



CONFLICT OVER HIGHWAY TAXATION IN KAYIN STATE

On 2 July 2015, fighting broke out in Kayin State along a newly constructed area of the Asia Highway that links Pang Kan village with Myanmar's Kawkareik Township.

The fighting between the Myanmar Army and the Klo Htoo Wah Tactical Unit of the Democratic Karen Benevolent Army (DKBA), also known as the Klo Htoo Baw Kayin Organisation (KKO), not only highlights the continued taxation of the local population by the myriad small KNU splinter factions in Kayin State, but also the problems affecting the Karen National Union should a ceasefire occur.¹

Initial fighting, between Myanmar Army Infantry Battalion 231 under Military Operation Command 12 and soldiers from the DKBA Klo Htoo Wah Tactical Unit under the command of Brigadier General Kyaw Thet, resulted in at least two Myanmar soldiers killed and one injured while three members of the Klo Htoo Wah Tactical Unit were also reported wounded.

There are a number of reasons for increased tension in the area; however, the latest clashes appear to have been caused when Myanmar Army troops discovered an illegal taxation gate, the Ta Dan Gu checkpoint, operated by the Klo Htoo

Wah Tactical Unit. After requests to dismantle the checkpoint, prior to a visit by a Senior Myanmar Army officer, fighting began.²

Fighting continued, on 7 July, Klo Htoo Wah Tactical Unit officer, Captain Three Htoo, stated that:

"[fighting] broke out once this morning [7 July], around 11:00 am. It started again at 2:00 pm and is still ongoing [4:30 pm on Tuesday]. We are being attacked at four different sites. We were not the ones who started firing this morning. At present, the clash is close quarters combat. The fighting conditions are getting more intense. There is no sign of progress in stopping the fighting."³

Captain Saw Three Htoo also said that Myanmar Army Light Infantry Battalions 231, 290, 275, 541 and 549 under Military Operations Command 12, launched 120 mm, 80 mm, 155 mm, 81 mm and 60 mm mortar shells in the direction of DKBA Klo Htoo Wah Tactical Unit military bases at Taung Tho Lon, Taung Pya, Auboteh and 97 camp.⁴

On the same day, members of the DKBA and government officials met in the state capital Hpa-an to try to end the hostilities with representatives from the Karen National Union (KNU) serving as mediators, however to no avail.

Further fighting near the unauthorized toll station was reported again on 9 July. These clashes also involved troops from the Kayin Border Guard Force (BGF) that has seized control of Klo Htoo Baw outposts along the highway to prevent further unauthorized taxation. According to the Border Guard Force commander Col. Chit Thu:

“It is our duty to clear this road as the public have a problem from [the DKBA] demanding taxes from them. This road belongs to the public.”⁵

He also said DKBA Commander Col. San Aung did not agree to negotiations with the BGF, despite attempts by community and religious leaders to facilitate talks.⁶

The attacks on the illegal gate came not long after a meeting of all Karen armed groups in relation to taxation on the Asia Highway.

The meeting organised by The Unity Committee for Karen armed groups, took place from 28-29 May, and was at the Karen National Liberation Army Brigade 7 Headquarters. A senior Karen National Union spokesperson told local media that to make life easier for road users the armed groups decided that they would merge forces and would stop having separate Karen armed groups running tollgates.⁷

Padoh Roger Khin, of the KNU Defence Department, stated the meeting was needed:

“because of the many tollgates on this road, it is difficult for civilians and travellers.”⁸

A total of 60 people including the KNU vice-chairman, KNLA commander general and top leaders from other Karen armed groups attended the meeting. Following the meeting, three groups – the KNU, the Klo Htoo Baw, and the KNU/KNLA Peace Council agreed that they would have two combined tollgates, one in Kawkareik and the other in Thingan Nyi Naung and they would start from early June.

Along the new road, there are eight tollgates, including those controlled by the Myanmar Army. Due to over taxation, it is the road that not only receives the most negative criticism from civilians but also causes the most problems among armed groups operating in the area.

DKBA Klo Htoo Wah Tactical Unit commander, Brigadier General Kyaw Thet, said at the meeting:

“The main reason for the combination agreement is because of requests and complaints from the public. This decision will be good for both civilians and for us. We now have to explain the process to the station based personnel.”⁹

It is unclear whether the Ta Dan Gu checkpoint was covered by the agreement at the meeting or if a number of other tollgates remain and are



operated independently.

According to one source speaking to Karen News:

“If this happens [joint tollgates], it will be good for both the travellers and drivers like us. As of now, there are still 8 gates – the KNU, DKBA, PC and Burma army, and we have to pay 1,000 kyat at each gate. However, at the DKBA gate, 1,000 kyat is never enough, they demand 2,000 kyat. They say the orders come from HQ. They said if we don’t pay 2,000 kyat then we cannot pass.”¹⁰

As fighting continued, Colonel San Aung, strategic commander for the DKBA said:

“We are in defense mode, but we are ready to respond if attacked. If the government army continues to attack us in force, we will reciprocate on the opening day of their highway.”¹¹

State media has reported that so far forty clashes have occurred in the region since fighting began, San Aung has acknowledged that government troops had seized 10 DKBA vehicles containing weapons and ammunition.

The reigniting of conflict in the area has perhaps not too unsurprisingly been portrayed by a number of Karen observers, not only in Kayin State but also abroad, as yet another attack on Karen nationalism.¹² Despite the fact that the

issue of the conflict is over taxation of the local population, not only by Karen groups, but also by the Myanmar Army.

According to Major General Nerdah Mya, commander of the Karen National Defence Organisation:

“[The] Burma Army wanted the DKBA off the highway, they want the money and control over it.”¹³

While there is no doubt that the Myanmar Army would like to see the DKBA moved away from the road the fact remains that the tollgate was illegal and that all Karen groups had agreed to reduce taxation through a joint sharing initiative.

There remains little policy in place that protects the local community from taxation by all armed actors in the area and for that matter, the rest of the country. Both the DKBA and the KNU have sought to implement a policy that addresses taxation and the DKBA gate was illegal. The whole purpose of the Nationwide Ceasefire Agreement and subsequent political dialogue is to further set out such terms.

Observers must not see this conflict as just an attack by Myanmar forces against the Karen people. The Karen National Union has had numerous splits throughout its history and groups that remain, like the DKBA and Peace Council, continue to tax the local population as well.



Both these groups now claim that they fully support the values and ambitions of the Karen National Union, and both have ceasefire agreements with the Government. The Klo Htoo Baw Battalion agreement states:

- 1/** It is agreed to approve initial peace agreement signed by Kayin State Peace Making Group and Klo Htoo Baw (former DKBA) on 3 November, 2011
- 2/** Kayin State is an important part of the Republic of the Union of Myanmar. It is agreed not to secede Kayin State from the Union.
- 3/** It is agreed to uphold Non-disintegration of the Union, Non-disintegration of National Solidarity and Perpetuation of Sovereignty forever.
- 4/** It is agreed to cooperate with the government in regional development, settlement of members of Klo Htoo Baw group and their families and improvement of socio-economic status in Sukali region under existing laws, basing temporarily in Sone Hsi Myaing region.
- 5/** It is agreed to cooperate with the Union Government in the fight against narcotic drugs and psychotropic substances.
- 6/** It is agreed to continue dialogue for establishing eternal peace.¹⁴

The action of both Brigadier General Kyaw Thet and Colonel San Aung resulted in their expulsion from the group. According to one media report, DKBA representatives in the meeting with Kayin State government officials earlier in July had said the two senior officers and their followers were beyond their control.¹⁵

The situation regarding taxation is an issue that has plagued the local population throughout the years of conflict in Kayin State. When both the DKBA and KNU/KNLAPC were fighting the Karen National Union/Karen National Liberation Army, on behalf of the Myanmar Army, the population felt the brunt of taxation from all groups and until a ceasefire is signed, it will continue to do so.

It is hoped that should a nationwide ceasefire agreement be signed and political dialogue begin, that Security Sector Reform can address the issue of smaller armed groups, and perhaps the numerous militias throughout the country. If not, then such outbreaks of fighting will continue to happen.



Notes

- ¹ Formerly the DKBA 5 Brigade, it split from the DKBA in 2010.
- ² <http://karennews.org/2015/07/talks-to-end-fighting-between-burma-army-and-dkba-fail.html/>
- ³ 'Talks to End Fighting Between Burma Army and DKBA Fail' *Karen News*, 8 July 2015.
- ⁴ Ibid.
- ⁵ 'Clashes Continue on Asia Highway Between DKBA, Govt Troops', Lawi Weng and Min Kha Pan, *The Irrawaddy*, 9 July 2015.
- ⁶ Ibid.
- ⁷ 'Karen To Merge Tollgates on Myawaddy-Kawkareik Asia Highway After Complaints', S'Phan Shaung, *Karen News*, 8 June.
- ⁸ Ibid.
- ⁹ Ibid.
- ¹⁰ Ibid.
- ¹¹ <http://www.rfa.org/english/news/myanmar/attack-07162015182403.html>
- ¹² See 'KNU Watch' Facebook page.
- ¹³ 'This is Karen Land... We Have the Right To Stay', *Karen News*, 7 July.
- ¹⁴ 'Six points agreed in Union level peace talk with Klo Htoo Baw (former DKBA)', *New Light of Myanmar*, 13 December 2011.
- ¹⁵ 'DKBA fires officers who led recent clashes', Lun Min Mang, *Myanmar Times*, 24 July 2015.