



Address:
P.O. Box 201, Prasingh,
Chiang Mai, Thailand 50200

Email: shanhumanrights@gmail.com
Website: www.shanhumanrights.org
Phone: +66 (0)93- 297-7754

Update by Shan Human Rights Foundation

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SHRF condemns unjust prison sentences of up to ten years for Ho Pong farmers

SHRF strongly condemns the unjust sentencing on February 26, 2018, of eight farmers from Ho Pong, southern Shan State, to prison sentences of between four and ten years.

The farmers had been arrested since July 2017, and detained in Ho Pong Jail, on suspicion of links to the Restoration Council of Shan State/Shan State Army (RCSS/SSA), after fighting between the Burma Army and the RCSS/SSA in Ho Pong on July 14, 2017. After the clash, the Burma Army deployed hundreds of troops into the area, who rounded up and tortured villagers indiscriminately, accusing them of supporting the RCSS/SSA.

The farmers were arrested for possession of items such as walkie-talkies, hunting rifles and bullets, even though these items are used by villagers for everyday purposes.

The farmers were kept in Ho Pong Jail, attending sporadic court hearings, which had dragged on over six months, because the Burma Army plaintiffs either did not show up, or avoided answering questions in court.

On February 26, the farmers' relatives and local village chairmen arrived at Ho Pong court at 8 am, having been told by their lawyer that all charges would be dropped. However, they were shocked to learn that the farmers had already been sentenced and transferred to Taung Lay Long Prison in Nyaungshwe township. Their families did not even have a chance to see them before they left.

The farmers were charged under Article 67 of the Telecommunications Law (for possession of walkie-talkies); under Articles 3/3 and 5/4 of the 1956 Law for Defence of the Union of Burma – Special Military Operation (for being in a conflict zone without permission); under Article 12 of the Arms Act (for possession of arms under suspicious circumstances); and Article 8 of the Transport law (for driving a vehicle without registration).

No	Name of victim	Age	Village where arrested	Burma Army battalion(s) which made the arrest	Charges brought against victim	Prison sentence received
1	Sai Ko	37	Wan Nam Khok	IB 225, IB 249	Telecom Law – 1 yr Defence law – 3 yrs	4 years
2	Sai Hla Tun	24	Wan Kho Tawng	LIB 424	Telecom Law – 1 yr Defence Law – 3 yrs	4 years
3	Lung Awna	40	Wan Nam Khok	IB 225, IB 249	Arms Act	7 years
4	Sai Jing Da	28	Wan Nam Khok	IB 225, IB 249	Arms Act	7 years

5	Sai Jarm	29	Wan Khok Lao	LIB 424	Arms Act	7 years
6	Sai Khun	30	Wan Mark Lang	IB 249	Arms Act	7 years
7	Sai Panda	30	Wan Khok Lao	LIB 424	Telecom Law – 1 yr Arms Act – 7 yrs	8 years
8	Lung Hsang Sai	47	Wan Kun Koong	IB 249	Transport Law – 3 yrs Arms Act – 7 yrs	10 years

A 12-year-old boy, Sai Win, arrested at the same time as the other farmers for possession of a walkie-talkie, and detained for one month, is still facing charges, but has not yet been sentenced.

The relatives of the farmers plan to start appealing in Ho Pong against the court decision.

The sentencing of these innocent Shan farmers shows there is no justice in Burma. The Burma Army has clearly engineered these harsh prison sentences to cause fear among Shan civilians, and threaten the RCSS/SSA not to retaliate against its ongoing expansion and aggression. In recent months, increasing numbers of Burma Army troops have been deployed into RCSS/SSA areas, despite the fact that the RCSS/SSA is a signatory of the Nationwide Ceasefire Agreement.

“There is no protection for civilians under the peace process,” said SHRF spokesperson Sai Hor Hseng. “Villagers are being held hostage by the Burma Army to pressure the ethnic armed groups into submission.”

SHRF urges international donors to the peace process in Burma to publicly raise concerns about this unjust sentencing of these Ho Pong farmers, and call for their immediate and unconditional release.

Details of the arrest of the farmers can be seen in the following SHRF updates:

[Widespread arrests](#)

[Ongoing torture, killing, arbitrary arrests](#)

[Urgent appeal for charges to be dropped](#)

Contact

Sai Hor Hseng	+66: 62- 941-9600	(English, Shan)
Sai Yord Luen	+66: 97- 143-1530	(Burmese, Shan)
Sai Hseng Tai	+66: 94- 728-6696	(Burmese, Shan)