



Incident Report

December 17, 2018 / KHRG #18-50-I1

Dooplaya Incident Report: Child Rape Case, March 2018

A teenage girl was raped by her brother-in-law in Dooplaya District. Because of this incident, her family shunned her and she could not return to school. The girl was offered money on multiple occasions to keep the rape a secret and not report the case to the local authorities.

Incident Report | Kyainseikgyi Township, Dooplaya District (March 2018)

Part 1 – Incident Details

Table with 2 columns: Incident Detail, Description. Rows include Type of Incident (Child rape case), Date of Incident (12 March 2018), and Incident Location (P--- village, Poe Yay village tract, Noh T’Kaw [Kya In] Township, Dooplaya District).

Table with 2 columns: Victim Information, Description. Rows include Name (Naw M---), Sex (Female), Ethnicity (Karen), Occupation (Student), and Religion (Buddhist).

Table with 3 columns: Perpetrator Information, Description. Rows include Name (Saw H---), Occupation (Villager), and Village (Noh Ta Khaw).

Part 2 - Information Quality

1. Explain in detail how you collected this information.

I heard about this rape case from a local villager. In order for me to collect this information, I went to Naw E--- and Naw M---’s village to ask them about this incident.

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

I received information from Naw E--- and the victim herself, Naw M---.

**Part 3 – Complete Description of the Incident****Describe the Incident(s) in complete detail.**

A fifteen-year-old girl, Naw M---, was raped by her brother-in-law Saw H---. The incident took place on Monday, 12 March 2018 at 11 PM in Poe Yay village tract, Kyainseikgyi Township.

This incident happened at night, when everyone was sleeping. Saw H--- approached his sister-in-law and took off all of her clothes while she was sleeping. She woke up with a jolt and realized that she had no more clothes on her and that there was a person on top of her. When she started shouting, Saw H--- put his hands over her mouth. She could not shout or even move because her brother-in-law was much stronger than her.

The perpetrator is over 30 years old. He was drunk when he raped Naw M---. He had a reputation for having a bad character and acting inappropriately towards his wife and his sister-in-law.

Naw M---'s sister did not hear or witness the rape. She was sleeping at the time. The next morning, Naw M--- told her sister that she was raped. Her sister confronted her Saw H--- about this, but he denied any wrongdoing. Instead, he threw a shot glass at her.

The victim, Naw M---, is only 15 years old. When a fellow villager, Naw E---, found out about this, she wanted to help the girl. She asked Naw M--- to live with her while her case is being resolved. Naw E--- requested to meet the village head to discuss this case. The village elders felt sorry for the girl because there was no one to take care of her. Her parents did not come to the village to help her. The fact that a family member raped Naw M--- might have contributed to her parents shunning her. Naw M--- was unhappy because of this.

The village head visited Naw M--- every day before the court hearing with some local women. They brought money with them, and asked Naw E--- to give the girl over to them. They said that they would give the girl money and let her come back to live in the village. Naw E--- and her husband refused to hand the girl over to them.

Naw E--- and her husband responded that they would take care of Naw M---, because she has no one to take care of her. Naw E--- said: *"We do not need the money you brought. We cannot give Naw M--- to follow you even for a while. She is a part of our Karen people and she has her own dignity, so we cannot let her to go with you."*

Naw E--- reported the case to the KNU township level court at Kyonedoe Township. The judges decided that Saw H--- would have to serve a prison sentence of one year. He also had to pay 1,000,000 kyat to the victim as compensation. The victim reportedly decided to give 500,000 kyat to the court for processing her case. [The way this case was handled by the KNU court raises serious concerns, as the prison sentence decided

by the judge does not match the gravity of the offence. The fact that the court accepted money from the victim is also quite questionable.]

Naw M--- is a fourth standard student and she is having a problem to go back to school. [Because of the stigma associated with sexual violence, it can be difficult for victims to move on with their lives. Naw M--- faces an additional stigma, because the rape case happened within her family.]

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

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

The victim herself gave us permission to use this information for publication.

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

- Dooplaya Situation Update: Kyonedoe and Kyainseikgyi townships, January to April 2018
- Dooplaya Interview: Saw G---, February 2018
- Dooplaya Interview: Saw J---, January 2018
- Dooplaya Situation Update: Kyainseikgyi and Win Yay townships, November 2017 to February 2018

# Dooplaya District



## Karen Human Rights Group (KHRG)