



**Karen Human Rights Group**

Documenting the voices of villagers in rural Burma

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**Incident Report**

October 30, 2014 / KHRG #12-85-I1

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**Toungoo Incident Report: Arbitrary arrest and detention,  
and violent abuse in Thandaunggyi Township, December  
2005**

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*This Incident Report describes the beating and arrest of two villagers in Toungoo District and the subsequent imprisonment of one of them for associating with the Karen National Union (KNU). During fighting between Tatmadaw soldiers and the Karen National Liberation Army (KNLA) in December 2005, the Tatmadaw lost two guns and demanded that local villagers pay for them within ten days. When the villagers could not produce the money, Tatmadaw soldiers accused Saw A--- and one of his friends of associating with the KNU, beating and arresting them. Saw A--- was subsequently imprisoned for nearly six years under the Unlawful Associations Act, being released in August 2011.*

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**Incident Report | Thandaunggyi Township, Toungoo District  
(December 2005)**

*The following Incident Report was written by a community member who has been trained by KHRG to monitor local human rights conditions. It is presented below translated exactly as originally written, save for minor edits for clarity and security.<sup>1</sup> This report was received in June 2012 along with other information from Toungoo District, including one other incident report, three interviews, one situation update and 108 photographs.<sup>2</sup>*

**Part 1 – Incident Details**

<b>Type of Incident</b>	Accusation and violent abuse
<b>Date of Incident(s)</b>	December 2 <sup>nd</sup> 2005

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<sup>1</sup> KHRG trains community members in eastern Burma/Myanmar to document individual incidents of abuse using a standardised reporting format; conduct interviews with other villagers; and write general updates on the situation in areas with which they are familiar. When writing incident reports, community members are encouraged to document incidents of abuse that they consider to be important, by verifying information from multiple sources, assessing for potential biases and comparing to local trends.

<sup>2</sup> In order to increase the transparency of KHRG methodology and more directly communicate the experiences and perspectives of villagers in eastern Burma/Myanmar, KHRG aims to make all field information received available on the KHRG website once it has been processed and translated, subject only to security considerations. For additional reports categorised by Type, Issue, Location and Year, please see the Related Readings component following each report on KHRG's Website.

<b>Incident Location (Village, Township and District)</b>	B--- village, western Day Loh [village tract], Daw Hpa Hkoh [Thandaunggyi] Township, Taw Oo [Toungoo] District
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Victim Information				
<b>Name</b>	Saw A---			
<b>Age</b>	47			
<b>Sex</b>	Male			
<b>Nationality</b>	Bwe Karen			
<b>Family</b>	Yes			
<b>Occupation</b>	Villager			
<b>Religion</b>	Christian			
<b>Position</b>	Villager			
<b>Village</b>	B--- Village			

Perpetrator Information				
Name(s)	Rank	Unit	Base	Commander's Name
Aung Kyaw Nywun	Company 2 <sup>nd</sup> – in-command	Unknown	Beside B--- village, there is an army camp	Unknown

## **Part 2 - Information Quality**

### **1. Explain in detail how you collected this information.**

I received this information when I went to B--- village and met with a B--- villager who was worried, and I interviewed him about the incident and he explained it to me. His name is Saw A---, he is 47 years old and he lives in B--- village.

### **2. Explain how the source verified this information.**

Regarding the information in this incident, the person who gave me the information was Saw A--- himself. At the time of the incident he was a village head and he faced [the problem] himself and he explained it to me. The information in this incident is the truth about what Saw A--- suffered and he provided [me with this information].

## **Part 3 – Complete Description of the Incident**

Describe the Incident(s) in complete detail. For each incident, be sure to include 1) when the incident happened, 2) where it happened, 3) what happened, 4) how it happened, 5) who was involved, and 6) why it happened. Also describe any villager response(s) to the incident, the aftermath and the current living situation of the victims. Please use the space prepared below, and create an attachment if needed.

On December 2<sup>nd</sup> 2005, in C--- village, Day Yoh Muh Na region, Taw Oo [Toungoo] District, there was fighting between Burmese soldiers from [Infantry Battalion]<sup>3</sup> #39 and Karen soldiers [from the Karen National Liberation Army (KNLA)], and during the fighting the Burmese soldiers lost two guns because the Karen soldiers took the two guns. A group of Burmese soldiers that live in [are based near] B--- requested the village leader [Saw A---] to meet them and asked the villagers to pay for the two guns that had been confiscated. And they ordered that they had to get the money within ten days. The villagers did not have the money, so they did not [pay for the guns]. They [the soldiers] arrested the B--- village head, who is called Saw A---, and one of his friends. They [the soldiers] accused them of communicating with the KNU [Karen National Union], and arrested them in B--- village [on 12<sup>th</sup> of December] and punished them under Article 171.<sup>4</sup> When they arrested them, they were violent and punched them and [Saw A---] lost three teeth. He [Saw A---] was imprisoned in Taw Oo [Toungoo prison]. He was released in August 2011. Saw A--- told me this.

## **Part 4 - Permission for Using the Details**

**Did the victim(s) provide permission to use this information? Explain how that permission was provided.**

Yes, regarding the information that we received from Saw A---, he himself gave permission to use it and publish it, so that the international community will know and they will put pressure on the Burmese government not to accuse and arrest villagers blindly when they do not know the [root] cause exactly [do not have evidence against someone].

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

- “Toungoo Field Report: January to December 2013,” (August 2014)
- “Toungoo Incident Report: Stone mining in Thandaunggyi Township, June 2013,” (August 2014)
- “Compensation for land flooded by Toh Boh Dam operations in Toungoo District, August 2013,” (July 2014)
- “Toungoo Interview: A---, August 2013,” (July 2014)
- “Tatmadaw mortar shelling and other military activities in Hpapun and Toungoo districts, December 2013,” (July 2014)

<sup>3</sup> Infantry Battalion (Tatmadaw) comprised of 500 soldiers. However, most Infantry Battalions in the Tatmadaw are under-strength with less than 200 soldiers. Primarily for garrison duty but sometimes used in offensive operations.

<sup>4</sup> This is likely to refer to article 17(1) of the Unlawful Associations Act, a colonial-era law originally enacted in 1908 when Burma/Myanmar was a part of British India. It has been used by the Burma/Myanmar government to ban a number of organisations, including the Karen National Union (KNU), and to jail political dissidents or anyone perceived to be working against the regime. See, “[Lawyers urge end to politicised laws](#),” *Democratic Voice of Burma*, January 30<sup>th</sup> 2012 and “[SPDC soldiers arrest and kill villagers on allegations of contacting KNU/KNLA](#),” KHRG, January 2008. See the Unlawful Associations Act [India Act XIV, 1908], 11 December 1908, as amended (1954), <http://www.blc-burma.org/?q=node/217>.

## Taw Oo (Toungoo) District



Karen Human Rights Group (KHRG)