



Karen Human Rights Group

Documenting the voices of villagers in rural Burma

Interview

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Hpapun Interview: Ma A---, October 2013

This Interview with Ma A--- describes events occurring in Bu Tho Township, Hpapun District, during the period between November 2013 and January 2014, focusing on attempted extortion by police officers in Hpapun Town related to a car accident involving Ma A---'s brother.

Interview | Ma A---, (female, 36), Bu Tho Township, Hpapun District (January 2014)

The following Interview was conducted by a community member trained by KHRG to monitor local human rights conditions. It was conducted in Hpapun District in January 2014 and is presented below translated exactly as it was received, save for minor edits for clarity and security.¹ This interview was received in January 2014 along with other information from Hpapun District, including seven other incident reports, 45 interviews, two situation updates and 711 photographs.²

Ethnicity: Pa'O

Religion: Buddhist

Marital Status: Single

Occupation: Trader

Position: Villager

Is he your younger brother or elder brother?

Younger brother.

What is his name?

C---, people also call him N---. Mostly people know him as C---.

I heard that an accident happened to him; could you tell me about it?

¹ KHRG trains community members in eastern Burma/Myanmar to document individual human rights abuses 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 conducting interviews, community members are trained to use loose question guidelines, but also to encourage interviewees to speak freely about recent events, raise issues that they consider to be important and share their opinions or perspectives on abuse and other local dynamics.

² 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.

He phoned me on the 16th [November, 2013, saying] that he would come to Hpapun [in the family car] and I replied that he could come if he wanted because we would also have *Ka Htain* then [a Buddhist religious festival]. And he said he would come, and that Q---'s [a friend of C---] family would fill [the car with] fuel for him [because they wanted to hitch a ride], so I said come. I got a phone call after a while at 3:00pm saying that C---'s car was down [had been involved in an accident]. I was shocked and said "*What happened?*" That person told me to come [to the hospital in Hpa-an]. Then I asked, "*Are you sure?*" and that person replied "Yes." Then we went directly with my three siblings including P---. We left for [Hpa-an via] Ka Ma Maw from Hpapun at 3:30pm by motorbike as soon as we heard about the accident. We arrived at Ka Ma Maw at 11:00pm. The motorbike had a flat tyre but we tried to continue because he is our brother. The checkpoint was closed but we told them about the case and continued to go [to the hospital]. We arrived at Hpa-an city at midnight. I asked about our car when we arrived at Ka Ma Maw and people [told] me that the police had taken it. I asked what had happened and they said they did not know. And I asked what had happened with the car and they said the steering wheel was broken and that it had hit the base of a tree. And I asked them whether the car had turned over or not and they said it had not turned over. Q--- was hurt because he had been sitting in the front and his wife's cheek was wounded and her calf was swollen a little bit, and her chest was hurt. Q---'s arm and chest were injured. And I asked him [Q---] how he was and he said nothing had happened [there was no problem]. Then we came back. They had to stay at the hospital for two days.

Which hospital?

Hpa-an General Hospital. I do not know the doctor. I met with the doctor before I came back [to Hpapun] and he said that nothing had happened [everything was ok] and I could go back happily. I said that we wanted to satisfy the victims and wanted to help them, but he told us to go back. Then we came back to Ka Ma Maw and the police at Ka Ma Maw police station called the car owner [me] and Q--- and his wife and told us to buy a stamp [official document] to sign [to show that] that the case was settled. I did not understand what settling and removing [the case] was. We thought it would be finished after we signed it. Then we went and bought the stamp and copied it. Then C--- signed it and our two sisters acted as guarantors for him, then the family of Q--- signed it. Then we thought that everything was finished and we forgot about it. Later, they [the police in Hpapun Town] asked us why we had not submitted the case [to court, and we said that] we had already settled the case. Police officer Hlah Min Thaung came and told us that it was good news for me because the court official had said that they had removed article eight³ [from the list of charges against C---]. Then I replied that we were happy. They [said that they had] removed article eight because it was not a case [involving a death] and it was just a case of carelessness, so the court would just fine him and then the case would be finished. Then I went back [to Hpapun Town] in December. Then they told me that they needed a doctor's report on [the accident involving] C---, so I went to Hpa-an city and got the doctor's report by myself. A person I know [went with me and] got it for me from the hospital and then gave it to the police camp commander. He said that [the doctor's report only mentioned three injured] people [but he thought that four people had been injured]. Actually, [although four people had been travelling in the car], only three people [were injured in the accident and] attended the hospital, C---, Q--- and K--- [Q---'s wife]. [The daughter of K---] did not have to attend the hospital because [she was not injured, and the three people who were injured] only sustained small injuries. At that time they [the police] said they had removed article eight. Hlah Min Thaung and deputy police officer Kyaw Kyaw Tun asked for money on the 25th, when they took C--- home, the day C--- left the hospital and came back to Ka Ma Maw and arrived back home [in Hpapun].

On the 25th of which month and year?

³ This may refer to article eight of the Burma Motor Vehicles Act, [India Act VIII, 1914], which reads: "The driver of a motor vehicle shall produce his license upon demand by any police officer."

In November 2013.

So they arrived back home on the 25th?

Yes, they arrived back home at night while I was preparing to take a bath. He [Hlah Min Thaung] told me to give 500,000 Kyat (US \$50.45)⁴ to the investigator of the Ka Ma Maw [police], 500,000 kyat to the sub-law officer [a local court official], and 500,000 kyat to the camp commander of Ka Ma Maw police station [and 500,000 kyat to him] and then the case would be finished if I gave 2,000,000 (US \$2,018.16) [in total]. He said that he could foresee that [C---] would be put in prison if I did not give it.

Hlah Min Thaung said that?

Yes, Hlah Min Thaung said that and deputy police officer Kyaw Kyaw Tun was sitting beside him.

One is one star and the other one is two stars [referring to different ranks]?

Yes, one is one star and the other one is two stars. They came up to the house. Then I told them that we had already spent our money on medicine but we would have liked to do it [pay them] if we had had money. This was one time. He came and asked again the next day and said that he foresaw an omen that our car would be confiscated and people would be put in prison because we did not pay the 2,000,000 kyat, but we replied that we could not afford it and we did not have 2,000,000 kyat.

Who said that the car would be confiscated and people would be put in prison?

The police officer Hla Min Thaung said that.

He said it in this house?

Yes, he came and said it in this house and at the shop. He said it here the first time and the second time was at the shop. My elder sister was also there.

Have you given them the 2,000,000 kyat?

I haven't because I don't have the money.

What happened then?

We just live like this. They said that they did not include [a charge under] article eight. Therefore I went to Ka Ma Maw police station by myself and asked the camp commander Win Myint San to give my car back because they said that they would not include [a charge under] article eight anymore. He told me to ask permission from a judge. Then I replied to him that the judge had told me to come and get my car back. Then he told me to go back and bring two people to act as guarantors for me and [to bring] my household residence registration certificate with me to get the car back. I do not remember the date. Then I took my car back in December and kept it at the house of U O---, a person that I know in Ka Ma Maung. I got the car back with [the help of] the two guarantors. The [police said that] the people who [had acted as] guarantors for me would have to pay [the [police] 3,000,000 kyat (US \$3,027.25) if the car was stolen or damaged, and that I would have to pay 3,500,000 kyat (US \$3,531.79) [if the car was stolen or damaged] as the car is worth 7,500,000 kyat (US \$7,063.57). Then we took my car back. Then we forgot about it, but he [Hlah Min Thaung] came to our house very often and told C--- that he could

⁴ All conversion estimates for the kyat in this report are based on the 2nd of October 2014 official market rate of 991 kyat to the US \$1.

foresee an omen that he would be put in prison. He said it very often. It's because we didn't give them 2,000,000 Kyat right? We can read his mind. He comes to us very often and says this and C--- doesn't feel good. Therefore we told C--- to go and live in the plantation. Q--- was fine and he did not complain [about] anything. Someone could bring the case to court if Q--- wanted to, but it is not like that. [After I got the car back, the police started to borrow it without asking]. We did not know [were not told] when they [the police] took [borrowed] my car. I am the car owner and I am the one who took the car back. They need my permission to take the car. They can only take it if I sign for it, right? They need to ask permission from the owner. The first thing is they did not ask permission from the owner. The second thing is they [the two people who acted as guarantors for the car] were not told about it [either]. It is not a car from their camp [police camp], this is a car from outside their camp. They need the signature of the car owner and the two guarantors to take this car. They did not inform the owner and took the car. Can you imagine it? I am really discontented about this case.

What articles did they charge C--- with?

At first they said articles 337 and 338.⁵ It is possible to act as a guarantor for [somebody who has violated] those articles, but we cannot act as a guarantor for [somebody who has violated] article eight. It is having a car without license. They [asked] whether C--- had a driver's license and what [kind of] certificate he had [for the car]. We said that it was a car [used to travel to] social and religious [functions] because the roads and communications are not good, and this car is allowed to travel from Hpapun via Ka Ma Maung to Hpa-an. We have a certificate from a minister.

Do you know the name of the minister?

I do not know. But we have it on the certificate.

No problem. Is it a permission letter from a minister?

Yes. C--- is a veteran. Therefore he also has a certificate from the chairman of the veterans' association. And also he has a recommendation letter from a [Tatmadaw] strategy [operations] commander. He has everything. And they [the police] took those certificates but they did not show anything [to their superiors]. At first, they summoned C--- to come to the court with the two people who had acted as guarantors for him with his household registration certificate to pay a fine, and [said that] then the case would be finished. It did not happen. Then they summoned him again. I and the two people who acted as guarantors for him in the case also went with him. Then they arrested C--- and put handcuffs on him at 3:00pm and then took him to their camp. They said that C--- had made a mistake and accused him of violating article eight.

When did they accuse him of [violating] article eight?

It was on April 14th 2014. They came and arrested C--- on that day.

Until now? [Is C--- still in prison now]?

Yes.

Has the court [delivered] a sentence in this case?

The court [will deliver] a sentence in this case on Friday, but we do not know what will happen.

Do you have anything else to say?

⁵ This may refer to articles 337 and 338 of the Penal Code, which cover injuries caused by rash or negligent acts that endanger human life or the personal safety of others.

How do I say this? What they are doing is not right. It is not [being done] according to the rules. They can do it if it is permitted by the rules. [They always take] the car from our house whenever they need, like for their [police] camp and social uses. They can accuse [us] if the car hits a person and he dies or if the car crashes into a motorbike. This accident only happened because the car [steering wheel] was damaged. And they can fine us. We pay it. The first time they can warn us. We have a first warning, second warning and third warning. Even the teacher gives a warning. They summon the student's parents and warn them if the student has made a mistake. They will let the student sing [say that they will not do it again] the first time. Then they will summon the student's parents and warn them about their children the second time. Then they will kick the student out the third time. But they [the police] are educated; what they are doing? I am not very educated. They are oppressing the local people a lot, so we cannot endure it. Now all our siblings are upset and our business is also ruined. We have to send food [to our brother]. We do not know how our younger brother is. He did not know anything. In another case, U Thaw Ko's car crashed into some other people's motorbike, then the car owner gave them [the police] money and they are not saying [anything] about the case.

How much money did they give them?

We do not know how much they gave them [the police]. But we heard that they gave money. That really was a [serious] accident [involving the collision of two vehicles].

Where did C---'s car accident happen?

At Wa Du.

Is Wa Du located between Hpapun and Ka Ma Maung?

Yes.

How far is it from Hpapun?

They said that it happened at pole 48 [a road distance marker 48 miles from Hpapun].

Who was in the car when the accident happened?

A family [Q--- and his wife].

Do you have anything else to say?

How to say, the U Thaw Ko case was a real [serious] car accident, but they did not take any action. However they arrested C---. Therefore we want them to take action against other people like [they did with] C---. Actually, C---'s case was not a [serious] car accident, but they say that hitting the base of a tree is a car accident or hitting a light post is a car accident. Isn't it an accident when a car crashes into a motorbike? What are they doing? That accident happened between Hpapun and Ma Htaw and people were seriously injured. The people who were injured are still suffering the pain. Therefore it is not fair. We do not have a lot of money. They did not take action against the people who bribed them. They also put a man in prison; his car turned over when he was driving to Hpapun. No one was injured. He drove the car himself. It happened a long time ago, but they just put him in prison this month. I want to say that what they are doing is not right.

Thank you very much for the information. I have asked you many questions and you have given me a lot of information. The other thing is I want to ask you is, what is your name?

Ma A---.

How old are you?

36 years old.

What is your ethnicity?

Pa'O.

What is your religion?

Buddhist.

Are you married?

No.

What is your occupation?

I am doing trading like selling textiles and I have a restaurant.

Are you a member of KWO [Karen Women Organization] or KYO [Karen Youth Organization] or something like that?

No.

Are you a member of a political party?

No.

Where do you live?

I live in T--, Hpapun Town.

The last question I want to ask you is, can we use the information that you have given me in the media?

Yes, you can.

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

- "Hpapun Interview: U A---, January 2014," (October 2014)
- "Hpapun Incident Report: Forced labour in Bu Tho Township, October 2013," (October 2014)
- "Hpapun Situation Update: Bu Tho Township, November 2013 to February 2014," (September 2014)
- "Hpapun Situation Update: Bu Tho Township, February to July 2014," (September 2014)
- "Hpapun Interview: Saw A---, October 2013," (September 2014)

Mu Traw (Hpapun) District



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