



SWAN

Shan Women's Action Network Newsletter

September 2003 # 4

STILL LICENSED TO RAPE

While world media has focused on the May 30 massacre and the arrest of Aung San Suu Kyi in Central Burma, atrocities committed in Shan State at the same time have gone unnoticed.

In eastern Murg Hsat township, only about 40 kms from the northern Thai border, the Burmese regime's 221st Infantry Battalion began a new forced relocation program in late May, uprooting over 1,300 villagers from eleven villages.

Three of the villages were burned to the ground. Villagers were rounded up and tortured to find out information about Shan resistance activities. Women were repeatedly gang-raped.

SWAN is gratified that the May 30 massacre has shaken the world into seeing the true nature of the military regime. However, it is important that the atrocities committed by the regime against ethnic civilians continue to be exposed, particularly their ongoing use of sexual violence as a weapon of war.

Despite the repeated denials of the regime since the publication of Licence to Rape last year, and their attempts to block flows of information, reports of sexual violence have continued to reach SWAN from inside Shan State.

SWAN has documented the rape of a further 138 women and girls in Shan State by the SPDC military since Licence to Rape was compiled.



Of the cases this year, seventeen were girls under 18: two of these girls, aged 10 and 13, were gang-raped so brutally that they died shortly afterwards of their injuries. Another girl of 13 was gang-raped and beaten so badly that her face has become permanently disfigured and she has lost her mind.

There continues to be impunity for the perpetrators of these crimes. Of the incidents reported this year, no one was punished. In only one case did the rapist provide monetary

compensation to the girl, in exchange for hushing up the case.

It should be noted that the presence of international NGOs in Shan State has not inhibited the regime's troops from continuing to commit sexual violence. The atrocities, including gang-rape, which were committed in Murg Hsat at the end of May were taking place precisely while the International Committee of the Red Cross were conducting one of their periodic field missions to Shan State.

The international community must challenge the military regime about the continuing atrocities. International pressure must be increased at this critical juncture to bring about meaningful political change in Burma. Only an end to militarization, and restoration of peace, democracy and the rule of law can protect the girls and women of Shan State from systematic sexual violence. q

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International advocacy to Stop Licence to Rape

During the past year, SWAN members have been advocating worldwide at the following international forums:

- 3-10 Jul 2003: YWCA International Women's Summit in Brisbane, Australia supported by International Women's Development Agency (IWDA), Australia
- 13- 19 Apr 2003: Lobby trip to Dublin, Ireland supported by Trocaire and Burma Action Ireland (BAI)
- 2 - 12 Apr 2003: The 59th Session of UN Commission on Human Rights, Geneva, Switzerland partially supported by the Urgent Action Fund for Women's Human Rights & facilitated by Asia Pacific Forum on Women Law and Development (APWLD)
- 15 - 21 Mar 2003: Lobby Tour in Japan supported by Burma Support Groups in Japan
- 2- 14 Mar 2003: The 47th Session of UN Commission on Status of Women, New York in USA supported by Asia Pacific Forum on Women Law and Development (APWLD)
- 15-16 Feb 2003: The Sixth Annual Conference of Free Burma Coalition in Washington D.C. in USA & speaking tour in California supported by Burma Lifeline
- 2- 10 Jan 2003: Asia Social Forum, Hyderabad, India supported by Asia Pacific Forum on Women Law and Development (APWLD)
- 9-11 Dec 2002: The Global Alliance for Justice Education (GAJE) Regional Conference: Social Justice in the Asia Pacific at University of Sydney & lobby trip in Australia
- 27- 29 Nov 2002: Briefing to women legislators at the House of Representatives, the Philippines supported by Altsean-Burma and facilitated by Initiatives for International Dialogue (IID) & Altsean-Burma
- 2-3 Nov 2002: Burma Special Plenary at the Asean People's Forum, Parallel Forum of ASEAN + 3 Summit in Phnom Penh, Cambodia, supported by Altsean-Burma
- 15 Oct 2002: Testimony at US Congressional hearing on sexual violence against Shan women
- 8 Oct 2002: Burma Public Conference in Ottawa, Canada, organized by Inter Pares and Canadian Friends of Burma
- 6- 16 Oct 2002: Exposure and public awareness campaign trip to the Philippines organized by Altsean-Burma & IID Manila.
- 2-10 Oct 2002: AWID Forum (Association for Women's Rights in Development) & Network Women's Programs in Guadalajara, Mexico, supported by Open Society Institute (OSI)
- 25- 29 Sept 2002: Lobby Trip in Norway supported by Norwegian Burma Committee (NBC)
- 21- 23 Sept 2002: Testimony to the Blue Ribbon Panel, Parallel Forum of the Asia-Europe Summit (ASEM) in Copenhagen, Denmark, supported by Danish Burma Committee (DBC) & Burma Relief Centre (BRC) q

Message from SWAN

The shocking events of May 30 have exposed the true face of the Burmese military regime to the world. This massacre, coldly executed in full view of the international community, confirms that the atrocities committed in the ethnic states are not simply isolated crimes by individual soldiers. They have been systematically carried out in order to subjugate the ethnic peoples.

The massacre provides further validation of our report Licence to Rape. If the regime has dared to try and assassinate such a public figure as Aung San Suu Kyi, it is beyond doubt that it has been able to commit appalling brutality, including sexual violence, in ethnic areas far from the public eye.

Once again the regime is using every means to manipulate the facts, and shift the blame elsewhere. They must not be allowed to get away with this. The world must not turn a blind eye to the regime's crimes. We appeal to members of ASEAN and all Burma's neighbouring countries not to give credence to their lies.

We have gained solidarity and support from the international women's movement and friends around the world. We urge you to further your efforts at this critical time to bring about genuine peace and democracy in Burma. q



SWAN member presents copy of Licence to Rape to Dublin's Lord Mayor

FLICKERS OF LIGHT IN THE DARKNESS

SWAN's Education Program

Providing basic education for the refugee children along the Thai-Shan border is one of SWAN's priorities. Currently, SWAN is supporting 11 schools, both along the border in de facto refugee settlements, and deeper inside Thailand for children of refugees surviving as migrant workers.

There are a total of 1,103 children under the age of 14 years old currently attending the schools: 533 male and 570 female students. 54 teachers from the refugee community are working in the schools.

A recent report by the Shan Human Rights Foundation (SHRF), "Charting the Exodus from Shan State," which contains quantitative data about refugee arrivals into one area of northern Chiang Mai province over a period of 5 years, has documented that out of over 66,000 refugees arriving, about 21,000 were under the age of 18. This is estimated at only one third of the actual total of refugees who arrived to Thailand during this time. In other words, over 60,000 refugees under 18 probably fled to Thailand between 1997-2002. Owing to the lack of refugee camps, it is very hard for these children to access formal schooling. Based on the SHRF figures, SWAN has only been able to provide basic education to about 2% of the children fleeing from Shan State in the past 5 years.

The locations of the schools for children inside Thailand are normally at temples or in the plantation/farms where lots of refugees are working. There are day-classes and evening classes. Basic subjects taught are Shan, Thai, English and arithmetic.

SWAN provides the students with



stationery, and also with school lunches, since most of the parents are migrant workers and therefore cannot afford to pack lunches for their children. Some children don't even have any food before coming to the school.

SWAN has found that the poverty and lack of legal status of the Shan refugees is a constant challenge to providing continuous education to their children. During some seasons, older students are often absent from school, as they are required to work with their parents on farms, to earn extra money for their families, during planting or harvesting of various crops, eg. oranges, chili, onions or garlic. Some children drop out of classes when their parents move to other farms/areas to find new jobs,

or for security reasons. Refugees are always in fear of being arrested when police crackdowns take place.

As many of the teachers have never been formally trained, SWAN has organized training to develop their teaching methods and skills.

During monitoring trips to schools in the border areas, SWAN is continuously being made aware of children in other refugee communities who have no access to education. It is urgently needed to set up further schools for these children.

Please help build these children future's by donating to SWAN's education program.

For further details, contact
<kenneri@loxinfo.co.th>

“RESCUE” OR ARREST?

Concerns about anti-trafficking efforts

The Nation

29 alien sex workers arrested in police raid

Published on May 4, 2003

Police yesterday arrested 29 Burmese and Shan women in Chiang Mai and charged them with selling sex services, just 1.5 kilometres away from the city’s police station.

None of the women had work permits or visas.

Acting on a tip-off, Chiang Mai police raided the two-storey Roemyen Cafe karaoke restaurant in the Chang Moi area of the city just before midnight on Friday.

Police said that they believed the women were duped into working for the restaurant but later forced to provide sex services.

Some of the women broke into tears after being arrested, saying that they did not want to be sent back to Burma to a life of poverty, police said.

“Working in Thailand allowed them to make money which they sent back to their families. In Burma they were jobless and had no income,” said Police General Suthep Detraksa.

“There are many sex places in Chiang Mai that hide behind restaurants and cafes. And it’s not just Burmese women who work at these places, there are also Karen and other hilltribe girls,” he said.

Activist Ben Sawasdiwat, organiser of Traf Cord, the northern non-governmental organisation working on the human trafficking issue, and who joined the police raid, said that the situation of human trafficking for sex purposes in the North was growing out of control.

This was mainly due to the economic problems in neighbouring countries, he added.

“In this case, we will force police to file a lawsuit against the restaurant’s owner in order to stop the cycle of human trafficking, or at least decrease it,” said Ben.

Police initially charged the restaurant owner Boonpan Thong-in, with sheltering illegal workers.

Earlier this year, SWAN was requested without prior warning by Traf Cord, an anti-trafficking NGO in Chiang Mai, to help translate for a group of women from Burma who they had “rescued” with the police several days earlier from a local karaoke bar (see adjoining news article for details). The raid had been instigated by the US-based International Justice Mission.

When SWAN members provided translation services some of the women, it soon became clear that the raid had violated many of their basic rights. SWAN therefore compiled a short report of the incident, and circulated it among various agencies working on this issue.



A page from a cartoon booklet produced by SWAN to raise awareness among Shan communities about the dangers of trafficking. SWAN’s strategy to combat trafficking prioritizes working with grassroots communities.

Below are the concerns listed in SWAN's report.

1. Why did Trafcard not find interpreters beforehand, and ensure that they were fully informed of the issues involved and sensitive to the women's concerns? Not having well-trained interpreters immediately available must have greatly increased the women's fear and frustration at the sudden arrest. It is ironic that Trafcard had chosen to inform journalists about the incident beforehand, but did not inform anyone who could have offered support to the women.
2. Why were the women taken after arrest to the Chiang Mai Boy's Home, which is essentially a detention centre? If the women were "rescued" they should have been sent to a safe and non-threatening place, with support services in their native languages immediately available.
3. The set of questions which SWAN was asked to translate were very formal and more like an interrogation about the women's personal background. There was no concern for the women's dignity or privacy. The women must have felt compelled to answer the questions, but were highly unlikely to have revealed the truth about their lives.
4. The interviews with the women were going to be done in front of a group of 5-6 strangers until SWAN insisted that there should be more privacy. Why was there no sensitivity to the women's feelings and right to privacy?
5. If SWAN had not insisted on giving an explanation to the women about reasons for the raid and the women's detention, as well as SWAN's own role, before translating the questions asked, no explanation would have been given. This is a violation of the rights of the women.
6. The women told SWAN they had lost money and a mobile phone during the raid. Why didn't Trafcard ensure in advance that the women would not lose any of their personal belongings in the raid?
7. SWAN is concerned that in the months prior to the raid, Trafcard went through the motions of liaising with local groups working closely with migrant/refugee communities in Chiang Mai, but did not actually consult them when planning actions which would have a drastic effect on the lives of extremely vulnerable women.
8. The women should not have been separated from each other, as this caused unnecessary distress.
9. Trafcard did not appear to care about the fact that the women were unwilling to testify against the trafficker and wanted to return home as soon as possible.
10. Trafcard told SWAN that they were going to arrange vocational training for the women. Trafcard should not have assumed the women wanted vocational training without consulting them.
11. SWAN was not asked to interpret for any of the Shan women who had been arrested, but only other women from Burma. In fact it would have made more sense for SWAN's Shan members to have spoken directly to the Shan women who had been arrested.
12. Three years ago, SWAN was asked to assist 29 women who had been arrested in exactly the same way from the same karaoke bar, named "Ban Rom Yen." The raid was also instigated by the US-based International Justice Mission. At that time, the women were kept in the police station for 15 days, before they were sent to the Boys' Home, where they were kept for about six weeks. SWAN was also informed only after the raid, and was asked to interpret for the women during their trial. **It is highly regrettable that those involved in this recent raid did not learn from their earlier experience, and find alternative means to assist women who have been trafficked without inflicting further suffering and punishment on them.** q

SWAN Program Update

Crisis Support on the border

SWAN has begun establishing community-based programs along the Shan-Thai border to help rape survivors suffering from the mental and physical effects of sexual violence. As a first step, SWAN has been organizing basic counseling training for Shan women in the community. Since August 2002, about 140 Shan women in different locations have been trained to be

counselors and act as peer educators on violence against women. By developing the skills of these women and linking them up to existing support networks, it is aimed to develop local crisis support mechanisms to respond to the issue of violence and sexual assault in their communities.

Community Health Services

SWAN has been running a community health centre in the

border village of Lak Taeng, northern Chiang Mai province, since 2000. The aim is to provide basic health care and health education to needy refugees from Shan State, and to refer seriously ill patients to the Thai government hospital. Most of the patients coming to the centre are poor refugees living as migrant workers around Lak Taeng, who are illegal and have no money to travel to Piang Luang or Wiang Haeng to receive treatment at Thai medical facilities.



A SWAN member at the Asian Social Forum in Hyderabad, India, in January 2003, collecting signatures for the Stop Licence to Rape campaign

Licence To Rape translated into four languages

The report "Licence to Rape," originally published in English, has been translated into four other languages to date: Thai, German, Burmese and French. The Thai version has been available at all leading bookstores in Bangkok and Chiangmai. The Japanese and Shan language versions are underway and will be out in the near future. To obtain the desired language version please use the following contact addresses:

For **German**, please visit

www.friends-of-shan.de / www.freunde-der-shan.de

For **Burmese**, please visit

www.shanwomen.org / write to kenneri@loxinfo.co.th

For **French**, please contact info-birmanie@globenet.org

For **English**, please visit

www.shanland.org/shrf/License_to_Rape/license_to_rape.htm

www.burmalibrary.org/show.php?cat=320&lo=d&sl=0

Apart from this, the SWAN members running the centre have made regular visits to the temporary shelter for Shan refugees to provide treatment (see article on page 8 *New Hope for Shan Refugees?*). They also visit the local Shan school in Piang Luang regularly to check up on the health of the children. The total caseload of patients treated between April 2002 - March 2003 was more than 4,000. As well as providing basic health care at the centre, the SWAN staff also give health education to villagers who visit the centre, including on HIV/AIDS, family planning and basic sanitation.

Expanding Internship Program

SWAN has recently expanded its internship program in response to increased demand from Shan communities along the border and inside Shan State. The 2003 program has now begun with 6 interns being trained by two full-time staff. SWAN started its internship program in 1999. Until last year, three young women were trained as interns with SWAN each year, and to date nine women have finished the program. Those who completed the internship have worked for SWAN's various programs.

SWAN would like to express our heartfelt sympathy to the family of U Maw Thiri, who passed away on July 9, 2003. His support and contribution to our Shan community will be missed. He was in the process of translating Licence to Rape into Hindi when he passed away.

No to Rape, No to Dams on the Salween

Plans to build dams on the Salween River have accelerated at an alarming rate during the past year.

On December 20, 2002, a memo-randum of understanding was signed in Rangoon between the Thai company MDX and the Burmese military regime for the construction of a giant hydro-power dam at Ta Sang on the Salween River in southern Shan State.

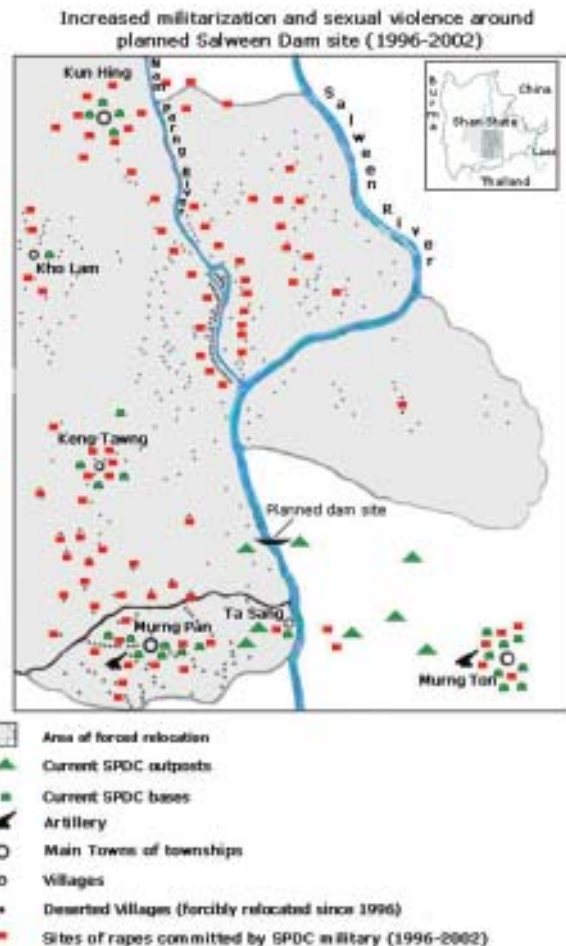
The dam will produce 4,600 megawatts of electricity and cost at least US\$ 4 billion. It is planned to build transmission cables to export most of the electricity to Thailand.

Shortly before the agreement was signed, 69 Burmese and Thai organisations, including SWAN, wrote a letter to the Thai Senate Committee of Foreign Affairs protesting against the plans to dam the Salween.

In order to raise awareness among the Thai public of the negative impacts of the planned dams on the Salween River, SWAN cooperated with other NGOs to produce a book in Thai "Salween Dams: Tragedy of Two Nations." 2,000 copies of the book have been produced and distributed throughout Thailand.

The book includes abuses committed by the regime against civilians in areas around the planned dam-site in Shan State, including forced relocations, extrajudicial killings, forced labour and sexual violence. Almost half of the cases of sexual violence listed in SWAN's June 2002 report Licence to Rape took place in these areas (see map).

Funding sources of the planned dam are still unknown, but recent loans by Chinese funders for two other large dams in northern Shan State, the Shweli and



Yeywa dams, indicate that China may also fund the Salween dam.

Meanwhile, the Asian Development Bank and the World Bank are currently promoting investment in a regional power grid linking the countries in the Mekong region. The multi-billion dollar grid includes the Salween dam in Shan State, as well as other controversial dams in Laos and China.

For further information see www.salweenwatch.org

NEWS BRIEFS

Women's League of Burma holds 2nd Congress

The Women's League of Burma (WLB) held its 2nd Congress in December, 2002. To clarify misconceptions, the WLB has declared that it is a political organization. The WLB believes that it is essential for women to be involved in peace-building and development in society.

A senior SWAN member has been appointed as the General Secretary for the 2002-2004 term. The Congress identified priority areas as:

peace building towards national reconciliation, promotion of gender equality and increased participation of women in political leadership.

Aid watchdog in full swing

Since its formation in July 2002, "Concerned Individuals" (CI), the aid watchdog in which SWAN members are actively involved, has been raising awareness about international aid issues among grassroots communities of Burma. CI has produced a booklet about the role of international aid in East Timor in six ethnic languages: Burmese, Karen, Karenni, Mon, Rakhine and Shan. In November 2002, a signature

campaign was launched to express concern to governments and international aid agencies about the giving of humanitarian aid to Burma under the current military regime. To date more than 30,000 signatures have been collected from different communities from areas of Burma bordering with Bangladesh, India and Thailand.

Last June, a senior SWAN member presented the position paper, 'No Aid to Burma through the Burmese Military Regime' at the Reality of Aid international advisory committee meeting. (Please view the paper both in English and Burmese at <http://www.shanwomen.org>)

New hope for Shan refugees?

Nearly one and a half years after fleeing from their homes in Shan State, about 400 refugees are still living in makeshift, communal huts near the border in Thailand's northern Chiang Mai province. Yet, in comparison to the vast majority of Shan refugees, these refugees feel themselves lucky.

By April 2003, these refugees had already spent almost a year living in crowded conditions in a Thai temple compound in Wiang Haeng district. The villagers living around the temple had grown increasingly hostile, and had already petitioned the Thai authorities to clear them out.

The refugees had sought permission to set up a temporary camp in disused land in the vicinity, but were told that this was impossible, and that they must be repatriated.

Then at the end of April 2003, quite unexpectedly, came the good news: the refugees could move to stay in the disused grounds of a Shan temple on a hilltop near the border.

By May, the refugees had all moved to the new site. They were still not allowed to set up separate family

huts, having to stay in communal long-houses, but the area was much more spacious, and the sanitation was greatly improved.

Today, the refugees are being allowed to receive basic food and medical assistance from foreign aid agencies. The children are attending a Shan refugee school in a nearby village. And best of all, they are starting to feel safe.

It is still unclear what has prompted the tolerance of the Thai authorities to these particular Shan refugees. In other Thai border areas, large numbers of Shan refugees remain in hiding and vulnerable to arrest and deportation.

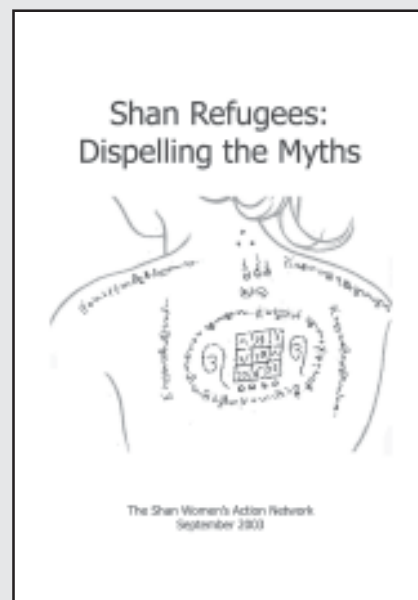
One important factor for the Wiang Haeng refugees has been advocacy by Thai and regional human rights organisations, as well as the Thai media, who highlighted the plight of these refugees when they first fled.

Whatever the reasons for the tolerant policy in Wiang Haeng, it is providing hope that the overall Thai policy towards Shan refugees may be starting to change. q

SWAN tackles refugee myths

SWAN has recently produced a brief background paper to be used for advocacy on behalf of Shan refugees in Thailand. The paper provides facts to counter nine common myths about Shan refugees.

The paper *Shan Refugees: Dispelling the Myths* can be viewed at the SWAN website.



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