

THE VOICE 21P

THE NEWSLETTER FOCUSING ON CURRENT ISSUES OF EMPOWERMENT, COMMUNITY PARTICIPATION, AND ADVOCACY FOR WOMEN AND CHILDREN FROM SOUTHERN MYANMAR.

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INTERNATIONAL WOMEN'S DAY 2019 STATEMENT

#BalanceforBetter



March 8, 2019

Today, the Human Rights Foundation of Monland (HURFOM) is celebrating International Women's Day. This year's theme is #BalanceforBetter because gender balance drives a better working world and is essential for communities to thrive. Key to achieving gender balance is to notice its absence, celebrate its presence, and to work every day to challenge the existing gender roles and relations that deny women full participation in society.

To better understand what #BalanceforBetter means to women living in Mon State, HURFOM spoke with Mi Cherry Soe, the Program Director of the Jeepyah Civil Society Development Organization's (JCSDO) Women Empowerment and Child Rights Program. [Read more on page 3 >>](#)

MAN CHARGED UNDER PENAL CODE 377 (UNNATURAL OFFENSES) AFTER MALE EMPLOYEE REPEATEDLY RAPED

January 15, 2019

A 30-year-old employee says he was repeatedly raped and physically attacked by his male employer at the barber shop he worked at in Mawlamyine. The man filed a lawsuit at the Mu Pon Police Station on January 7th 2019.

"The barber shop has three stories. The barber shop is on the first floor and the male massage spa is on the second floor, while the third floor has an oil

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Publisher's Message

PLEASE PROTECT OUR CHILDREN

From January to June, 2019, HURFOM has documented 6 incidents of sexual and gender-based violence against children. In one of the incident, the victim's life has been brought to a tragic end.

In 2017, a total of 44 cases of child rape were reported to Mon State police, whereas in 2018 this number rose to 57. The disturbing rise in reports of child rape from 44 to 57 signals a 29.5% net increase in cases of child sexual abuse reported in Mon State between 2017 and 2018, which is in keeping with a broader Burma-wide trend of increases in the reporting of sexual abuse to authorities over the last five years.

In February, 2018, the Ministry of Home Affairs released crime statistics for 2017, which showed that 1,405 rapes were reported across Burma in 2017, including 508 rapes of adult women and 897 rapes of children. In 2016, 1,100 sexual assault cases were recorded, 429 against adults and 671 against children.

This represents a 27% increase in the total number of recorded rapes, and a 33% increase in recorded child rapes. The true number is likely to be much higher, as traditional beliefs and the accompanying stigma surrounding sexual violence lead many to remain silent.

For many, challenges to accessing justice create sufficient disincentives to report crimes of a sexual nature to police. Moreover, incompetence and a lack of transparency in the police system combine to leave victims and their families waiting weeks or months to hear what is happening with their cases and continue to prevent victims of sexual and gender-based violence from accessing justice.

Therefore, as a priority, the government must reform current judicial system and Myanmar Police Force to combat this worrying trend. We call on the Burmese government to eliminate corruption and strengthen the enforcement of the law, and to fund community-based organizations (CBOs) who provide communities with sex and gender education, and who support families in accessing justice.

#BalanceforBetter



When commenting on women's participation in politics and the decision-making process, Mi Cherry Soe had the following to say:

"For me, I want to see gender parity throughout government with women holding 50 percent of the seats. This is what we hope to achieve, and it would be great if voters could begin to focus on equal representation so this can become a reality. This way, we will achieve the equal participation of women in the political process."

Moving away from politics, Mi Cherry Soe also addressed the obstacles women confront in the social and economic spheres of their lives:

"Gender-based discrimination can no longer be justified as being part of our tradition or culture. In the workplace too, gender-based discrimination in terms of compensation and benefits must end. By closing these gaps, we will create a better society for future generations."

The issues raised by Mi Cherry Soe speak to a political reality where

women are shockingly underrepresented despite making up 52 percent of the total population, and highlight the challenges regularly faced by women across Mon State and throughout Burma/Myanmar.

Based on the data currently available, women hold only 10.1 percent of seats in the House of Representatives, 10.2 percent of seats in the House of Nationalities, and 16.1 percent of seats in the Mon State Parliament. The underrepresentation of women in ministries and parliament may shed light on why the long-awaited Prevention and Protection of Violence against Women Bill, first proposed in 2013, continues to collect dust.

By increasing representation at all levels of government, laws, policies, and practices that have historically been designed by men can be reimagined and created anew to reflect the diverse needs and priorities of women, families, and ethnic minorities, and ultimately move Burma/Myanmar toward becoming a society that not only protects women but guarantees

women equal opportunity in all areas of social life.

#BalanceforBetter also means working to change attitudes, beliefs, and behaviors that prevent women from reaching their full potential. The frequency with which violence against women is reported provides a sobering example of how the lives of women and girls continue to be undervalued. In fact, between 2017 and 2018, there was a 31.1 percent net increase in reports of sexual violence against women and children in Mon State.

The stigma and shame associated with sexual violence coupled with hush payments and a culture of victim blaming often keep survivors from coming forward to seek justice. However, since March 2018, at least 6 girls between 12 and 16 years of age have had the courage to speak out and hold their attackers to account.[1] In their refusal to remain silent, these young women have begun to dismantle a system of attitudes, beliefs and behaviors that threaten the safety, security, and well-being of women everywhere.

On this International Women's Day, HURFOM pledges to work every day to challenge the existing gender roles and relations that deny women full participation in society and wishes to acknowledge the tireless work of women human rights defenders in Mon State, Burma/Myanmar, and across the globe working to create a world where women's rights are respected, protected, and fulfilled.

News from page no.1

"The barber shop has three stories. The barber shop is on the first floor and the male massage spa is on the second floor, while the third floor has an oil massage service. As soon as I reached Mawlamyine, I had to work on the second floor. I slept on the first floor with my co-worker [at night]," said the victim.

He says he was first raped by his employer at 1 am on December 21st 2018, and the second time was on Christmas Day, when the shop owner was drunk.

"After being raped the first time, I've slept in the staff's room [in order to avoid him]. But he was drunk on Christmas Night and I had to help him to his room. He dragged me into his room and raped me," continued the victim.

On January 4th he resigned from his job without notice, after which a fight ensued with the owner, resulting in severe injuries to his right eyebrow and cheekbone.

"As it was severe, the clinic couldn't handle my injury and I was transferred

to the Mawlamyine General Hospital. I got in contact with my female friend from my village and she introduced me to her friend in Mawlamyine. After talking with them, I filed a lawsuit [against my employer] at Mu Pon Police Station," said the victim.

Now, a sperm detection test has been conducted at the Mawlamyine General Hospital and the Mu Pon police has detained the perpetrator at the police station after charging him under Penal Code 323 (Punishment for voluntarily causing hurt) and 377 (Unnatural offences).

News

13-YEAR-OLD BOY ACCUSED OF RAPE, MURDER, AND ALLEGEDLY TORTURED BY POLICE, RELEASED ON BAIL

January 17, 2019

A 13-year-old boy taken into police custody in early November 2018, on suspicion of the rape and murder of his adoptive sister, was released on bail by the Zayar Thiri Police Station on November 20th 2018, as authorities could not amount any evidence to keep the boy in police custody or press charges under Article 376/302 (punishment for rape/punishment for murder) of the Penal Code.

Police suspected the boy of raping and killing his 8-year-old adoptive sister on October 18th 2018, in the Tar Yar Aye Quarter of Mawlamyine, Mon State. Although the boy's neighbors informed the police, and could attest that, he had been playing with his friends in the village while the victim went missing, he was held at a Youth Care Training Center, under the control of the Ministry of Social Welfare, Relief, and Resettlement from November 2nd 2018, until his release.

"We have many reasons to suspect him, but we don't have enough evidence to charge him. He's been released on bail

as we continue to investigate, but we can charge him anytime if new evidence is discovered," said Inspector Maung Win from the Zayar Thiri Police Station.

However, unless police soon provide the court with new evidence implicating the boy or a third party in this crime, the boy will be cleared of suspicion and the investigation will likely not move forward.

As previously reported by HURFOM, on October 18th, around 10 am, the victim left for her aunt's house but never returned home. The family, worried, went to look for her but could not find her. The family reported her as missing to police on October 19th, and her body was found around 2 pm in a brick-making pit near Hlaing Yadanar Street.

In response to this incident, police from Zayar Thiri Police Station arrested the girl's 13-year-old brother, Mg A—, on November 1st around 11 pm. His mother alleges that police attempted to force a confession from the boy by keeping him in a stress position "as if he was driving a motorbike for the entire night."

Citing a lack of evidence, authorities have had to release the boy, but these events raise serious concerns about child rights, justice, and the rule of law in Burma.

Between June 2017 and July 2018, HURFOM's Women and Child Rights Project documented 14 cases of sexual violence against children in Mon State, while in May 2018, Mawlamyine Police Station released statistics showing a 42% increase in the number of cases they received regarding sexual violence against children in Mon State.

This incident only contributes to a Burma-wide trend of increased reported rapes, and signals that the Burma government must take action to eliminate corruption in police and judicial systems, and ensure all reported cases of sexual violence are investigated thoroughly to secure justice for victims and their families.

Being signatory to the Convention on the Rights of the Child, and the Convention on the Elimination of all Forms of Discrimination against Women, the Burma government has an obligation under international law to protect every child from violence, torture, all forms of sexual exploitation and sexual abuse, and arbitrary arrest and detention.

TEENAGE GIRL IN MUDON TOWNSHIP SEES RAPIST BROUGHT TO JUSTICE MONTHS AFTER 25-YEAR-OLD PERPETRATOR TRIED TO SILENCE HER WITH COMPENSATION

February 12, 2019

HURFOM: On February 2nd 2019, Ko M—, a 25-year-old man from Kamarwat Town, Mudon Township, Mon State, was charged with the rape of a 15-year-old girl after the Chair of the Mon State Future Light Organization, Daw Ther Htar Lwin, brought the incident to the attention of Kamarwat police.

Although the perpetrator and victim were neighbors, Ko M— first came into contact with the girl through social media in April 2018, and the two kept in regular communication thereafter. According to the victim, on the day of the incident she had gone to her grandmother's farm to harvest vegetables but was unknowingly followed by Ko M—, yet it remains

unclear how he knew of the girl's whereabouts. Once she arrived, Ko M— proceeded to rape her in an isolated area of the farm.

The girl soon discovered that Ko M— had impregnated her, which prompted the girl's grandmother to ask Ko M— that he marry her granddaughter. Ko M— refused any such request, claiming that he was not the father of the child.

Although the girl's family wished to seek justice, threats of violence from Ko M—'s family, and a Mon-Burmese language barrier between the girl's family and authorities combined to discourage the girl's family from reporting the rape to Kamarwat police.

In an effort to absolve him of any wrongdoing and bring to rest any

further accusations of rape, on November 7th 2018, the girl and her grandmother signed a letter of mutual agreement with Ko M— in exchange for 500,000 kyat (US \$325.31). The agreement was signed at their local General Administration Department (GAD) office in the presence of the 100 households head and the ward administrator, wherein it was stated that Ko M— was neither the perpetrator of the crime nor the child's father.

However, with the visit of the Daw Ther Htar Lwin, Chair of the Mon State Future Light Organization to Kamarwat Hospital, the search for justice was renewed.

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News

TEENAGE GIRL IN MAWLAMYINE TOWNSHIP FINALLY SEES HER RAPIST BROUGHT TO JUSTICE

June 18, 2019

According to U Thet Tun of the Mitta Zone See Organization, on May 30th 2019, a man detained by authorities for the repeated rape of his niece was sentenced to 10 years in prison. In 2017, following the death of her father and her mother's second marriage, the victim and her younger brother were sent to live with their grandmother in Zayar Thiri Region, Mawlamyine Township, and Mon State. It was in this residence that the girl was repeatedly raped by her uncle.

"We will file an appeal as the rapist was sentenced to only 10 years imprisonment. A child rapist must be given a 20-year jail sentence. If we file an appeal, the sentence can be increased to 15 years. The victim just passed Grade 10 and will sit for her matriculation exam this year," said U Thet Tun.

In February 2018, after completing her grade 10 examination, the girl learned

that she was six-months pregnant. In an attempt to conceal the uncle's crimes and deflect his responsibility for the pregnancy, the girl's grandmother pressured the girl to pursue a romantic relationship with a 19-year-old boy from the Zayar Thiri Region, and quickly forced her granddaughter to marry the young man.

Having learned of the girl's predicament, Daw Thi Thi Nwe, the Chair of Mitta Zone See Organization, visited the young woman in hospital after she had given birth, and soon took an active interest in the girl's well-being. At the victim's request, Daw Thi Thi Nwe filed rape charges against the girl's uncle and her husband. Both men have been detained by authorities in Mawlamyine since July 2018.

It remains unclear why the girl's husband has been charged with rape.

"The legal proceedings lasted about a year. Her uncle is now in jail, but the court hasn't made a decision about her

husband. We'll request that the court release him," continued U Thet Tun.

"On June 3rd, I sent my son to stay at a Mon State Social Welfare Office so I can sit for my matriculation exam. I want to educate myself, and I want my child to be a doctor someday," said the girl.

In 2018, the Mitta Zone See Organization provided support to 16 victims of rape. According to the organization, 18 cases of child sexual abuse have been reported to them since January 2019.

In light of this worrying trend, the Human Rights Foundation of Monland (HURFOM) again calls on parliament to enact the Protection and Prevention of Violence against Women Bill so women and girls are provided the enhanced legal protections needed to disrupt the prevalence of sexual and gender-based violence in Mon State and across Burma.

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NEWS FROM PAGE NO.4

"After arriving at Kamarwat Hospital to observe progress on Future Light's orphan project, I was approached by a midwife and the girl. The girl told me that once she gave birth, she hoped to put her child up for adoption. When I asked why, the midwife informed me that the child's father refused to marry the girl and refused to acknowledge that the child was his," said Daw Thet Htar Lwin.

Wanting to know more, Daw Thet Htar Lwin met with the girl's grandmother who relayed that Ko M— had raped the girl and that Ko M—'s family now claimed that the child is not his and that her granddaughter is mentally unstable. Daw Thet Htar Lwin also learned that Ko M—'s family

threatened to kill the girl and her grandmother if they filed a police report.

With this information in hand, on February 2nd 2019, Daw Thet Htar Lwin notified Kamarwat police of the incident. The Kamarwat police detained Ko M—, charging him under Penal Code 376 (Punishment for rape).

According to the Deputy Chief Officer of the Mudon General Administration Department, U Kyaw Zin Oo, charges will also be filed against the ward administrator if it is found that he authorized financial compensation to the victim as settlement in this case.

The Mon State Police Office state that 80 cases of rape were reported in 2018,

57 of which (71.25%) involved the rape of a child.

As documented by HURFOM's Women and Child Rights Project in *A Girl's Life Was Destroyed*, between June 2017 and July 2018, 14 cases of sexual violence against children were reported in Mon State. Still, it must be understood that the numbers reported by HURFOM and the Mon State police necessarily underrepresent the true scale of sexual violence against children given that many children are too young to understand and articulate such experiences, and that the stigma associated with sexual violence operates to discourage victims from coming forward.

News

FATHER WHO REPEATEDLY RAPED 7-YEAR-OLD DAUGHTER ON THE RUN FROM KAMARWAT TOWN AS POLICE SEEK TO PRESS CHARGES

February 14, 2019

On February 4th 2019, charges were filed against a 35-year-old man from Kamarwat Town, Mudon Township, Mon State, for the repeated rape of his seven-year-old daughter thanks to the resolve of Daw Kyi Kyi Aye, the girl's school principal, and the intervention of Daw Mya Thein Ge Maw, a Mawlamyine-based lawmaker.

As Daw Kyi Kyi Aye reports, the girl arrived at school on the morning of January 24th 2019 wearing a dirty school uniform and in need of a bath. Out of concern for the child's well-being, Daw Kyi Kyi Aye took it upon herself to bathe the young girl.

"During the bath, I saw the girl's genitalia appeared to have been injured. When I asked her if she was okay, I learned that the girl's father had been abusing her since her mother had passed away [more than a year ago]," said Daw Kyi Kyi Aye, the school principal.

According to residents living close to the school, the girl successfully hid from her father when he came to pick her up from school that day, eventually returning home without his daughter. It remains unclear why the girl was free to return to her father's house.

"After seeing that the girl was alone on the street that night, local residents brought her to the house of the ward administrator. The next morning [January 25th], the administrator summoned the girl's father and aunt, and it was decided that the girl would live with her aunt," accords Daw Kyi Kyi Aye. It is not known whether the father's abuse of his daughter was discussed during this meeting.

The girl's aunt alleges that her niece said she did not want to live with her, so on January 26th the girl's aunt brought her back to the ward administrator who decided that the girl should be returned to the custody of her father.

Having learned that the young girl was again living with her father, Daw Kyi Kyi Aye informed the ward administrator that she would take responsibility of the girl, and by January 30th the girl had been placed in Daw Kyi Kyi Aye's care.

"The girl had been telling her neighbors that her father was raping her for a long time, but the neighbors did nothing to help. I think they were worried that they would have to take care of the girl if they spoke out, so they stayed silent," said the principal.

On February 4th, Daw Kyi Kyi Aye went to the Kamarwat Police Station to have rape charges filed against the girl's father but was turned away after being informed that the police could not press charges without first speaking with the girl's father and investigating the allegations.

Frustrated with the response she received, and determined to bring the girl's father to justice, Daw Kyi Kyi Aye travelled to Mawlamyine to report the girl's father to the Department of Social Welfare. There, she met with Daw Mya Thein Ge Maw, a lawmaker working with the department, telling her of the ongoing sexual abuse, and that Kamarwat Police were unwilling to proceed with charges.

"Members of the Kamarwat Police Force were also at the office, so Daw Mya Thein Ge Maw met with them and discussed the allegations. The police then spoke with me and told me to file a report against the girl's father when I returned to Kamarwat. Because of the lawmaker, the police pressed charges against the girl's father," said the Daw Kyi Kyi Aye.

Kamarwat police charged the girl's father under Penal Code 376 (Punishment for rape) and 511 (Punishment for attempting to commit offences punishable with transportation or imprisonment). However, the girl's father is believed to have fled Kamarwat, meaning police

have been unable to proceed with the charges.

"The Mon Women's Organization (MWO) and the Mon National Education Committee (MNEC) say they will take care of the girl. At the moment, the girl is with me, and the MWO is providing financial support. I will send the girl to stay with the MWO soon. I feel unsafe because the perpetrator hasn't been apprehended yet. I'm afraid he'll do something to me," said Daw Kyi Kyi Aye.

In 2017, a total of 61 cases of rape were reported to Mon State police, 44 of which were cases of child rape, whereas in 2018 this number rose to 80, with 57 of these cases involving the rape of a child. The rise in reports of child rape from 44 to 57 signals a 29.5% net increase in cases of child sexual abuse reported in Mon State between 2017 and 2018, which is in keeping with a broader Burma-wide trend of increases in the reporting of sexual abuse to authorities over the last five years.



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News

TEENAGE GIRL IN MAWLAMYINE TOWNSHIP OVERCOMES EVERY OBSTACLE IN SEARCH TO HOLD HER RAPIST TO ACCOUNT

April 1, 2019

More than two years after she was first assaulted, a teenage girl from Zayar Thiri Region, Mawlamyine Township, Mon State is one step closer to justice as she awaits the sentencing of her uncle who has been detained by authorities since July 2018 on charges of rape. The girl's husband, whom she was forced to marry in 2018, has also been detained on rape charges.

In 2017, following the death of her father and her mother's second marriage, the girl and her younger brother were sent to live with their grandmother. It was in this residence that the girl was repeatedly raped by her uncle.

"In 2017, my uncle entered my mosquito net and raped me. After that [first] incident, he would rape me whenever he got drunk," said the girl.

The girl did not come forward because her uncle had threatened to kill her and force her younger brother out of the house if she were to tell anyone about the ongoing abuse. As well, the girl's grandmother is said to have resented her presence in the home, which further isolated the girl and left her with no one to confide in.

"I can't believe that my uncle, my mother's younger brother, would abuse me like this. I thought my grandmother would support me, but she resents me. None of my relatives stood by me. Only my mother supported me. After I was raped, I wanted to tell my grandmother, but I rely on her and didn't want to cause any problems. My mother only came back to Mawlamyine a year ago, so I had no one to turn to," said the girl.

In February 2018, after completing her grade 10 examination, the girl learned that she was six-months pregnant. In an attempt to conceal the uncle's crimes and deflect his responsibility for the pregnancy, the girl's grandmother pressured the girl to pursue a romantic relationship with a 19-year-old boy from the Zayar Thiri Region, and quickly

forced her granddaughter to marry the young man.

"When there was a festival in our ward, [under pressure from my grandmother] I gave him some alcohol and flirted with him. The next day, my grandmother forced me to visit his home. She said that if I didn't do what she said, she would remove my younger brother from school. Then, when I was with him at his house, my grandmother accused us of living together and forced him to marry me. Soon after our marriage, we would frequently fight because he knew that the he wasn't the father of my child," said the girl.

Having learned of the girl's predicament, Daw Thi Thi Nwe, the Chair of Mitta Zone See Organization, took an active interest in the girl's well-being.

"I knew the girl because she usually came to our organization to sell goods. When I heard that she had given birth, I went to the hospital to see her. At the hospital, I saw that she was giving her baby to someone for adoption and requesting money from them. I told the people adopting the child that they should follow legal adoption procedures in coordination with the Department of Social Welfare, and they left," said Daw Thi Thi Nwe.

Having nowhere else to go upon her release from the hospital, the girl returned with her child to her grandmother's house. On June 11th 2018, Daw Thi Thi Nwe visited the girl at her home to discover that the accommodations provided for the young mother and newborn child offered little protection from the rain. Concerned for their well-being, Daw Thi Thi Nwe relocated the girl and her child to a safer location.

"The girl said she wanted her uncle to be punished for raping her. I explained to her that if we filed a charge against her uncle, her husband would also have to be punished," said Daw Thi Thi Nwe.

At the request of the girl, Daw Thi Thi Nwe proceeded to file rape charges against the girl's uncle and her husband. Both men have been detained by authorities in Mawlamyine since July 2018, though neither man has yet to be sentenced despite having stood trial.

At this time, it remains unclear why the girl's husband has been charged with rape.

"She passed the grade 10 exam, and next year she will take the matriculation exam. A terrible thing has happened to this girl, and it's had a huge impact on her life. I will support her when she takes the matriculation exam next year," said Daw Thi Thi Nwe.

In a show of resolute strength and resilience, the girl says that she looks forward to completing the matriculation exam and hopes to one day support her child to become a medical doctor.

Although the girl's uncle and husband were eventually detained, this case nonetheless highlights the many obstacles that victims of sexual violence confront when seeking to hold their abusers to account. Death threats, fear of reprisal, forced marriage, and stigma nearly forced this young woman to remain silent about the abuse she had endured, but with the support of the Mitta Zone See Organization, the girl's wish to have her uncle held accountable for his crimes will likely come to fruition.

For many young women in Mon State and throughout Burma, obstacles like these are overwhelming and often conspire to keep women from coming forward. Until parliament enacts the Protection and Prevention of Violence against Women Bill to provide women and girls with enhanced legal protection, the culture of silence that obscures the suffering of victims while safeguarding the perpetrators of sexual and gender-based violence will remain firmly entrenched.



News

AFTER SEEKING TO PROFIT FROM THE RAPE OF A YOUNG GIRL, CORRUPTION ALLEGATIONS FOLLOW POLICE ACROSS MON STATE

June 4, 2019

Allegations of police corruption stemming from two separate incidents in Mon State's Mudon and Thanbyuzayat townships — the rape of a young girl and the possession of illegal drugs — have led to the opening of an investigation into police conduct, and have prompted villagers to file formal complaints with various state and Union-level government offices.

With respect to the first incident, the Mawlamyine District Police Station ordered police in Thanbyuzayat Township to investigate allegations that on May 18th 2019, Police Captain Khin Maung Tun demanded a 200,000 kyat (US \$131.05) bribe from the father of an accused rapist in Kaw Kha Pone village, Mudon Township.

It is alleged that the 12-year-old victim in this case was raped repeatedly by her cousin. On May 18th 2019, the girl's mother reported the man to the Mudon Police Station, and the accused was arrested and charged under Penal Code 376 (Punishment for rape).

"I was raped five times by him. I was forced to take pink pills [unknown substance] every time before he raped me. He threatened that he would beat me if I told my mother," said the girl.

Shortly after the girl's mother reported the crime, police targeted the accused's father.

"At about 4pm on May 18th, two police officers came to my house and arrested me. I didn't know why I was being arrested, but I went with them. As soon as we reached the station, one of the officers punched me twice in the face. He then demanded that I give him 200,000 kyat by 9am the following day. I told him I was a laborer, living hand to mouth, and that I didn't have the money. He then told me I had to give him 100,000 kyat (US \$65.52)," said U A—, the father of the accused.

By noon the following day, U A— had collected the money but was unable to return to the police station, leaving it

instead with U Myint, the 100 households head of Kaw Kha Pone village, believing that he would deliver the money to police.

When asked by HURFOM, U Myint said he knew nothing about the money and would not provide any further comment.

Learning of the incident from a social media post, on May 23rd 2019, the Mawlamyine Police Station ordered police in Thanbyuzayat Township to investigate the allegations against Police Captain Khin Maung Tun.

Allegations of corruption soon emerged elsewhere when police in Wae Toon Chaung (Da Ton Chit) village, Thanbyuzayat Township, demanded that the family of a man arrested on drug charges pay 600,000 kyat (US \$393.15) to ensure he receive a reduced sentence.

On May 19th 2019, Mg H— was arrested and charged under Articles 16(c) and 20(a) of the Narcotic Drugs and Psychotropic Substances Law for the possession and distribution of kratom. According to his mother, community leaders and Police Sergeant Kyaw Zin Oo arrived at her home shortly after his arrest demanding a payment of 1 million kyat (US 655.25) in return for reduced prison time.

"Community leaders and Sergeant Kyaw Zin Oo came to my house to tell me that he [the sergeant] would alter the charges against my son to just personal use. Then he demanded 1 million kyat. I said I couldn't afford to pay 1 million kyat, so he then told me I must pay 700,000 kyat (US \$458.68). I told him I couldn't afford to pay that either, but could pay 500,000 kyat (US \$327.62). At first, he refused to accept this but after some negotiation he said he would accept 600,000 kyat. We agreed that I would pay him at the village administration office the next day," said Daw N—, the mother of the man detained.

Unable to immediately collect the 600,000 kyat sum, Daw N— eventually

met with community leaders and police at a village church to pay the money. However, when Mg H—'s uncle learned of the extortion, he drafted formal complaints and submitted them to the Myanmar State Counsellor Office, the Anti-Corruption Commission of Myanmar, and the Mon State Government Office.

"If we don't report this incident, villagers will continue to be extorted. They've [the police] already done something like this several times in the past. We've filed our complaints to stop this from happening again," said U T—, the man's uncle.

"The police sergeant said my son wouldn't avoid imprisonment but would make sure his charges were reduced. He apologized to us and asked us to withdraw our complaints. I replied that we had already filed the complaints and that they couldn't be withdrawn," said Daw N—.



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News

MAN ARRESTED FOR THE RAPE AND MURDER OF 4-YEAR-OLD GIRL IN THANBYUZAYAT TOWNSHIP

June 14, 2019

On June 5th 2019, a 4-year-old girl from Aung Thu Khaw Ward, Kyaik Kha Mi Town, Thanbyuzayat Township, was raped, killed, and her body disposed of in a lake by a 28-year-old man who had relocated to the area for work. The perpetrator has since been arrested and charged for his crimes.

According to witnesses, the young girl was playing outside her home when she was approached by the man at approximately 4pm on the afternoon of June 5th. The man lured the girl away from her home by promising to buy her snacks if she followed him.

By approximately 7pm that evening, the girl had yet to return to her home. Concerned, the girl's mother reported her daughter missing to U Thar Byaw, the Aung Thu Khaw Ward Administrator. Accompanied by U Thar Byaw, a team of villagers searched for the girl but were unable to locate her. It was then that the two witnesses reported seeing the man with the young girl to the Ward Administrator. The search party confronted the perpetrator at his home where he was quick to deny the accusations made against him.

"Along with other villagers, I asked the man if he had raped the girl, but he denied our accusations. Then the witnesses came forward to say that he was the person who took the girl. People were angry and started to attack him, but I stopped them and brought him to the police station. After being questioned by police, he confessed that he had raped the girl, killed her, and thrown her body in a nearby lake," said U Thar Byaw, the Ward Administrator.

"After he confessed, we all went to the lake to search for the girl's body but could not find her. At about 10pm the girl's body emerged from the lake. We sent the girl's body to the hospital for a medical examination, and on June 6th the doctor confirmed that she had been raped," continued U Thar Byaw.

The perpetrator has been charged by Kyaik Kha Mi police under Penal Code 201 (Causing disappearance of evidence of offence), 302 (Punishment for murder), and 376 (Punishment for rape).

This is the fifth incident of sexual and gender-based violence that HURFOM has reported since January 2019, though it is the first where the victim's

life has been brought to such a tragic end. In 2017, a total of 44 cases of child rape were reported to Mon State police, whereas in 2018 this number rose to 57. The disturbing rise in reports of child rape from 44 to 57 signals a 29.5% net increase in cases of child sexual abuse reported in Mon State between 2017 and 2018, which is in keeping with a broader Burma-wide trend of increases in the reporting of sexual abuse to authorities over the last five years.

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It is not clear if or how the three government offices contacted will respond, but these two incidents nonetheless highlight a number of issues that continue to impact the lives of villagers in Mon State and throughout Burma.

The rape of a young girl is the fourth such incident that HURFOM has reported since January 2019, and serves as a reminder that until the Protection and Prevention of Violence against Women Bill is enacted, sexual and gender-based violence will continue to threaten the safety,

security, and well-being of women and children throughout Burma.

The arrest of a man for the possession and distribution of kratom suggests that more effective drug treatment options are needed in lieu of criminal sentencing, for the harsh penalties imposed on users have proven not to reduce consumption.

Overall, the above allegations underscore a broader culture of corruption among police forces in Mon State. To disrupt the rule of law by seeking to profit from the rape of a

young girl, authorities devalue the severity of the crime and the justice that victims seek. To circumvent the rule of law by offering reduced sentencing in exchange for personal financial gain, authorities communicate that the criminal justice system operates according to one's financial status. Such behavior erodes trust between villagers and police and could possibly undermine the Nationwide Ceasefire Agreement if villagers look to Ethnic Armed Organizations for the protection that police fail to provide.

News

NEW REPORT FINDS PERSONAL SECURITY CONCERNS, LACK OF PROTECTION MEASURES GREATEST IMPEDIMENT TO WOMEN'S PARTICIPATION IN POLITICS



March 14, 2019

In a new report on women's participation in politics released by the Jeepyah Civil Society Development Organization (JCSDO), the JCSDO research team found that real or perceived threats to personal security figured as the greatest impediment to women's participation in politics. Specifically, concerns about personal security coupled with a lack of special measures to protect women lawmakers when in the community, or on an extended business trip, were identified as major obstacles to increasing women's participation in politics.

In conducting this research, the research team met with 30 lawmakers, 11 of whom are women, from Mon and Karen states, and Tanintharyi Region. The JCSDO team gathered the opinions of lawmakers regarding the role of women in positions of leadership and throughout all levels of the political process.

"Mainly, [concerns about] personal security, gender stereotypes, and the expectation to perform housework are barriers to women's increased involvement in politics. Another factor is that when given the choice between a qualified female candidate and a male candidate, [we found] most women choose to support the man. It's the mainstream way of thinking. The political community still doesn't favor women," said Mi Cherry Soe, the lead researcher and Program Director of JCSDO's Women Empowerment and Child Rights Program.

When approached by the research team, Dr. Aung Nyne Oo, the Deputy Speaker of the Mon State Parliament, stated that all political parties were lacking in systematically supporting their female members.

Beyond this lack of support, women's representation in parliament at both the state and union level does not reflect the composition of the population, with women making up 52 percent of the total population based

on the most recent figures available. At the parliamentary level, such underrepresentation means that women's issues are often overlooked and not accorded the importance they so deserve.

"During the first parliamentary period under Thein Sein, the Mon State Parliament had no female lawmakers, but now 16 percent of its members are women. However, the Karen and Tanintharyi parliaments have an even lower percentage of female members. Some people think women face no barriers becoming involved in politics. The head of state, some chief ministers, and the speaker of the Mon State Parliament are all women. Even though some women hold a high rank, it doesn't reflect the composition of population. Women still face barriers when they want to become involved in politics and leadership" said Mi Cherry Soe.

A major finding of JCSDO's research, and one that will hopefully inform the parliamentary process at both the state

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and union level, is that issues that affect women will receive greater time and attention if there are more women in parliament. Further, female lawmakers may approach issues differently than their male counterparts, providing all lawmakers with a more holistic understanding of the issues faced by women and how they may be best addressed or resolved. The report also called for special measures to protect women lawmakers in the course of their duties.

Moving forward, Mi Cherry Soe stated that she will do her best to work as an advocate for women's increased participation in politics and will continue to raise awareness about the social and economic benefits that women's increased representation will bring.

The JCSDO has its roots in the Mon CSO community, mostly based in Thailand. In 2010, Jeepyah Education Services (JES) was established by members of HURFOM, and in 2012 HURFOM's Women & Child Rights Project (WCRP) added its support to JES to help form the Women Empowerment and Child Rights Program. In 2017, the name of the organization was changed from JES to JCSDO to better reflect the diverse activities being carried out through its programming.

Having learned of the girl's predicament, Daw Thi Thi Nwe, the Chair of Mitta Zone See Organization, took an active interest in the girl's well-being.

"I knew the girl because she usually came to our organization to sell goods. When I heard that she had given birth, I went to the hospital to see her. At the hospital, I saw that she was giving her baby to someone for adoption and requesting money from them. I told the people adopting the child that they should follow legal adoption procedures in coordination with the Department of Social Welfare, and they left," said Daw Thi Thi Nwe.

Having nowhere else to go upon her release from the hospital, the girl returned with her child to her

grandmother's house. On June 11th 2018, Daw Thi Thi Nwe visited the girl at her home to discover that the accommodations provided for the young mother and newborn child offered little protection from the rain. Concerned for their well-being, Daw Thi Thi Nwe relocated the girl and her child to a safer location.

"The girl said she wanted her uncle to be punished for raping her. I explained to her that if we filed a charge against her uncle, her husband would also have to be punished," said Daw Thi Thi Nwe.

At the request of the girl, Daw Thi Thi Nwe proceeded to file rape charges against the girl's uncle and her husband. Both men have been detained by authorities in Mawlamyine since July 2018, though neither man has yet to be sentenced despite having stood trial.

At this time, it remains unclear why the girl's husband has been charged with rape.

"She passed the grade 10 exam, and next year she will take the matriculation exam. A terrible thing has happened to this girl, and it's had a huge impact on her life. I will support her when she takes the matriculation exam next year," said Daw Thi Thi Nwe.

In a show of resolute strength and resilience, the girl says that she looks forward to completing the matriculation exam and hopes to one day support her child to become a medical doctor.

Although the girl's uncle and husband were eventually detained, this case nonetheless highlights the many obstacles that victims of sexual violence confront when seeking to hold their abusers to account. Death threats, fear of reprisal, forced marriage, and stigma nearly forced this young woman to remain silent about the abuse she had endured, but with the support of the Mitta Zone See Organization, the girl's wish to have her uncle held accountable for his crimes will likely come to fruition.

For many young women in Mon State and throughout Burma, obstacles like

these are overwhelming and often conspire to keep women from coming forward. Until parliament enacts the Protection and Prevention of Violence against Women Bill to provide women and girls with enhanced legal protection, the culture of silence that obscures the suffering of victims while safeguarding the perpetrators of sexual and gender-based violence will remain firmly entrenched.

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MAN ARRESTED FOR ATTEMPTED RAPE OF HIS 17-YEAR-OLD DAUGHTER IN KYAR INN SEIK KYI TOWNSHIP



March 22, 2019

A 50-year-old man from — village, Kyar Inn Seik Kyi Township, Karen State, has been arrested and detained by the New Mon State Party (NMSP) for the attempted rape of his 17-year-old daughter. The young woman reported the attack to the — village administrator who then informed NMSP authorities. It is alleged that the man has been abusing his daughter for years.

The incident occurred when the young woman, who now lives with her husband, had returned home to visit her family.

“The report that Nai S— [the father] raped his own daughter is valid. The abuse started when the girl was just 15-years-

old. When the girl came home to visit her family, her father tried to rape her again. The girl defended against his attack and screamed, alerting neighbors of the attack. We’ve arrested and detained him, but we haven’t begun our investigation yet,” said Nai Raja, the Chairperson of the Kyar Inn Seik Kyi NMSP Office.

“It is not only this girl, but also her elder sister, that Nai S— has raped. We consider this a case of child rape. We’ll thoroughly investigate this case and pronounce a sentence in accordance with the law,” continued Nai Raja.

The mother of these two young women, who passed away approximately one year ago, is said to have been aware of the ongoing sexual abuse but remained silent.

Although it is not possible to determine why the girls’ mother would refrain from speaking out, it must be noted that silence — anchored in shame, stigma, and fear of victim blaming or further violence — is a common response to sexual violence in Burma.

This is the third incident of sexual violence against women and children that HURFOM has reported on since January 2019.[1] Still, it is likely that the true number of such incidents far outpaces the already troubling frequency of our reports.

As stated in *Cracks in the Silence*, a report produced by HURFOM’s Women and Child Rights Project, it is estimated that only 11 percent of victims of sexual violence immediately disclose of an incident to a friend or loved one without first being prompted. Even after disclosure, victims are often reluctant to report the incident to authorities.

The resolve of this young woman to report her father to the village administrator along with the general increase in the number of cases being reported in Burma may indicate that the culture of silence regarding such issues is slowly starting to change. However, until the Protection and Prevention of Violence against Women Bill has been enacted to provide women and girls with separate legal protection, the safety, security, and well-being of women throughout Burma will remain a secondary priority.

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“We always appreciate feedback from our readers. Please feel free to contact our mailing or email address.”

Woman and Child Rights Projects (WCRP)
 P.O Box (35), Sangkhlaburi, Kanchanaburi 71240
 Thailand
 Email: wcrpcontact@yahoo.com
 Website: <http://rehmonnya.org>



Woman and Child Rights Project