



Karen Human Rights Group

Documenting the voices of villagers in rural Burma

Interview

June 24th 2020 / KHRG Log # 20-26-A1-I1

Hpa-an District Interview: *Lack of justice in a case of attempted child rape, February 2020*

This interview describes events that occurred in T'Nay Hsah (Nabu) Township, Hpa-an District in February 2020. A Chinese chef attempted to rape a 17-year-old Karen girl working at the same restaurant in W--- village on February 24th 2020. The incident was reported to the local village leaders, who ordered the perpetrator to pay 150,000 baht to the survivor to close the case. The interviewee is a relative of the survivor. He explained that the local leaders dissuaded him from reporting the case to the judicial authorities. Although he is not satisfied with the way this case was handled, he does not dare to challenge the local authorities anymore out of fear of reprisals.¹

Interview | H--- (Male, 25), W--- village, W--- village tract, T'Nay Hsah (Nabu) Township, Hpa-an District (March 2020)

Religion: Buddhist

Ethnicity: Karen

Family Status: Married

Occupation: [Censored for security reasons]

[...] [Have you heard] about incidents where women were raped or sexually assaulted?

Yes, I think there were [such incidents] because I heard some people talking about it. There are some people who have higher positions and are proud of themselves. I heard that if [women] do something wrong, they are told to come and sleep with [the local leaders] to be able to reduce their punishment. And they will solve those problems. I have heard about those kinds of incidents.

So the village leaders told that to the villagers?

Not the village head [administrator], but the section leaders.

¹ The present document is based on information received in March 2020. It was provided by a community member in Hpa-an District who has been trained by KHRG to monitor human rights conditions on the ground. The names of the victims, their photos and the exact locations are censored for security reasons

Why do they have to ask people to sleep with them? What kinds of mistakes do people make?

My friend told me that there are different kinds of problems. But I haven't witnessed them with my own eyes.

Do you live near W--- village?

Yes.

Do women face these kinds of incidents?

I don't know about that either. Do you mean Chinese and Karen women?

It can be any women even if they are not Karen. Have you seen those kinds of problems?

Yes, I have.

Could you please tell me about it?

[One of my relatives] was working at a Chinese restaurant and a Chinese man attempted to rape her. But he was not able to rape her.

Could you please tell me your [relative]'s name?

Her name is E---.

How old is she?

She is 17 years old.

What is her religion?

She is Buddhist.

What is her ethnicity?

She is Karen.

Could you please tell me about this incident from the beginning and in detail?

Yes, she was working at the Chinese restaurant regularly, like others. She had to deliver food, but the Chinese chef told her: '*You don't need to go. You can go clean and sweep upstairs.*' When you are working at someone else's place, you have to do what you are asked. Therefore, she went upstairs and the Chinese man followed her. Then, he tried to rape her and he carried her to his bed. After that, he went to close the door. While he was closing the door, my [relative] ran away. She went back downstairs and cried so he did not get to rape her. I thought that if she had worn a skirt on that day, she probably would have been raped by the Chinese man. She was wearing long jeans. [...]

Did it take a bit of time for her to try to run away?

It took a bit of time and she cried out loud asking for help. However, no one heard as the other people were busy cooking, and because she had been taken upstairs as well. She tried to escape by herself.

How many floors does the house have?

There are three floors. He tried to rape her on the second floor, but he could not. Therefore, he took her to his bed on the third floor, but he could not do it there either as the girl tried to escape.

What did she say when she came down to the first floor?

She said an attempted rape was committed against her.

To whom did she tell this?

She told the manager. A Chinese woman, but she can speak Burmese.

How did they solve the problem for her?

They could not do anything. They tried to cover up the incident as they are Chinese, and to preserve the reputation of the restaurant. They did not want this incident to be reported and they wanted to settle it with money. They would have given money to immediately put an end to the case. They did not allow anyone to report it.

What did your [relative] do after this incident happened?

She just cried but she could not do anything.

Did she tell anybody else about this case?

She cried and contacted her aunt.

Who is her aunt?

Her aunt is my [censored]. She told her that the Chinese man tried to rape her. She could not talk much and she just cried. Then my [censored] called some leaders and they went to the restaurant.

How did you hear about the incident?

[At the time] I did not know the details about the incident. I just heard that someone attempted to rape her.

Did you hear when they [his relative and her aunt] talked on the phone?

I did not, but my [censored] told my parents and me. Then, we called the leaders to go with us [to the restaurant].

Who are the leaders?

We just called our section leader.

Does each section have one leader?

Yes.

What is his name?

His name is I--- and he is our section leader.

Did you only call him?

Yes. We went to ask the Chinese man [perpetrator] about the incident. He also told our section leader that he would give money, no matter how much, to end the case there and not report it.

Our section leader said: *'We cannot end the case here. We have to let our higher leaders or authorities know about it.'* He came back and contacted one of the leaders. He is also a section leader but his role is to arrest people who commit crimes, so he arrested that Chinese man.

When did this happen?

It happened on Monday evening, February 24th 2020.

Was he arrested on that evening?

He was arrested that evening and detained in custody.

Do you know the Chinese man's name?

I don't know.

How about his restaurant's name?

There is no name yet. I think it is a new restaurant.

Do you know the restaurant manager or anyone else's name from that restaurant?

I don't know any of the Chinese. The perpetrator is not the boss. He is staff there. He is a chef. Their boss is another person.

Do you know [the boss's] name?

I don't know.

Where was he detained? Where was he [held] in custody?

The jail is in W---. It is at the edge of the village, close to the river.

What does the jail look like?

That jail is built with wood. It is built just like a pig farm.

Whose jail is it?

It is a BGF [Border Guard Force]² jail.

What did the soldiers do to him when he was in custody? Did you hear anything?

First, I heard the section leaders say he was beaten. When I was detained,³ I asked other prisoners or people who were detained whether he was beaten or not. They said he was not beaten. However, the leaders said that he was beaten.

[...] Did the leaders report the case and solve this case?

We had to go to the BGF office and we talked about the Chinese man's attempted rape of my [relative]. We could not do anything but my [relative] wanted to banish that Chinese man from this area. However, the Chinese have already corrupted the leaders so the leaders will not banish him. They will banish him only if he does it again. This is the first time and she was not

² Border Guard Force (BGF) battalions of the Tatmadaw were established in 2010, and they are composed mostly of soldiers from former non-state armed groups, such as older constellations of the DKBA, which have formalised ceasefire agreements with the Burma/Myanmar government and agreed to transform into battalions within the Tatmadaw.

³ For more information about this case, see KHRG, [*Arbitrary arrest and detention, torture and intimidation by BGF soldiers and village authorities*](#), June 2020.

raped, even though he attempted to rape her. Therefore, they did not banish him and he already gave money [to the survivor, as compensation].

How much money did he [the perpetrator] give?

He said he would give 200,000 baht [USD 6,419.41]⁴ in the beginning. However, she only got 150,000 baht [USD 4814.56] in the end. We do not know how the leaders processed this case. They did not tell us anything either. We first agreed on 200,000 baht, but later it became 150,000 baht. They did not ask about our concerns or whether we agreed to that or not. We could not do anything even if we didn't agree to that. If it had been reduced to 100,000 baht [USD 3209.71] and if they had asked us whether we agree or not, we would not have dared to say anything. We have to accept any decision even if we don't agree.

Why could you not say whether you agree or not? Is there anything that frightened you?

Soldiers are not like us. We have to be afraid of them as we are ordinary working people. If they do anything to us, we just have to suffer it. If they kill us, we will die, like our lives are worth nothing. They don't threaten us but we have to be afraid of them. We know that.

Could you please tell me about the day this incident was resolved with the leaders? Did they ask you how you wanted this case to be solved?

They asked how we wanted this case to be resolved and they said: *'If you would like to go further with this case, it will be more complicated. Therefore, I would resolve and end this case here. It will be more complicated and it will cost a lot of money if you go to the Myanmar government court.'* We cannot do anything if higher-ranked people decide to end it [the case] and we do not know how to take it further either. We cannot do anything by ourselves and it is difficult for us as well. Therefore, we had to listen to them [and do] whatever they said.

Were you threatened in the office when you went to resolve the problem?

They only scolded us when we went there.

[...] [H]ow did they [the local leaders] talk to you and how did they act with you? How did they talk to the Chinese people? Did they talk differently? Did they talk to you harshly?

They talked to the Chinese people in a nice way. They did not shout or scold the Chinese people and the Chinese people did not even care or were not afraid of them. They even smiled and acted comfortably because they can give money. Karen people cannot give money. If Karen people do something wrong, we don't know how the leaders will act toward us. We cannot say that they threatened us but they [authorities] have weapons and we did not even have the opportunity to talk back to them. We will have to suffer if they beat us or arrest us when we talk back to them. Therefore, we cannot do anything.

You said that the administrator talked to you in a nice way. What about other people? How did they talk to you and/or threaten you?

The administrator talked nicely and he admitted his mistake, that he did not tell us everything on the day we resolved the problem. He knows himself [knows he made a mistake] but the others are not like that. They will only say it's my mistake because they would like to arrest me or kill

⁴ All conversion estimates for the baht in this report are based on the June 18th 2020 official market rate.

me [because he posted about how the case was handled on social media].⁵ There are many people [local leaders] who talk very harshly to people. The administrator does not talk harshly and he understands some people. When I made a mistake, he did not say anything [about it] to me because he knew that he had also made a mistake. The rest are not like that, they only know how to beat or punch people. They are full of anger.

You said they could not process the case because they did not have evidence.

The people who arrested [the Chinese man] said: '[...] *There is no evidence to prove that your [relative] was raped [that an attempt was made]. You said your [relative] was raped [that an attempt was made]. But what will you do if the Chinese man denies that he [attempted to] rape her? Where will you go and find the evidence? It will just be a waste [of time].*' Before we went to the office, he said: '*If you do not accept the money, 150,000 baht, and if the Chinese man doesn't admit his mistake, you will be sued and arrested instead.*'

What example did he give you?

He told me that, in the past, there was a woman who was raped by another Chinese man, but they could not find any evidence. The Chinese man denied that he had raped her and in the end people killed her, like her life was worth nothing.

Do you think it is true? Have you heard about this case before?

I haven't heard about this before. I just heard it from the section leader. I don't know if it is true or not because I have not heard about it.

How did you feel when you heard that?

I think they had to find strong evidence to be able to kill that woman.

How do you feel, given that this case is similar to your [relative]'s case?

I feel like, if this is true, they will say that we accused them. Then they will arrest and kill us.

Did you have those kinds of concerns?

Yes, we had those concerns. If they ask us for evidence, we don't have it. How can you be able to take photos or videos when you are about to be raped? You have to try to escape for your life and safety.

Were you able to talk comfortably and openly about the case with the leaders?

I told the section leader before we went to the office. He said: '*What will you do about this case?*' The leaders know who has made a mistake and they will know what to do. But we don't know. They asked: '*What will you do regarding the compensation?*' My [relative] said: '*The compensation will be 200,000 baht.*' He [one of the leaders] asked: '*Will you be satisfied with that amount?*' My [relative] said 'yes'. And they said they would not let that Chinese man stay in W--- anymore. They will banish him.

Who told you that they would banish the Chinese man?

It was a section leader, but not my section leader. He said he won't let that Chinese man stay here anymore. However, he did not say anything when we had to go to the [village

⁵ For more information about this case, see KHRG, "[Arbitrary arrest and detention, torture and intimidation by BGF soldiers and village authorities](#)", June 2020.

administration] office to resolve the problem. The leaders did not banish him either because he did not get to rape her. He will be banished if he does it again. However, he was not beaten either.

Did you hear anything about the Chinese man being punished?

No, I didn't hear anything.

How many days was he detained?

He was detained for one night only. He was released the next day and the problem was then handled at the [village administration] office on that same day.

Where is your [relative] now?

She was sent to Myanmar [to her village]. She is now with her mother because we were afraid that she would be killed or something.

Where is her village?

Her village is in B--- 1.

Is it far away?

Yes. She came here to work because there are no good work opportunities in the village.

[How did she find out about that job?]

We live here [in W--- village], so she came to work and we also told her that there is available work here if she wants to work. She came to stay with us here and applied to work there.

How long did she have to work every day?

She would start work in the evening, until midnight.

What time in the evening? Didn't she have to work during the day?

There are some people who have to work during the day as well. I think they rotate. Some work during the day and some have to work at night.

So [the incident occurred on a] day where she had to work at night. What kind of shop is it?

It is a restaurant that sells and delivers food. If I order food, they will come and deliver the food to me.

Do they deliver at home?

Yes, they do. But people who order the food are not Karen; they are Chinese people only. They built houses here with numbers [addresses] and they have to go and deliver the food to the houses that order the food.

Are there more male workers or more female workers?

There are more female workers but they cannot get permission to quit the job. My [relative] was about to quit that job before the incident happened. Her friend, who had been working there before her, asked for permission to quit but she was not allowed to quit the job. This incident happened after my [relative] had worked there for two months. On the evening of the incident, her friend was allowed to quit the job. [...]

Why aren't they allowed to leave?

I don't know why.

How much do they earn in one month?

They earn 6,000 baht [USD 192.56] per month.

Why do they want to leave the job?

They want to leave because the Chinese men do not have good behaviour. They touch or slap the girls in inappropriate places. He slapped my [relative]'s butt once in front of other people before he attempted to rape her.

Which one?

The one who attempted to rape her.

Didn't anyone take action against that?

No, no one took action against that. She just told us after he attempted to rape her.

How old is he?

He is around 40 or 50. They look young because they do not work difficult jobs.

What other incidents have happened, such as touching girls inappropriately in other restaurants? Have you heard of that [happening]?

Yes, I have heard.

Could you please tell me more?

People work for them, especially Karen girls, and they have money so they do not care about people that much. Last time, I heard that another Chinese man grabbed a girl's breasts and he was fined as well. That girl is not even single, she is married. However, she was not satisfied so she reported the case. I think the Chinese man was given a 100,000 baht fine as well because he grabbed the girl's breasts.

When did this happen?

It was not a very long time ago. It was also in 2020. However, it was a different case and there are many other cases that we don't know about. It [did not] only [happen to] my [relative].

Did the leaders respond adequately to these [cases]?

No, they just closed the cases easily and quickly.

What about in other places or restaurants?

Yes, there are many other cases. I heard about one case when I went to the [village administration] office: a Chinese man raped a girl at a place a little further from the village, in the Than Bong area. But I don't know how they resolved this case. It was complicated but they ended the case there.

Where did you hear about this case?

I heard about it when I went to the [village administration] office.

Who was talking about this?

The leaders. The section leader told me about this.

Could you please tell me more about this?

I heard him say that the girl asked the Chinese man for compensation. But the Chinese man did not want to give money. That case was so complicated. I don't know whether they banished that Chinese man [from the village] or not.

Did he rape her?

I don't know about that.

Did you just hear [about it]?

Yes, we heard that but we did not dare to ask. It is not our responsibility to ask either.

However, there was a case.

There are many girls who were raped but people don't know about every case.

Why do they hire more women?

I don't know that either.

You said there are more women than men.

Yes, men cannot get these jobs as easily as women. Women can get these jobs easily but they should only be teenagers. Older women cannot get these jobs.

Why?

I don't know that.

How does your [relative] feel after the attempted rape?

She is ashamed and she did not want to go back to her village. She is afraid that people will gossip about her. There were no people gossiping about her here because we do not go around much. People go around and visit each other more often in the village, so she is ashamed. However, her uncle sent her back to the village.

When did she go back?

She went back yesterday.

What was the date?

I think March 1st or 2nd [2020].

Could you please tell me [the name of] her village?

It is called T--- village.

What is the village tract?

Bilin Township.

Have you asked her whether people in the village gossip about her and look down on her?

I haven't asked her yet.

[...] Did she tell you anything about this [attempted] rape case?

The leaders got angry at her because she did not talk to them about the [attempted] rape case in detail.

So she just cried.

Yes, she cried a lot. She did not dare to tell everything openly.

He [the perpetrator] gave 150,000 baht and the case was closed. Did he give anything else?

He just gave 150,000 baht and the case was closed. This case is not going to be reported again. It is closed.

Who was involved on the day the case was resolved?

The section leaders and the administrator were involved in resolving the case.

Who was the highest decision maker?

The [village] administrator was the highest decision maker.

Are they [decision makers] from the Myanmar government justice system?

They are just the section leaders and the administrator.

Are they Myanmar government administrators?

No, they are not. They are just working with the armed group.

Which armed group?

It is the BGF.

Are they ordinary villagers or were they in the military before?

I think the section leaders used to be but not the administrator. I don't know about the past several years but from what I know, he did not use to be a soldier. He was just running a shop and later he became the administrator.

Which armed group were they part of?

The section leaders used to be in the DKBA [Democratic Karen Buddhist Army].⁶ Later, the BGF came [to the area] and now they are working as section leaders. I am not sure whether they were soldiers but they were kind of linked to the armed group.

So they are not ordinary people from the village.

No, they are not. The administrator is because he worked on farms in the past.

⁶ The Democratic Karen Buddhist Army (DKBA) was originally formed in 1994 as a breakaway group from the Karen National Liberation Army [KNLA]. Since its separation from the KNLA in 1994, it was known to frequently cooperate with and support the Tatmadaw in its conflict with the KNLA. The original group underwent major change in 2010 as the majority of the original DKBA was transformed into the BGF, which is under the control of the Burma/Myanmar government. The remainder of the original DKBA formed a smaller splinter group in 2010 and then changed its name in 2012 from the Democratic Karen *Buddhist* Army to the Democratic Karen *Benevolent* Army. Following this major change in 2010, the original DKBA is considered to no longer exist as a distinct entity as it has now been submerged within the BGF.

[...] Were there any obstacles to reporting this case?

Yes, the leaders told me not to report this case, not to make it more complicated. They said: *'You will be in more trouble if you report it. You could even be killed.'* My parents also tried to stop me.

What about the Chinese man [perpetrator]? Did he threaten you or anything?

No, he did not. [...] [Y]ou cannot even find that Chinese man [in the village] anymore. It means that the case is not about him anymore. It is not his fault anymore and it just became my mistake [because the interviewee posted about the unfair handling of this case by the authorities on social media].

Is there any corruption?

The Chinese said: *'I can give you money but don't harm my people.'*

Who said that?

The Chinese translator told us that this is what the Chinese boss said.

Do you know his name?

No, I don't.

Do you know where he is from?

I don't know where he is from. I have seen him in W--- [village].

Is he an indigenous person?

No.

So he came from another place.

He is Chinese as well but he can speak Burmese. I think he is a Chinese [man] from Myanmar.

Why didn't they do anything to this Chinese man [the perpetrator]?

Because the Chinese man could give money so he was not beaten. He said he would give the amount of money that he is asked to give. Another Chinese man [the boss of the restaurant] told the armed group leaders, the section leaders and the administrators not to harm the perpetrator and that he would give money.

Do you think that they handled this case secretly behind your back?

I just saw [how they handled the case] when we went to the [village administration] office. They were talking in the room.

How many people? Who were they?

All of them went in except us: my parents, me and my [relative].

What about the Chinese man [perpetrator]?

He doesn't understand Burmese so only his manager went in. He was left outside.

So they went in. Do you know what they talked about?

They did not let us know what they talked about. First, he [the perpetrator] said he would give 200,000 baht. But after they went in and came out, it was decreased to 150,000 baht.

Did they tell you what they talked about?

They told us but they did not tell us clearly. They pretended to tell us some [of it], but not why the [compensation] was decreased to 150,000 baht. [...]

Did you dare to ask them?

We did not dare to ask them. Even if we had asked them, it would just have been a waste [of time]. We cannot do anything to them, so we just have to say that we are satisfied. [...] We did not know what to do so we did not say anything. We cannot arrest him nor do anything.

What is the difference between before and after the case [incident] happened? Do you feel uncomfortable and unsafe? For example, are people keeping eyes on you?

Yes, I feel like that. No one used to pass in front of my house before the incident happened. But now, some people have started passing in front of my house in their cars. It seems like they are spying on me and my activities. Sometimes I can see them but sometimes I cannot because of the speed of the car. I do not feel free anymore because I feel like they are spying on me. They would like to accuse me of being a journalist even though I am not, but they don't believe me.

What if you were a journalist, what would they do to you?

I think they would kill me and just wrap up the case in secret.

Why don't they like journalists?

They are afraid that the village head [administrator], the villagers or the village will lose their reputation. Therefore, they don't want to report any cases that happen and they want to end those cases [quietly]. They don't want this news to spread out of the area.

So you feel like they are spying on you. How about your [relative]?

Her uncle sent her back to the village. She did not want to go back to her village because she is ashamed. She thinks she will find a new job even if she will have to work for Chinese people. There are many other different jobs. But her aunts and uncles did not let her stay because they worry about her.

I asked you many questions. Do you want to tell me anything more?

I would like the perpetrators to be punished. If I have done something wrong, you can punish me and if you have done something wrong, you should be punished. [...] The Chinese people have money. Therefore, they don't want to punish the Chinese people. If they give money, their mistakes will be [forgotten], no matter how small or big they are. They can also be detained in jail for one day or one month if there is a mistake [they do something wrong]. I heard them say that if Chinese men rape girls, they will just detain them in jail for six months. The perpetrators will be happy. It is not commensurate with the crimes. Then many people will commit crimes [because the punishment is too light].

What do you want to tell the leaders and the other countries about this case?

I would like to tell the leaders to work honestly. They have to punish the perpetrators if needed. They shouldn't just settle the case with money. If someone is guilty, you have to punish the person who committed the crime. You cannot end it [the case] with money.

So you want justice.

Yes, I want justice. If they need to put someone in jail for one year, they have to do it. They can't just end the case with money.

It is true that they gave her money. Do you think it will be safe for your [relative] to work there [in the W--- village] even though they gave her money?

I don't know exactly because they are not the same person [He thinks is relative will be able to work in the village in the future, but with a different boss].

What about her uncle? He was afraid and worried for her so he sent her back.

We are not afraid of the Chinese man [perpetrator]. We just have to be afraid of our Karen people [of the reaction of the local leaders].

Do you think the Chinese man [perpetrator] will [try to] do something [to her]?

I think it is fine because she will get a new job with another Chinese boss.

What about in the same restaurant?

No, I don't think so. She cannot go back there.

Do you know anyone who works in that restaurant?

No, I do not. There was one [person] but she already quit the job.

You said there are a lot of female workers there, right?

Yes, but I don't know them. We are not friends.

These were all the questions I wanted to ask you. Can I use this information for publication?

You can use it but I don't want any trouble. My parents and I don't want any trouble. We just want to live in peace.

Do you want me to share this information with the BGF?

No, I don't.

What about the KNU [Karen National Union]?⁷

I don't know because some [of them] are not honest.

What about the UN [United Nations]?

Yes, you can.

In which language should I publish this information?

You can publish it in English but not in Burmese and Karen because many people [in my area] can read [these languages].

⁷ The Karen National Union (KNU) is the main Karen political organisation. It was established in 1947 and has been in conflict with the Burma/Myanmar government since 1949. The KNU wields power across large areas of Southeast Myanmar and has been calling for the creation of a democratic federal system since 1976. Although it signed the Nationwide Ceasefire Agreement in 2015, relations with the government remain tense.

I am going to censor your name and your section leader's name. Do you agree to that?

Yes, I do.

Further background reading on the issue of sexual violence against children in Southeast Myanmar can be found in the following KHRG reports:

- ["He only let me go after he finished raping me": Sexual Violence in Southeast Myanmar, 2019](#), (March 2020)
- ["Taw Oo District Incident Report: Multiple instances of child rape, 2016 to October 2019"](#), (March 2020)
- ["Nyaunglebin Incident Report: Child rape by a Myanmar police officer in Kyaukkyi Township, August 2019"](#), (November 2019)

About KHRG

Founded in 1992, the Karen Human Rights Group is an independent local organisation committed to improving the human rights situation in Southeast Myanmar. KHRG trains local people to document and gather evidence of human rights abuses, and publishes this information to project the voices, experiences and perspectives of local communities. More examples of our work can be seen online at www.khrq.org.

Hpa-an District (Central Kayin State)



Legend

- Village track point
- 🏠 Town
- Road
- 🏗️ Dam Project
- 🌊 Rivers
- ▭ Locally defined Karen boundary
- ▭ International boundary