Message from SWAN

We have been overwhelmed by the worldwide support we have received since the publication of the report "Licence to Rape" in June of this year. We wish to express our deepest appreciation to our friends around the world who have put all their efforts into spreading our campaign internationally.

Precisely because the report has made such an impact, the Burmese military regime and its allies are stepping up efforts to hinder our work. The tremendous international support we have received has boosted us to withstand any obstacles. We are even more determined than ever to challenge the regime and demand genuine political change.

The campaign has shaken the regime. We are confident that as the campaign grows, it will have a significant effect on Burma's political future.

We request all our friends to continue your support and step up advocacy at every level in your countries. The momentum that has built up must be not only sustained but also consolidated and focussed effectively. We need your support to bring us to our goal of lasting peace and democracy in Burma. q

LICENCE TO RAPE

Over the past decade, the regime has poured troops into the Shan State; where there are now 116 Burmese Army Battalions.

In 1996, as part of an anti-insurgency program, the regime carried out one of the most extensive campaigns of forced relocation in Central Shan State. A population of over 300,000 Shans from over, 1.400 villages in an area of 7,000 square miles were forced from their homes into military-controlled relocation sites.[1] Since then, the Shan Human Ri8ghts Foundation (SHRF) has been collection and documenting the human rights abuses committed by the Burmese military in Shan State. There have been numerous reports of sexual crimes committed the Burmese military personnel. Many rapes took place when girls or women were caught, usually searching for food or fetching water, outside the relocation sites.

Sexual violence serves the multiple purpose of not only terrorizing local communities onto submission, but also flaunting the power of the dominant troops over the enemy's women, and thereby humiliating and demoralizing resistance forces. It also serves a as "reward" to troops for fighting.

The rape cases were documented and put in the SHRF monthly newsletter. Members of the Shan Women's Action Network (SWAN) also made a number of presentations at

[1] Dispossessed: A 1998 report of the Shan Human Rights Foundation

international forums over the past few years exposing the extent of state violence against women in Shan State.

Over a period of time, more and more reports of rape cases were compiled, showing a clear trend of impunity for Burmese Army perpetrators of sexual violence. The Shan women and girls were threatened to be killed if they reported cases to authorities: those who dared were usually punished.

It had become evident that rape was being officially condoned as ' weapon of war' against the women in Shan State, and that the Burmese military regime was committing war crimes and crimes against humanity, in the form of sexual violence, against Shan women. The need to produce a more detailed and comprehensive report to bring this to the attention of the international community was urgent.

From January 2001 to March 2002, SWAN and SHRF compiled the existing information, together with new information, into a report. The report gives detailed information of the rape of an estimated 625 women and girls in the last five years by Burmese military personnel 83% of the rapes were committed by officers, in most cases in front of their troops. The rapes involved extreme brutality and often torture, such as beating, mutilatin and suffocation. 25% of the rapes resulted in death. 65% were gang-rapes, and in some case, women were detained and raped repeatedly for periods of up to four months.[2]

This report highlights that it is important for the whole world to look beyond Rangoon at what is really happening in the ethnic states of Burma. Especially in the light of recent indications that the international community is relaxing its pressure on the regime because of its "progress" towards political transition, this report exposes the fact that little has changed in Burma and that it is urgently needed to protect the lives of women inside Burma, who continue to suffer from sexual violence committed by the regime.

Until today, the Burmese military regime has kept on denying the existence of sexual crimes committed by their soldiers until today. It has even manipulated the presence of UN agencies, the ICRC and international NGOs in Shan State as evidence that sexual crimes have not taken place. However, most of the rapes took place in areas of conflict where these agencies have not been given permission by the regime to access. Moreover, members of SWAN and SHRF and all those involved in the documentation and publication of the report are now targets of their attack. [3]

Many of the survivors have fled to Thailand after being raped, and are still suffering the mental and physical effects of sexual violence Shan refugees and recognized in Thailand, which means they have no protection, and no access to humanitarian aid or crisis support. the border communities inside Thailand where the refugees first arrive currently lack the knowledge and skills to give necessary assistance to the survivors, including counselling. SWAN's crisis support team has initiated a special program with the collaboration of the

[2] Licence to Rape: A 2002 joint report of the Shan Human Rights Foundation (SHRF) and the Shan Women's Action Network (SWAN)

[3] For further information: See <http://www.myanmar.com/nlm/enlm>

communities along the Shan-Thai border in order to respond to the urgent need of building up the capacity the these communities to assist the survivors. The program aims at creating awareness among women in Shan border communities about the issue of violence against women, and to empower them to develop strategies to assist survivors of violence and to oppose and prevent this violence.

SWAN urges our sisters throughout the globe,

- To organize campaigns in your countries and through your networks to pressure your governments to push for political change in Burma.
- To call for the withholding of all forms of aid to the regime until irreversible changes are made towards democratic reform in Burma q

COMPLIING LICENCE TO RAPE

Interview with Nang Mo Hom, the chief researcher of Licence to Rape.

Q. So what were the first steps?

We were able to obtain information from the monitoring reports of the Shan Human Rights Foundation Monthly Newsletter. These report provide statistics - how many, where, the description of how it occurred. Through these reports145 cases have been reported. Then during 2001 myself and a reporter did a series of interviews with women. We wanted to find out information that the statistics could not provide. We wanted to know about their feelings; their family's support and the community•s response. We wanted to know more about what happened to them not just the statistics.

In our work we received support and assistance from other groups. For instance the Lahu Women•s Organization (LWO) helped me to document that situation. It was easier for them to talk to the women in their language. We created a series of questions that they translated and used as a guide when interviewing the women.

Q. How did you approach the interview with these women?

A. We had to go slowly. I would begin by introducing myself and our organization. We would ask them generally about the human rights violations, about everything: forced labour, forced relocation, so many things. As our discussion went along we might say, How about rape? Has this been happening to women as well?

Their response depended on how the women felt about themselves and about us. I did not push them. They usually didn't reveal information at the first time. It would take two or three times. Then maybe, some women might speak up or say that they wanted to be talk with me privately. Just maybe two of us because they didn•t want their friends or family to know about it. It can be difficult to have this kind of information because you know how important it is to protect their privacy.

Q. What measures did you use to protect the women's privacy?

A. We asked for their names but we agreed that we would not put their real names in the report. We just created names - we take care about the families' security too. If we put the real name the SPDC may want to investigate and they could go to see their parents. So we had to be very careful. We used the name of their village or their town, but we agreed that it was not a good idea to use their name or their parents' name.

Q. Did women talk about the long term effects for them?

A. Yes. Yes, the women talked about this. For example there was one woman who was engaged but after she was raped the engagement was broken. In another case the family didn•t accept her anymore, they said that she was a prostitute now.

Q.This must be very difficult for you to hear, that women are hurt two times.

A. Yes. Sometimes I just listened, I didn't write down anything. Because it is very emotional; there are strong emotions. Even for me, after listening to them. Even though I am not a survivor after listening to them I almost feel like I am. Everything stays in my mind, even to now, and I have so many feelings.

Q. When you did your interviews, did you organize it as a series of questions or as a conversation?

A. As a conversation. In my experience, this is the best way. Then you can go with what they are thinking and saying. It is more natural and makes them more relaxed.

Q. Where did you conduct your interviews?

A. I did some interviews in the IDP area inside the Shan State but not very far inside, more on the border on Shan side. There is an internally displaced person's camp on the border and I went there.

Q. Has anyone questioned the truth of your report?

A. So many people have done that. They say, "How can you know the name and position of the men who have done this?", And we say, "Well they are stationed in the area or the village and these villagers worked for them as forced labour or forced porter or if they were patrolling in the area there could be a local guide or translator for them. So people know the name very well. Sometimes the head village man would also know. The SPDC men have a gun, a car, a uniform and they have a tag on their shoulder. Women who cannot read can ask others to tell them who is that man. - what is the number for that man. So that is how the women know exactly who it is. q

Naang Hla's story

"Naang Hla was 16 years old, had been married for 3 years, and was 7 months pregnant. She lived with her husband in a small hut on their farm near a small village in Central Shan State. In August 2001 Burmese troops from Light Infantry Battalion No. 246 came into their farm. They beat, tortured and questioned her husband. They blindfolded him with a towel and tied him to a tree. After beating him, the soldiers took Naang Hla into the hut and beat her with a stick, threatening her with their guns. They pushed at her body and face with their guns until her nose bled. Then, even though she was seven months pregnant, they raped her, one after the other. All 10 soldiers raped her while others stood outside the hut, laughing when she cried and shouted. They had tied her husband near enough to the hut to hear everything happening to his wife. They treated her as though she were not a human being. They raped her from 8 in the morning to 4 in the afternoon. As the nightmare went on, she lost consciousness several times. When they finished with her, they took her husband away. He never came back." (Excerpt from "Licence to Rape")

BOOK LAUNCH OF THAI LICENCE TO RAPE

Prominent Thai activists launch translation of "Licence to Rape"

On September 5th, 2002, several of us from SWAN went to Bangkok to attend the book launch of the Thai version of "Licence to Rape" at a seminar entitled "Ending Sexual Violence Against Women and Girls in Burma."

We were very excited about the book launch. We had made photocopies of SWAN leaflets and information sheets for distribution at the venue. We arrived at the Anoma Hotel in Bangkok in the morning, several hours before the start of the event. As we walked into the conference room, we saw the packages of the books of the Thai "Licence to Rape." We picked up the books and looked at the cover in excitement. We felt very grateful to Forum Asia for translating and publishing the report.

People started to arrive slowly. The seminar started at 1.30 pm. Altogether over one hundred people, including journalists, diplomats, and activists from human rights and women's organisations attended the seminar. Well-known human rights advocate Mr. Somchai Homlaor, Secretary-General of Forum Asia, gave an opening speech. The theme of his address was that the systematic use of rape to subjugate and terrorize ethnic minorities in Burma is not only a human rights violation but also a war crime and a crime against humanity. He called on the international community to halt the practice and to improve its human rights record in ethnic areas.

This was followed by a short documentary, produced by Thai ITV, showing the visit of a team from the Foreign Affairs Committee of the Thai Senate, led by Senator Kraisak Choonhavan, to the Shan refugees on the Northern Chiang Mai border.

The two Thai translators of the report, Ms Subhatra Bhumiprabhas and Ms Pennapha Hangthong then spoke of their feelings in doing the translation. "We felt very depressed and angry when we translated the report," said Suphatra.

Pennapha, a journalist from the Thai English-language daily, The Nation, recounted her own experience of interviewing a Shan rape survivor: "She said she knew nothing about the Shan resistance or Shan independence. She just wanted the Burmese military to leave them alone. She couldn't understand why she was raped."

Pennapha emphasised: "We want decision-makers in Thailand to read the report and aks the Burmese military regime what is going on in their country, instead of asking only when the border passes will open."

"I can't understand how they (the Burmese military) can commit such crimes," remarked Senator Kraisak Choonhavan, referring to the rape cases documented in Licence to Rape. In response to the recent allegations of the regime that he hated Burma and supported the Shan resistance, he said he had no hatred of Burma, but sympathised with the Burmese people. He vowed to continue exposing alleged abuses in Burma

The other panellists were Ms Virada Somsawat from the Women's Studies Centre of Chiang Mai University, Ms Sunee Chaiyarot of the Human Rights Commission of Thailand and Ms Thicha Na Nakorn of the Women and Constitution Network of Thailand. All expressed their grave concerns for and solidarity with the women of Burma.

"What kind of system do we have in the world that can allow this kind of thing to happen in Burma? The rape of Shan women is not the problem of Shan women alone, it is a problem for all women in the world," stated Thicha.

None of the SWAN members spoke at the seminar due to security concerns.

We would like to express our appreciate to our friends from Forum Asia, the Alliance for the Advancement of Women, the Women and Constitution Network, the Friends of Women Foundation and the Thai Action Committee for Democracy in Burma, who organised the book launch and the seminar to raise awareness in Thailand about human rights violations in Burma. q

Press Release

September 5, 2002

SWAN denounces Burmese regime's investigation into rape report as a sham

SWAN is outraged at the recent responses by the Burmese military regime to the report "Licence to Rape" and calls on the international community to challenge the results of the regime's sham investigation into the report.

On August 23 and August 26, 2002, the military regime organised press conferences claiming that the report "Licence to Rape" by SWAN and the Shan Human Rights Foundation was "false and fabricated" and "exposing" that exiled men from Burma were behind the report.

In fact, numerous reports have reached the Thai-Burma border confirming that the regime's so-called "investigation" involved forcing villagers in central and southern Shan State to sign documents testifying that no incidents of sexual violence had been committed by Burmese troops in their areas. There were also reports that the regime's investigation teams suppressed information about incidents of sexual violence brought to their attention.

"The regime's so-called investigation is just adding to the wounds of the women who have suffered sexual violence. Not only have they been raped, but now they are being called liars," said SWAN spokeswoman Nang Mo Hurng.

Furthermore, the regime's accusation that men masterminded the report is not only an insult to us, but also to the integrity and ability of all women from Burma.

SWAN calls on the international community not to let the regime get away with this travesty of justice.

For the sake of the women who have suffered and continue to suffer the nightmare of sexual violence inside Burma, SWAN urges the international community to support our struggle to end this violence, and to step up efforts to restore peace, democracy and the rule of law inside Burma.

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NEWS BRIEFS

Grassroots activists from Burma form aid watchdog

In July 2002, activists from Burma, including senior SWAN members, formed a group to raise public awareness about issues related to international aid to Burma. They issued a statement voicing concern over lack of participation by people from Burma in policy decisions concerning international aid. The international community has in recent months started to relax the aid embargo on Burma.

Women's League of Burma calls for UN fact-finding mission to investigate sexual violence

On August 31, 2002, a representative from the WLB attended the Asia-Pacific NGO Consultation with the UN Special Rapporteur on Violence Against Women in Colombo, Sri Lanka. At the meeting, she presented a paper describing sexual violence committed by the Burmese military against ethnic women throughout Burma. She called for the UN Special Rapporteur to conduct a fact-finding mission to the Thai-Burma border to investigate this issue.

Thai-based regional NGOs launch "Petition To Stop Licence To Rape in Shan State, Burma"

On September 4, 2002, four Thai-based regional NGOs co-sponsored a petition demanding an end to sexual violence against Shan women by the Burmese military regime. The petition also called on the international community to discontinue all forms of aid to the regime. See <http://www.petitiononline.com/Forumasi/petition.html> q

WHAT IS A REFUGEE?

A SWAN member relates her personal experience

In Shan we translate the word "refugee" as "Gon Bai Phae" or "Person fleeing danger." When I was growing up in Shan State, I would hear a lot about "people fleeing danger." One of my earliest memories was when I was sent to school from rural Shan State to the town of Taunggyi. When I went back to visit my relatives during the holidays, I noticed that many villages had become silent and deserted. I remember asking where everyone had gone. When I learned they had "fled danger" and gone to Thailand, it struck me as a terrible waste that so many people had left behind all their property, including their precious land, houses and granaries.

As I grew older, I came to understand the kinds of danger that people were fleeing from: forced portering for the Burmese army, forced relocation, burning of houses and property, sexual violence. Even I myself ended up fleeing to Thailand, where I had to find work to support myself. Being illegal, it was not easy.

It was only in Thailand that I started to hear the English word "refugee." I heard that there were many refugees from Burma, and that over a hundred thousand were staying in refugee camps along the Thai-Burma border. It was only then that I learned that refugees had some rights to shelter and protection.

But not Shan refugees. The existing refugee camps in Thailand were only for refugees from Karen and Karenni States. Even though Shans were fleeing from the same dangers as other ethnic people from Burma, they were not recognised as refugees. Instead, like me, hundreds of thousands of Shans were living as migrant workers, mostly illegally. Many had been trafficked and exploited.

Four months ago, after fighting at the Shan border between the Shan State Army and SPDC troops, hundreds more Shan refugees fled across into northern Chiang M ai province of Thailand. I went with some other SWAN members to try and help them. They had only the clothes on their backs. Some had been injured on the way to Thailand. Some of their relatives had been caught and killed.

Even though this group of refugees were being given temporary shelter, and were allowed to receive food from some NGOs, they were not given permission to set up a camp. They were being sheltered in a temple under huts with plastic roofs, 15 people in each hut, crowded together in muddy conditions.

I know that these Shan refugees are asking to be allowed to stay in a refugee camp. I don't understand why they are not being granted this. I don't understand what they are expected to do or where they can go.

In conclusion, I am mystified by the meaning of the word "refugee." Why does it apply to some and not to others? q

SHAN REFUGEES IN LIMBO

About 450 Shan refugees who fled in May 2002 into northern Chiang Mai province of Thailand remain sheltered in a local temple near the border, uncertain of their future.

The refugees, mostly women and children, had fled from their villages across the border when Shan resistance forces attacked Burmese Army bases in the area. Heavy fighting continued for several weeks until the Burmese troops regained control of the area and began carrying out reprisal killings against Shan villagers left behind.

Nang Yoong, a Shan woman in her forties, saw her husband, a civilian, shot down in front of her, as the Burmese troops swept through her village. She then fled through the jungle with her four children to join the other refugees sheltering in Thailand.

Like the other refugees, Nang Yoong has lost all her possessions, which were looted by the Burmese troops following the fighting. All the remaining Shan villagers who did not

manage to flee to Thailand have now also been ordered at gunpoint into a relocation site over 50 miles from their original homes.

It is no wonder that the refugees now sheltering in northern Chiang Mai province are terrified at the prospect of repatriation back to Burma.

In late June 2002, Thai authorities overseeing the refugees informed them that they would have to return to Burma, despite their fears. In desperation, the refugees appealed to the local district office, and Thai NGOs wrote a petition to the Thai government asking for them to be allowed to stay.

Fortunately, plans to repatriate the refugees appear to have been temporarily halted. However, there has not yet been any formal decision from the Thai government to allow the refugees to stay, and the refugees remain in fear that they may be deported at any time without warning. q

SWAN'S CRISIS SUPPORT PROGRAM

SWAN has been running a crisis support program in Northern Thailand since mid-2001 to respond to the needs of Shan women in crisis. There are currently three team members in the program. The following interview describes their experience during one year in operation.

Q: Since starting the crisis support project, what are the most common problems that you have found among Shan women refugees/migrants?

A: Most common are health problems, for example women who are pregnant single women or have HIV/AIDS; they have no family support and cannot afford health care. Also common are cases of women workers who have not been paid by their employers, sometimes for several years. Sometimes they have also been physically abused by their employers. There have also been cases of trafficking, of rape, and domestic violence. Another common problem is that families contact us when one of their family members who has come to work in Thailand has disappeared.

Apart from that, we are also often asked to give information about the regulations regarding work permits in Thailand.

Q: What kind of help have you been able to offer them?

A: For those in need of health care, we have taken them to medical facilities, provided translation and either contributed to medical charges or linked them with other agencies who could provide support. In the case of exploitation, we have liaised with other Thai NGOs and Thai government offices to seek compensation.

For women who have suffered violence, we have offered temporary shelter and counselling. For those who try to trace family members, we have sent information out through our networks, but it has been very difficult to find people.

We are in close contact with Thai NGOs assisting migrant workers, and have been able to provide up-to-date information about the Thai migrant worker regulations.

Q: What are the main challenges facing you in your work?

A: Since we ourselves are not Thai, we face problems travelling around, and dealing with some of the Thai authorities. Especially when we are trying to bring legal action against employers to help our clients, we need the help of Thai organisations, or else the employers start threatening us.

Q: What are you most satisfied with in the work you have done so far?

When we were able to assist a Shan woman migrant worker to receive two years' payment she was owed. This was possible with the help of the Thai Labor Protection and Welfare Office. We felt so satisfied because we knew this would help us to help other women in the future.

Q: What are your plans for the project in the coming year?

A: We are planning to hold workshops in women's rights and counselling for communities along the Thai-Shan border area, so that they have the skills to assist women who need crisis support, particularly rape survivors. q

Deadly neglect

Lack of reproductive rights is endangering the lives of Shan women

Last year my best friend died from having an abortion. She had married young, and already had two children. She knew nothing about contraception, and when she became pregnant again, she went to have a "massage" from a woman in the town. The massage killed her.

This incident took place in a small town in southern Shan State. Similar incidents happen all the time in rural Shan areas, where it is taboo to talk about sex and reproductive health. Parents warn their children that God will be offended by talk of such subjects.

The Burmese government has set up clinics in some villages, but they are usually unstaffed and without supplies. Most women go to elder experienced women for any reproductive health advice.

There are few contraceptives available. Condoms are expensive, and women feel ashamed buying or asking men to use them. Some women use contraceptive pills from China without being able to read the instructions or knowing whether they have expired.

It is possible for women to apply at a government hospital for sterilization, but this is very expensive and it can take one to three years for the application to be accepted.

The result is that many women have unwanted pregnancies. In desperation, they seek abortions. According to a nurse from my hometown, over 30 percent of women in the area undergo abortions a year.

Massage is a common and dangerous form of abortion. Another method is to have an injection with Chinese medicine purchased from the local market. Some women even perform abortions by inserting sharp objects inside themselves.

The military government has claimed that it has made great progress in developing the ethnic areas of the country, yet it spends only a tiny proportion of its annual budget on the public health system. They have also received increasing amounts of humanitarian aid from the UN and other international agencies. However, under the current corrupt and inefficient military system this aid has not reached the people in the ethnic rural areas.

Political reform is urgently needed to enable a comprehensive public health system to be set up. Until this happens, the lives of rural ethnic women will remain at risk. q

Salween Watch Update

Surveying for the giant hydro-power dam on the Salween River, Southern Shan State started again in early 2002, after a year's interval. Funding sources for the surveying remain shrouded in secrecy.
Among the groups opposing the dam is the newly-formed "Sapawa", a Shan environmental organization.

For detailed about the planned dam, see: http://www.asiasource.org/asip/salween.cfm q