Army (MNLA) forces razed a kratom plantation located near Hnint Wae village, Kyar Inn Seik Kyi Township, Karen State.

Under the direction of the the New Mon State Party (NMSP) in Kyar Inn Seik Kyi, MNLA forces entered the property and destroyed thousands of kratom trees grown as a cash crop by the owner.

*"The number of trees was in the thousands, so we had to use two trucks to bring them to our district base. I think there are a lot of kratom trees left behind... We haven't destroyed them all,"* said Nai Jee, the Secretary of the NMSP in Kyar Inn Seik Kyi.

The NMSP secretary also stated that the plantation's owner had fled the area following the MNLA's clearance operations. According to villagers, the plantation owner had been selling kratom leaves for many years until the MNLA moved on the plantation to destroy the crops.

In recent years, kratom has replaced beer and liquors as the drug of choice for many in Mon state and other areas of southeastern Burma. Today, it is not uncommon to find "kratom liquor" (a mixture of kratom, cough syrup, instant coffee, and soft drinks) served to guests at household events and village celebrations. Some homeowners are also said to distribute methamphetamines (yaba) among their guests.

Drug use in Kyar Inn Seik Kyi Township is believed to have increased beginning in February 2017, when the NMSP

withdrew from several checkpoints to decrease escalating tensions with the military at the time. Following the NMSP's withdrawal, reports of the trade and use of illicit drugs in the area rose dramatically. Independent research conducted by both the Mon Youth Progressive Organization (MYPO) and the NMSP's anti-drug team in 2017 estimated that 70 percent of youth in Kyar Inn Seik Kyi had experimented with drugs.

Mixed-control of Kyar Inn Seik Kyi Township by the NMSP, the Karen National Union (KNU), and the Burma government further complicates matters, for there is no unified administrative apparatus in place to coordinate anti-drug efforts.

This latest clearance operation comes nearly one year after representatives from the Mon State National-level Political Dialogue called on the military and ethnic armed organizations (EAOs) to combine their efforts in combatting drugs. While there is no evidence that the government and EAOs have heeded this call, reports that the drug trade is in part fueled by police corruption suggest that such efforts may prove only to be symbolic in scope.

When considering the scale of drug use in Kyar Inn Seik Kyi Township and throughout Mon populated areas of Mon State and southeastern Burma, it is clear that more effective drug treatment options are sorely needed. If resources can be channeled to providing users with medical treatment, psychotherapy, and vocational training, individuals and communities will be better able to return to full health.



**HURFOM**

P.O BOX 35,  
Sangkhlaburi Post Office,  
Kanchanaburi 71240,  
Thailand  
info@rehmonnya.org

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