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## **Update by the Shan Human Rights Foundation on the International Day for the Elimination of Violence Against Women**

### **Sexual violence by Burmese government troops continues despite ceasefires in Shan State**

The Shan Human Rights Foundation (SHRF) has documented eight cases of sexual violence committed by Burmese government troops in southern and eastern Shan State since April 2015, all in so-called “ceasefire” areas. These cases reveal continuing patterns of impunity, and highlight that ongoing militarization and offensives by the Burma Army despite ceasefires are a key factor threatening women’s security in ethnic areas.

The most recent crime took place on November 5, 2015, near a village in Ke See township. A 32-year-old woman was gang-raped by about 10 soldiers while her husband was tied up under their farm hut. This took place during the current offensive by the Burma Army against the Shan State Progress Party/Shan State Army-North (SSPP/SSA-N). Despite an existing bilateral ceasefire, the government has since last month deployed 20 battalions, heavy artillery, and fighter aircraft to seize SSPP/SSA-N areas, committing abuses against civilians and causing displacement of over 10,000 villagers.

Seven earlier incidents of sexual violence documented by SHRF took place in remote rural areas of southern and eastern Shan State where the Burma Army has continued its troop build-up despite a bilateral ceasefire with the Restoration Council of Shan State/Shan State Army-South (RCSS/SSA-South) since December 2011.

Documented cases indicate strong confidence of impunity by perpetrators. Some violations were committed by groups of soldiers, some in front of or within earshot of witnesses, and one rape-murder took place next to the perpetrators’ own military base.

In only two cases were alleged perpetrators seen being arrested by the Burmese military -- after pressure from local community leaders -- but their sentences are not known, due to the opaqueness of the military justice system. In other cases, the military simply offered money to hush up the incident, or local authorities were unwilling to accept charges filed against the military.

SHRF is gravely concerned at this ongoing pattern of impunity, further entrenched by the Burma Army's closing of ranks to protect the rapist-killers of the two Kachin teachers in Kawng Kha, northern Shan State in January of this year. In this case, not only did the military block police investigation of their personnel, but they also threatened legal action against anyone implicating them in the crime.

In order to end military sexual violence in Burma, it is urgently needed to start tackling the structural root causes of this violence, namely Napyidaw's ongoing policies of militarization and aggression against the ethnic peoples, and the fact that the military remains constitutionally outside civilian control.

In June 2014, Burma signed the UK-sponsored Declaration of Commitment to End Sexual Violence in Conflict, which should have paved the way for international engagement to begin seriously addressing this issue in the country. However, there has been a resounding silence from the international community, including Britain, about Napyidaw's continued offensives in ethnic states, which are the context for the continued sexual violence.

SHRF therefore strongly urges the international community to "walk the talk" to protect women and girls in Burma from sexual violence in conflict. They must start publicly condemning Napyidaw's ongoing attacks and make any further engagement with Napyidaw conditional upon an immediate end to its militarization and offensives in the ethnic areas.

**Summary of documented incidents of sexual violence by Burmese government troops in Southern and Eastern Shan State (April- November 2015)**

No.	Date	Type of violation	Age of girl/woman	Location (township)	Perpetrator(s)	Details of violation	Recourse to justice
1	Apr 17, 2015	Attempted rape	14	Loilem	Lance-corporal Myint Thein of Burma Army LIB 513	Culprit attempted rape in girl's house, but parents and neighbours heard her screams and prevented the rape.	On April 22, the girl's family tried to press charges, but the Loilem township administrative office refused to accept the case.
2	May 21, 2015	Gang rape	22	Mong Paeng	Troops from Burma Army LIB 333	Committed while troops were patrolling through village	None – villagers did not dare report the crime
3	Jun 6, 2015	Rape, murder, robbery	28	Hopong	Troops from Burma Army LIB 249	Crime took place only 60 m from Burma Army outpost, while victim was	Local commander at first denied his troops were responsible, but after urging of community leaders, a higher military

						returning from giving alms at local temple. Evidence at the crime scene indicated more than one culprit was involved.	officer came and arrested a soldier for the crime. He was beaten, but it is not known what sentence he has been given. The husband of the victim was given food and 5.3 million kyat (USD 4,800) by the Eastern Regional Commander. *
4	Jul 6, 2015	Attempted rape	20	Laikha	Lt. Sein Min, Deputy Commander of LIB 512	Culprit came to woman's house, pointed his gun at her in front of her parents, and ordered her to go with him for sex. When her mother fainted, he left, but came back later and fired his gun outside the house. The mother had to be treated for shock in hospital.	The culprit offered 300,000 kyat (USD 265) to the family so that they would not press charges, and got angry when they refused the money. They have not yet dared press charges.
5	Aug 8, 2015	Attempted rape of girl child	15	Kho Lam	4 troops of Burma Army LIB 149	Troops on patrol were camping at girl's house. They tried to rape her when she was preparing food in the early morning, but her parents and neighbours heard her scream and stopped them.	The family did not dare press charges.
6	Aug 24, 2015	Rape	32	Tachileik	A private from Burma Military Operations Command 18	Culprit, from local military base, raped woman at her farm	The village headman helped the woman and her husband complain to the local military base. After she was able to identify the culprit, the local commander slapped and kicked him. He was transferred to his base unit in Mong Phyak, but it is not known what punishment if any has been given. The Golden Triangle Regional

							Commander came to give 5,000 baht (USD 140) to the woman.
7	Nov 3, 2015	Gang rape	45	Mong Pan	Lance-corporal Min Soe and Private Ne Win, Battalion 996	2 soldiers raped woman in her house; when her husband came to help, they beat him in the head, splitting his right ear	The battalion commander called village elders and the couple to their base. He gave 500,000 kyat (USD 380) and 2 pigs to the couple. He promised to imprison the culprits, but it is not known if this was carried out.
8	Nov 5, 2015	Gang-rape	32	Ke See	About 10 Burma Army soldiers	The woman and her husband were seized by soldiers at their farm. The husband was tied up and the woman gang-raped.	As the crime took place during the ongoing military offensive, it will be very difficult to seek justice.

\*Note: for further details of Ho Pong rape-murder case, see SHRF report:

<http://shanhumanrights.org/index.php/news-updates/221-villagers-remain-fearful-after-burma-army-rape-murder-in-ho-pong-despite-punishment-of-alleged-culprit>

#### **Details of rape by Burmese government soldier in Tachileik, eastern Shan State, on August 26, 2015**

The crime took place outside the village of Sarm Boo, about 25 kilometers east of Tachileik, near the Mekong River. On August 26, at around 5 pm, “Nang Wan” (not her real name), a 32-year-old farmer from Sarm Boo, was tending her farm alone, after her husband had gone to return a grass-cutting machine. A Burma Army private called Win Naing, stationed at the military base in Sarm Boo, was collecting firewood in the area, and seeing her alone, used his knife to threaten her, and then raped her.

Afterwards, Nang Wan ran crying back towards her village, and met her husband riding his motorbike on his way to fetch her. When she told him what had happened, they rode straight to the headman of their village, and reported the crime. The headman phoned the commander of the Sarm Boo military base, who asked Nang Wan to come and identify the rapist at the base.

Nang Wan went with her husband to the base, and was able to identify Private Win Naing as the rapist. The commander then slapped and kicked him in front of her, and informed her he would be punished. The next morning, Private Win Naing was sent back to his base unit, the Military Operations Command (MOC) 18 at Mong Phyak.

Nang Wan and her husband were not satisfied that the culprit would really be punished, so on August 27 they went to Tachileik to consult with members of several political parties. Members of the ruling Union Solidarity and Development Party gave them 3,000 baht (USD 83), but did not help them seek justice.

