



## Incident Report

February 22, 2016 / KHRG #15-67-11

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## **Toungoo Incident Report: Threats and arbitrary demands by Burma/Myanmar Police in Thandaunggyi Township, March 2015**

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*This Incident Report describes the threats and arbitrary demands of U Myint Lwin, Thandaunggyi Chief of Police, and Thandaunggyi Hospital health workers' violation of the right to health care of the villager Saw E--- from M--- Village, Thandaunggyi Township, Toungoo District.*

- *On March 9<sup>th</sup> 2015, Saw E--- accidentally shot himself with his own musket and was sent to Thandaunggyi Hospital, but the health workers there refused to take care of him, as his wound was caused by a gun.*
  - *Saw E--- was then sent to Toungoo Hospital and when he came back from the hospital, U Myint Lwin, Thandaunggyi Chief of Police, threatened his father with filing a police report on the matter seeing as the wound was caused by a gun. He arbitrarily demanded 200,000 kyat (US \$154.7) from the family in order not to file a police report.*
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## **Incident Report | Thandaunggyi Township, Toungoo District (March 2015)**

*The following Incident Report was written by a community member in Toungoo District 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 July 2015 along with other information from Toungoo District, including two other incident reports, seven interviews, one situation update, and 439 photographs.<sup>2</sup>*

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<sup>1</sup> KHRG trains community members in southeast 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 southeastern 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.

## **Part 1 – Incident Details**

<b>Type of Incident</b>	Threats and arbitrary demands by the Myanmar Police
<b>Date of Incident(s)</b>	March 9 <sup>th</sup> , 2015
<b>Incident Location (Village, Township and District)</b>	Thandaunggyi Township, Toungoo District

<b>Victim Information</b>	
<b>Name</b>	Saw E---
<b>Age</b>	16
<b>Sex</b>	Male
<b>Nationality</b>	Karen
<b>Family</b>	Single
<b>Occupation</b>	-
<b>Religion</b>	Christian
<b>Position</b>	Villager
<b>Village</b>	M--- Village, Thandaunggyi Township, Toungoo District

<b>Perpetrator Information</b>				
<b>Name(s)</b>	<b>Rank</b>	<b>Unit</b>	<b>Base</b>	<b>Commander's Name</b>
Myint Lwin	Chief of Police	Unknown	Thandaunggyi Town, Karen state [Toungoo District].	Township Chief of Police U Htway Win

## **Part 2 - Information Quality**

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

General Ar Lel from KNLA [Karen National Liberation Army] Brigade 2, Battalion #5, phoned me [regarding the case] and I went to get the information.

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

The information was given to me by the victim himself along with the evidence and it is correct.

## **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.**

Saw E---, who lives in M--- village, Thandaunggyi Township, Toungoo District, was accidentally shot by his own musket that he was carrying, after he slipped and fell when he was going to the plantation to work for his family's livelihood, and his abdomen was hit. So, he was brought to Thandaunggyi Hospital to be treated but when he arrived at the hospital, the hospital staff did not take care of him but called the police. They did not treat him and told him to go to Toungoo Hospital. They [the staff at Thandaunggyi Hospital] said that his wound was caused by a gun so they did not treat him and handed over the case to the police. Later the next day, the patient's family had to send him to Toungoo Hospital. After the hospitalisation, when they came back, U Myint Lwin, Thandaunggyi Chief of Police, called the patient's father and said that: *"The patient's wound was caused by a gun and therefore the case has to be reported to the police. If you do not want the case to be investigated, you have to give me 200,000 kyat<sup>3</sup> (US \$154.7) and I will shut down the case."* But the patient's parents are poor and could not give him the money and the officer asked for the money by threatening them in many ways. But, they could not give him the money and the officer told the patient's father that the patient's father had to go to Hpa-an from Thandaunggyi, and the officer brought him there and he had to give money for the travelling costs of the officer. When they arrived in Hpa-an, the police officer ordered the patient's father to report the case of his son being shot by a gun. The Hpa-an District police station started an investigation into the case under section 399.<sup>4</sup> The reason for investigating the case was that the victims could not pay the 200,000 kyat (US \$154.7) that U Myint Lwin had asked for.



<sup>3</sup> All conversion estimates for the kyat in this report are based on the 28<sup>th</sup> of January 2016 official market rate of 1,292.47 kyat to the US \$1.

<sup>4</sup> KHRG has not been able to clarify what the community member means by "section 399". It likely refers to section 399 of the Myanmar Penal Code which refers to "making preparation to commit dacoity". Dacoity is a term used in India and Burma/Myanmar for armed robbery.

These photos were taken on March 23<sup>rd</sup> 2015 by a KHRG community member in M--- village, Thandaunggyi Township, Toungoo District. These photos show the villager named Saw E---, aged 16, who accidentally shot himself with his own musket as he slipped and fell. *[Photo: KHRG]*

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

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

The interviewee allowed KHRG to use the information as needed.

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

- “Toungoo Interview: Maung A---, April 2015,” (January 2016)
- “Toungoo Interview: Naw A---, January 2015,” (October 2015)
- “Toungoo Photo Set: Militarisation in Thandaunggyi Township, December 2014 to February 2015,” (October 2015)
- “Toungoo Situation Update: Thandaunggyi Township, January to February 2015,” (October 2015)
- “Toungoo Interview: Naw A---, January 2015,” (August 2015)

# Taw Oo (Toungoo) District



Karen Human Rights Group (KHRG)