SPECIAL DOSSIER:

CASES UNDER THE *UNLAWFUL ASSOCIATIONS ACT 1908* BROUGHT AGAINST PEOPLE ACCUSED OF CONTACT WITH KACHIN INDEPENDENCE ARMY

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Foreword

This special dossier of 36 cases brought under the 1908 Unlawful Associations Act against people accused of contact with the Kachin Independence Army was researched and compiled in 2012 by independent human rights defenders in Burma who have requested that the Asian Human Rights Commission disseminate the material. We do so willingly, and with firm appreciation for the work that these human rights defenders have undertaken in gathering the material, and preparing it in both English and Burmese. Out of respect for them and their effort, we have made only minor changes to the original text as prepared by them. We hope that readers will find that any peculiarities in usage will be more than made up for by the authenticity of the voices that come out in these accounts; an authenticity that we have decided deliberately not to editorialise through revisions and reorganisation of the contents as we received them.

At a time that the conflict in Kachin State between the Kachin Independence Army and Burma armed forces is only getting worse, this dossier marks an important contribution to documentation on human rights abuses in the region, because it signals very sharply the intersection between war and law, between violence in armed combat and violence in interrogation, in the use of torture and other techniques against persons who have been branded enemies of the state. Indeed, this aspect of such events, be they in Burma or in other parts of Asia, is often overlooked, and therefore is one deserving some comment in the preliminary remarks to this dossier.

The use of coercive law for the purposes of identification and elimination of enemies is a peculiar type of legal practice and one that is not at all consistent with the practice of criminal law ordinarily. In the usual state of affairs, an individual is arrested and prosecuted for an alleged criminal act in which he, or perhaps he and some others, jointly participated. The orientation of the law is throughout situated after the fact of the offence. The accused have no prior status, no particular identity before the offence is committed. Their arrest follows the act of purported criminality.

The situation is not at all the same when we consider cases brought under instruments like the 1908 Unlawful Associations Act, which we have appended to the foreword of this dossier. Although the act purports to respond to alleged violations of law, alleged criminal acts, in fact assumes a prior political relationship with the persons who are prosecuted under its auspices—one that is oriented not towards acts but towards identities. The problem that this act was from the beginning designed to deal with was not the problem of the criminal but the problem of the internal enemy. Its object is to criminalise the internal enemy: in other words, to establish a nexus between war and law through identification of a subset of the population.

When a piece of legislation has as its foremost purpose the identification and criminalisation of enemies, its primary concern is no longer with the individual, or the individual crime. The internal enemy is always the public enemy. And the public enemy is always a collective enemy. Therefore, the problem that such legislation is designed to address is one of groups of people, not individuals. And groups of people are necessarily identified prior to any alleged criminal acts that they do or do not commit. They are identified by virtue of, for instance, their affiliation (what the act purports to target specifically), their ethnicity, their language, their religion or otherwise.

Whatever the identifying criteria, once identified, the group itself constitutes a latent criminal body, irrespective of what its individual members do or do not do. In short, the legislating of internal enemies as in the case of the Unlawful Associations Act completely reverses the ordinary relationship between law and the individual, between the notion of an offence and the rights of citizens. It inverts the idea that criminality arises as a consequence of a crime, and inserts the notion of criminality into the identification of the collective, prior to any crime being committed.

Consequently, today in Burma, or Myanmar as it is known officially, Kachin people are detained, tortured, charged and extorted irrespective of what they have or have not done, because of their prior identification as members of an enemy group—which is to say, not the KIA, but the ethno-linguistic category with which it identifies. One reads in the cases that follow the same story over and over again, that of people picked up, brutalised and criminalised by virtue of their identities. War passes into law where the police or military intelligence interrogator takes on the role of torturer, while the state acts to suck the economic capacity out of the enemy population through the extraction of money for attendance at court cases, to meet detainees while held in custody and other services for which some payment is demanded.

In response to this situation, the human rights defenders who gathered and translated this material have two stated objectives: to document and inform people about the use of the Unlawful Associations Act; and, to secure the release of the accused. Both of these objectives are laudable, and strongly supported by the AHRC. Clearly, not enough has been done to document cases of this sort in a way that makes explicit the connection between strategic practices of the military and those of other parts of the state apparatus for the targeting of internal enemies. We firmly hope that by taking these steps, not only will the connections be better understood but also those whose cases are documented will obtain relief through some publicity and attention to their specific plights.

But beyond these cases, and the preliminaries of documentation, anyone who reads these cases cannot, we think, help be struck by the extent to which the illegal and brutal practices of the police and intelligence services are utterly habituated and systematised. And here we reach the point at which, once more understanding of the phenomena described herein is obtained, more thought is also required about what to do next.

Persons abroad and in Burma itself—including in its legislature—have called for the revocation of the Unlawful Associations Act. That call is worthy of everyone's support. It has the support of the AHRC. But the AHRC has also said for a long time that simple revocation of repressive laws will amount to very little in Burma if not accompanied by other deeper reforms. This law, like others currently used in the country to violate fundamental human rights, is merely a vehicle for the abusive practices that the police and military forces conduct habitually. If one law is revoked, another can be used. No shortage of laws exist with which to abuse rights, and it is a foolish and pointless game to think that chasing down repressive laws and eliminating them all will solve human rights problems—although it may ameliorate the most obvious egregious abuses, perhaps by pushing them under the surface.

Therefore, we ask readers of this dossier when considering the contents of the stories on the pages that follow to think past the question of how to revoke the Unlawful Associations Act, to the larger question of how to eliminate the sorts of practices that the act, like a variety of other laws in Burma, makes easy. And, we ask the reader to think about what is needed to break the nexus between law and war, and end the culture of the internal enemy in Burma, so that the criminal law is at last fundamentally a matter of the prosecution of the individual for the commission of a crime. Although these are big asks, and the answers to the questions are not easily visualised, we do need to think in these terms if we are to contemplate a future for Burma without the types of human rights violations contained in this dossier.

Bijo Francis
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January 2013

Glossary

IDP	Internally Displaced Persons
Kha La Ya	Infantry Battalion; Burma army
Kha Ma Ya	Light Infantry Battalion; Burma army
KBC	Kachin Baptist Convention
KIA	Kachin Independence Army; military wing of KIO
KIO	Kachin Independence Organisation; political wing of KIA
Ks.	Kyats (see below)
Kyat	Currency of Burma; at time of writing trading at around Ks. 800 = USD 1
longyi	Sarong; lower body garment
Myitkyina	Capital city of Kachin State
Nay Pyi Daw	Capital city of Burma
NRC	National Registration Card
Sa Ya Hpa	Military Affairs Security; intelligence branch of the Burma military
SB	Special Branch; intelligence branch of the police force
Thi-thant	Separate, solitary, special; term used variously for courts, prison cells, interrogation units
Tsp.	Township; lowest administrative unit with courts

THE UNLAWFUL ASSOCIATIONS ACT.

[India Act XIV, 1908.] (11th December 1908)]

1-14. * * *

PART II.

UNLAWFUL ASSOCIATIONS.

15. In this Part -

(1) "association" means any combination or body of persons, whether the same be known by any distinctive name or not; and

(2) "unlawful association' means an association -

(a) which encourages or aids persons to commit acts of violence or intimidation or of which the members habitually commit such acts, or

(b) which has been declared to be unlawful by the President of the Union-under the powers hereby conferred.

16. If the President of the Union is of opinion that any association interferes of has for its object interference with the administration of the low of with the maintenance of law and order, or that it constitutes an danger to the public peace, the President of the Union may, by notification in the Gazette, declare such association to be unlawful.

17. (1) Whoever is a member of an unlawful association, or takes part in meetings of any such association, or contributes or receives or solicits any contribution for the purpose of any such association or in any way assists the operations of any such association, shall be punished with imprisonment for a term [which shall not be less than two years and more than three years and shall also be liable to fine] **(1)**.

(2) Whoever manages or assists in the management of an unlawful association, or promotes or assists in promoting a meeting of any such association, or of any members thereof as such members, shall be punished

with imprisonment for a term [which shall not be less than three years and more than five years and shall also be liable to fine] **(1)**

(3) * * * **(2)**

17A. (1) The president of the Union may, by notification in the Gazette, mortify and place which in his opinion is used for the purposes of an unlawful association.

Explanation - For the purposes of this section "place" includes an house or building, or part thereof, or a tent or vessel.

(2) The District Magistrate, or any officer authorized in this behalf in writing by the District Magistrate, may thereupon take possession of the notified place and evict therefrom any person found therein, and shall forthwith make a report of the taking possession to the President of the Union:

Provided that where such place contains any apartment occupied by women or children, reasonable time and facilities shall be afforded for their withdrawal with the least possible inconvenience.

(3) A notified place whereof possession is taken under sub-section (2) shall be deemed to remain in the possession of Government so long as the notification under sub section (1) in respect thereof remains in force.

17B. (1) The District Magistrate, or officer taking possession of a notified place, shall also take possession of all movable property found therein and shall make a list thereof in the presence of two respectable witnesses.

(2) If, in the opinion if the District magistrate, any articles specified in the list are or may be used for the purposes of the unlawful association, he may proceed subject to the provisions hereafter contained in this section to order such articles to be forfeited to the State.

(3) All other articles specified in the list shall be delivered to the person whom he considers to be entitled to possession thereof, or, if no such person is found, shall be disposed of in such manner as the District Magistrate may direct.

(4) The District magistrate shall publish, as nearly as may be in the manner provided in section 87 of the code of Criminal procedure for the publication

of a proclamation, a notice specifying the articles which it is proposed to forfeit and calling upon any person claiming that any article is not liable to forfeiture to submit in writing within fifteen days any representation he desires to make against the forfeiture of the article.

(5) Where any such representation is accepted by the District Magistrate, he shall deal with the article concerned in accordance with the provisions of sub-section (3).

(6) Where any such representation is rejected, the representation, with the decision thereon, shall be forwarded to the District Judge, in the case of a decision by a District Magistrate, and no order of forfeiture shall be made until the district Judge has adjudicated upon the representation. Where the decision is no confirmed the articles shall be dealt with in accordance with the provisions of sub-section (3).

(7) In making adjudication under sub-section (6) the procedure to be followed shall be the procedure laid down in the code of civil Procedure for the investigation of claims, so far as it can be made to apply, and the decision of the District Judge shall be final.

(8) If the article seized is livestock or is of a perishable nature, the District Magistrate may, if he thinks it expedient, order the immediate sale thereof, and the proceeds of the sale shall be disposed of in the manner herein provided for the disposal of other articles.

17C. Any person who enters or remains upon a notified place with out the permission of the district magistrate, or of an officer authorized by him in this behalf, shall be deemed to commit criminal trespass.

17D. Before a notification under sub-section (1) of section 17A is cancelled, the President of the Union shall give such general or special directions as he may deem requisite regulation the relinquishment by government of possession of notified places.

17E. (1) Where the President of the Union is satisfied, after such inquiry as he may think fit, that any monies, securities or credits are beig used or are intended to be used for the purposes of an unlawful association, the President of the Union may, by order in writing, declare such monies, securities or credits to be forfeited to the State.

(2) a copy of an order under sub-section (1) may be served on the person copy such person shall pay or deliver the monies, securities or credits to the order of the President of the Union.:

Provided that, in the case of monies or securities, a copy of the order may be endorsed for execution to such officer as the President of the Union may select, and such officer shall have power to enter upon an search for such monies and securities in any premises where they may reasonably be suspected to be, and to seize the same.

(3) Before and order of forfeiture is made under sub-section (1) the President of the Union shall give written notice to the person (if any) in whose custody the monies, securities or credits are found of his intention to forfeit, and any person aggrieved thereby may within fifteen days from the issue of such notice file and application to the District Judge in a District to establish that the monies, securities or credits or any of them are not liable to forfeiture, and if any such application is made, no order of forfeiture shall be passed in respect of the monies, securities or credits concerned until such application has been disposed of and unless the District Judge has decided that the monies, securities or credits are liable to forfeiture.

(4) In disposing of an application under sub-section (3) the procedure to the investigation or claims, so far as it can be made to apply, and the decision of the District Judge shall be final.

(5) Where the President of the Union has reason to believe that any person has custody of any monies, securities or credits which are being used or are intended to be used for the purposes of an unlawful association, the President of the Union may, by order in writing, prohibit such person from paying, delivering, transferring or otherwise dealing in any manner whatsoever with the same, save in accordance with the written orders of the President of the Union. A copy of such order shall be served upon the person to whom it is directed.

(6) The President of the Union may endorse a copy of an order under sub-section (3) for investigation to any officer he may select, and such copy shall be warrant whereunder such officer may enter upon any premises of the person to whom the order is directed, examine the books of such person, search for monies and securities, and make inquiries from such person, or any officer, agent or servant of such person, touching the origin of and

dealings in any monies, securities or credits which the investigating officer may suspect are being used or are intended to be used for the purposes of an unlawful association.

(7) A copy of an order under this section may be served in the manner provided in the Code of Criminal Procedure for the service of a summons, or, where the person to be served is a corporation, company, bank or association of persons, it may be served on any secretary, director or other officer or person concerned with the management thereof, or by leaving it or sending it by post addressed to the corporation, company, bank or association at its registered office, or, where there is no registered office, at the place where it carries on business.

(8) Where and order of forfeiture is made under sub-section (1) in respect of any monies, securities or credits in respect of which a prohibitory order has been made under sub-section (3), such order of forfeiture shall have effect from the date of the prohibitory order, and the person to whom the prohibitory order was directed shall pay or deliver the whole of the monies, securities, or credits forfeited to the order of the President of the Union.

(9) Where any person liable under this section to pay or deliver any monies, securities or credits to the order of the President of the Union refuses or fails to comply with any direction of the President of the Union in this behalf, the President of the Union may recover from such person, as arrears of land-revenue or as a fine, the amount of such monies or credits or the market value of such securities.

(10) In this section, "security" includes a document whereby any person acknowledges that he is under a legal liability to pay money, or whereunder any person obtains a legal right to the payment of money; and the market value of any security means the value as fixed y any officer or person deputed by the President of the President of the Union.

(11) Except sol far as is necessary for the Purposes of any proceeding Under this section, no information obtained in the course of any investigation made under sub-section (6) shall be divulged by any officer of Government without the consent of the President of the Union.

17F. Every report of the taking possession of property and every declaration of forfeiture made, or purporting to be made under this Act shall, as against all persons, be conclusive proof that the property specified therein has been

taken possession of by Government or has been forfeited, as the case may be, and save as provided in sections 17B and 17E no proceeding purporting to be taken under section 17A, 17B, 17C, 17D, or 17E, shall be called in question by any Court, and no civil or criminal proceeding shall be instituted against any person for anything in good faith done or intended to be done under the said sections or against Government or person action on behalf of or by authority of Government for any loss or damage caused to or in respect of any property whereof possession has been taken by government under this Act.

18. An association shall not be deemed to have ceased to exist by reason only of any formal act of dissolution or change of title, but shall be deemed to continue so long as any actual combination for the purposes of such association continues between any members thereof.

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(1) Substituted by Act LXI, 1954.

(2) Deleted ibid

Summary of the documentation

The documents of the cases is composed of the victims accused of being KIA or having connections with KIA under the Unlawful Associations Act 1908. The report was able to publish with the collaboration with victims themselves, kin of victims, lawyers, local individuals and civil society organizations in Kachin State and Northern Shan State.

After the conflict between the government army and the Kachin Independence Army (KIA) flared up again in June 2011, many civilians are accused of being KIA or having connections with KIA, arrested and kept in the detention centers. Most civilians are innocent, but they were tortured severely because of suspect. Some are arrested from the Internally Displaced Person (IDP) camps, which instigated insecurity among the IDPs. The family of the detainees are struggling for their survival, most families are poor and they have to work hard to make ends meet. Though they know that their family members are innocent, they cannot afford for the trial cost and expense. Besides, some victims were not charged with the Unlawful Associations Acts 1908, but with other charges, and they were sentenced with harsh sentence.

The names of KIA soldiers are recorded in the list of KIA. Hopefully, when there will be potential success for the ceasefire agreement, the KIA will demand to release their solders who are detained. However, the names of the civilians charged with the wrong cause are neither in the list of KIA nor government. Surely, they would be taken as criminals.

Executive Objectives of the documentation

The first objective of the project is to document cases vis-à-vis the Unlawful Association Act 1908 and disseminate publicly in Burmese and English languages.

The second important objective of the project is to organize a movement to demand for the release of all the innocent detainees and prisoners. The documentation and reporting of the human rights violations of the victims both in the detention camps and courts is expected to restore their dignity and recognition of their innocence. If wrongfully detained and charged persons are released, the road to national reconciliation is hoped to be smooth.

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I. Cases of Accused in Kachin State

1. Lahpai Gam

Name of the accused (Suspect)	: Lahpai Gam
Father's name	: Lahpai La
Date of Birth (Age)	: 60
NRC ID	: nil
Gender	: Male
Education	: Grade 3
Occupation	: Farmer
Marital status	: Married
Name of spouse	: Lashi Lu
Permanent address	: Npawn Yang Village, Waingmaw Tsp.
Current address	: Shwezet church IDP camp, Myitkyina
Contact person	: Lashi Lu
Contact address	: Shwezet church IDP camp, Myitkyina
Date of arrest	: 12 June 2012
Name of court	: Myitkyina Township Court
Act of the case	: 1908 Unlawful association Act art. 17(1)
Verdict	: (still on trial)
Date of interview	: 17 August 2012

A Brief Account of Detention

Lahpai Gam and his family arrived at Shwezet IDP camp from Npawn Village on 14 June 2011. He was arrested together with Brang Yung, Zau Bawk, and La Ring by Kha La Ya (37). Convoy troops from Ta Law Gyi village on their way to China to sell cows for others to support their Children at school. At present, he is being prosecuted and judged at Myitkyina Township Court with 1908 Unlawful Association Act art. 17(1).

The Oral Statement of Lashi Lu Mai (Lahpai Gam's wife)

We moved from Kawng Ra in Shan State to Npawn village in Kachin State in 2006. We came to Shwezet Church IDP camp on 24 June 2011. When we arrived there, my father did not smoke, or did not drink. He never went out at night and not even at daytime. But we needed to send money to Mogok to support our daughter Ja Hkawn at school there, and he left for Ta Law Gyi on 9 June 2012 to escort other's people's cows for sale. He was arrested along with others by (Burmese Regiment) Kha La Ya (37) troop while he was eating lunch with his friends on 12 June. The merchant lady and a Burmese couple were released upon payment of 1,200,000 kyats (1.2 million kyats). Four of them were taken away. Upon their arrival at Sa-Ya-Hpa (Military Intelligence) headquarters in Myitkyina, they were tortured and forced him to admit that he was the KIA officer who had exploded the bomb near Myitkyina. He later told me that he would have been murdered if he had not made the confession and he would not be home again. He also told me how he was hit with an iron bar, hit with the butt of gun, and confined to a cell. The wounds caused by their tortured were not treated with medicine. We could not afford any medicine other than Burmese

herbal medicine. We had to provide the medical doctor's prescriptions and documents. We also had to bribe the prison gatekeepers. They were blindfolded and brought to us when we went to meet them in prison. Four of them were interrogated at midnights. My father had never been a militia. He saw KIA soldiers only when we came here.

Because of this situation it seems that our daughter will have to drop out of school. He is our only breadwinner and now we are in great trouble. Now, we pay the lawyer with the money borrowed from the church. Our house in Npawn has already been burnt-down, and I feel like crazy. The fighting may continue for a long time and we are in the dark. I have to spend Ks. 20,000 every time I go and see him at prison. I have met him there seven times already. I paid him Ks. 50,000 because he said he needed to buy bed in prison. I also had to pay the prison warden so that my husband would not be assigned work there. Otherwise he would be forced to carry toilet buckets. He had to give a packet of coffee-mix to enter toilet. A lot of money has been spent.

2. Zahkung La Ring

Name of the accused (Suspect)	: Zahkung La Ring
Father's name	: Zahkung Di
Date of Birth	: 17 February 1985
NRC ID	: (not remembered)
Gender	: Male
Education	: Grade 9
Occupation	: Hillside paddy farmer
Marital status	: Single
Permanent address	: Block (4), Talaw Gyi village
Current address	: Shwezet IDP camp
Contact person	: Nhkum Kaw
Date of arrest	: 12 June 2012
Name of court	: Myitkyina Township Court
Act of the case	: 1908 Unlawful Associations Act, art. 17(1)
Verdict	: (still on trial)
Date of interview	: 17 August 2012

A Brief Account of Detention

Zahkung La Ring had been a clerk at KIA Information office but he was discharged because he vomitted blood. When the fighting broke out in Ta Law Gyi village, they moved to Shwezet IDP camp to flee from the war. Since he needed money, he went along with fellow refugees Lahpai Gam, Brang Yung and Zau Bawk who were at the same IDP camp, to drive cows to China market as hired workers for other people. He is the breadwinner of his family. They were arrested by Kha-La-Ya (37) army from Ta Law Gyi on their way. He is facing prosecution with Unlawful Association Act, art. 17(1) at Myitkyina Township Court.

The Oral Statement of Nhkum Kaw (La Ring's mother)

Formerly, La Ring worked in a hillside farm. Sometimes, he went to Sin Bo. During cease-fire time, (1994 to 2011 June) he worked as a clerk at KIA Information Office. He quit that job. On their way driving cows, he and his friends came across with the army convoy and he was arrested on 12 June 2012. At the time of his arrest, he was not tortured or interrogated. The militia in Ta Law Gyi were the ones who sent them to jail. The torture started upon their arrival in Myitkyina for interrogation. He was confined to cell for two nights. They (military intelligence) hit him with iron bars and gun butts. He was blindfolded when he went to toilet. I have three children. He is my only son. I love him not wanting to be out of sight. I was unhappy when I saw him being tortured. I felt pity on him too. Every time I remembered this I wept. When he got sick we were not allowed to send English medicine. Only Burmese and Kachin traditional medicines (herbal) were allowed. The prescription of the doctor in charge was necessary for English medicine. I cannot afford the doctors prescription fees because it is more expensive than the medicine. Each trip to court appointment costs me Ks 25,000. Moreover, I have to pay bribe money so that they may not assign him chores. I had to buy a bed for him with Ks. 50,000. In prison, the inmate has to give the warden a packet of coffee mix every time he goes to toilet. My son is the only breadwinner for me. My daughters are married and they cannot support me like he does. Now that he is in jail, I have no one to take care of me. I am in real trouble.

3. Brang Yung

Name of the accused (Suspect)	: Brang Yung
Father's name	: Maran Gam
Date of Birth (Age)	: 10 December 1987 (age 24)
NRC ID	: Nil
Gender	: Male
Education	: Grade 6
Occupation	: Hillside paddy farmer
Marital status	: Married
Name of spouse	: Daw Hkawn Nan
Permanent address	: Npawn Yang Village, Waingmaw Tsp.
Current address	: Shwezet Baptist Church IDP Camp, Myitkyina
Contact person	: Daw Hkawn Nan
Contact address	: Shwezet Baptist Church IDP Camp, Myitkyina
Date of arrest	: 12 June 2012
Name of court	: Myitkyina Township Court
Act of the case	: 1908 Unlawful Associations Act, art. 17(1)
Verdict	: (still on trial)
Date of interview	: 17 August 2012

A Brief Account of Detention

U Brang Yung and family left their home in Npawn village and came to IDP camp in Shwezet Baptist Church on 24 June 2011. Although they had enough food to eat in the IDP camp, they needed money for their children's schooling and he left Shwezet Baptist Church IDP camp for

China to drive other businessmen's cows for sale on 9 June 2012. While they were tending cows in the grazing field, Kha La Ya (37) troop convoy arrested seven people of them including three cow owners. But the three cow owners were release upon the payment of 1.2 million kyats (Ks. 1,200,000). The other four of them were detained by Kha La Ya (37). At present, those four men are being prosecuted by 1908 Unlawful Associations Act, art. 17(1) at Myitkyina Township Court.

The Oral Statement of his wife Hkawn Nan

Our family moved to Npawn village in Kachin state from Kawng Ra village in Shan state in 2006. As we have been married for a few years, our children are still young. It is not true at all that my husband served in KIA. He is supporting the whole family by doing odd jobs and planting or transplanting in paddy fields. He was not assigned any duty because they saw him ends struggling making ends meet. He had never seen KIA until he went to Laiza. We arrived at Shwezet Baptist Church IDP Camp on 24 June 2011. We have a lot of hardships with our three children. The eldest one is in grade 7, the second one is in kindergarten, and the youngest one is still a nursing baby. I cannot go out and earn money because I am still breastfeeding the baby. I spent about Ks. 20,000 every time. I don't have a single penny now. I am heavily indebted**. I asked him why did you admit that you were a KIA soldier without serving in KIA. He said that he would have been murdered if he did not make such in confession. He told me that his hearing was impaired because they tortured him very badly.** They hit his head with iron bars on his head. He was confined in a dark call for two days. They lit torchlight when they brought food to his cell. He was blindfolded every time he visited toilet. Four of them were interrogated always at midnight. When they reached Sa Ya Hpa (Military Intelligence) they were tortured more terribly. Sa Ya Hpa tortured him but did not provide medical treatment after tortured. Since they did not provide him medicine we sent medicine to him. But English medicine was not allowed. Only Burmese and Kachin medicines were allowed. We paid Ks. 8,000 to the prison authorities to pass the English medicine to the inmate. They had to buy bed in jail. The slept on planks. One plank costs Ks. 50,000. Every time they go to toilet, they have to give a packet of coffee mix to the warden. Therefore, we are spending a lot of money on that. I am very upset and I am at my wits' end.

The Oral Statement of Brang Yung's Mother Daw Hpauyam Lu

Mmm…… I don't want to say about how much I am suffering hardships. Brang Yung married young. He was not yet 17 at that time. So, he cannot do anything for us his parents. He earns money by doing daily odd jobs. He went to school up to grade 6 only. He has never been a KIA soldier. He never does any job enthusiastically. He was supporting his wife and child by doing odd jobs everyday. They always had financial strait. Now, his father is not feeling well. We cannot go and see him because we have no money. We need money to see him every week. His younger brother has gone to Hpakant jade mine. His younger sister is still in grade-3. My sufferings are beyond my expressions. We have learnt from the authorities why Brang Yung was arrested. Having been hired by cow traders to drive the courts to China. They came across an army convoy. The army asked for Ks. 100,000 for each cow. When they told the soldiers that he did not have that much money because they were hired workers to send the cows for sale. Then they arrested him, began to torture him. They accused him of hiding guns and took him to search for the weapons in the jungle. He has never known what ammunitions look like. After having been tortured by the army convoy in Ta Law Gyi for two weeks, he was sent to Sa Ya Hpa in Myitkyina. When they were detained in Ta Law Gyi

they were not given food, and no one was allowed to bring food to them until 20 days after they were arrested, we did not know where to find them. Lawyer U Ma Hka told me to appeal for him. Those lawyers were at Sa Ya Hpa office. When I went there to meet that lawyer, he was told to leave. The lawyer said he had asked an army captain for inquire about my son. While I was sitting without knowing where to inquire, a neighbor of mine came and told me that my son was already in Myitkyina. I rushed to see my son in Sa Ya Hpa office but it was already dark in the evening and I could not meet him. The next morning I met my son in jail. The previous day during my absence, Sa Ya Hpa came and asked my relatives about Brang Yung (weeping). The next morning when I met my son in prison his head had open wound and one side was slant. His face was swollen and he could not here anymore when we talked to him. I raised my voice but he heard nothing. May be, he could not hear me because his head was broken on the left side. His head was hit by the gun when they tortured him. He did not say anything particular because he might not want our family members feel sad. My daughter in law raised her voice and told him that we tried to locate him but could not find him. He told us that we could find him because he was locked in a cell underground. At about 9:00 pm, Sa Ya Hpa got heavily drunk and tortured them. They said, "You are Kachin, now dance your Manau dance". (Manau dance is a Kachin Traditional dance). He danced without clothes. They took off my son's clothes and tortured him. He was not sure how many of them were there. When the night fell, Sa Ya Hpa used to get drunk and torture the suspects. They said, "You are KIA soldiers. You install mines" when my son replied "no" they tortured him more. That was the time while we were searching for him. He said that he was not provided 10 meals. He said that he was also electrocuted. His face was burned with hot iron plate. A relative of mine in jail told me that Brang Yung was extremely tortured. He told me to send plenty of medicine to him in prison. We sent a lot of Kachin herbal medicine to him. He is unable to wash his clothes in jail because of pain so he had to pay some one else to wash them. Now he said to hear a little better. His body was blue and black all over. He said that he had been beaten with iron bars. Recently, we went to the court appointment twice, and he told our lawyer that he could not eat. Every time we go to court appointment we have to borrow money. We have no one to earn money. Sometime ago, I worked on odd jobs for daily wages. Now, no one hired me. All the money is gone. I have hypertension because my son is in such a condition. I have Ks, 70,000 in debt now.

4. Mading Zau Bawk

Name of the accused (Suspect)	: Mading Zau Bawk
Father's name	: Mading Hkam Seng
Date of Birth (Age)	: 23
NRC ID	: (not remembered)
Gender	: Male
Education	: Grade 3
Occupation	: Hillside farmer
Marital status	: Single
Permanent address	: Ta Law Gyi, Waingmaw Tsp.
Current address	: Shwezet IDP camp
Contact person	: Nbwi Roi Grawng
Contact address	: Shwezet IDP camp
Date of arrest	: 12 May 2012
Name of court	: Myitkyina Township Court
Act of the case	: 1908 Unlawful Associations Act, art. 17(1)
Verdict	: (Still on Trial)
Date of interview	: 17 August 2012

A Brief Account of Detention

Zau Bawk came to Shwezet from Ta Law Gyi village in Waingmaw Township to flee from the fighting there. He was arrested by Kha La Ya (37) troop on his way driving cows for sale as he was a hired worker. At present he is being prosecuted with 1908 Unlawful Associations Act, art. 17(1).

The Oral Statement of Nbwi Roi Grawng

His surname is Mading and mine is Labang. He is related to me as my nephew. His parents are dead. His two younger sisters were given away to other people. His older brother died as a soldier, I look after him as my old son because my own children are still young. He also cares for me as his own mother. We had lived in Jan Mai Kawng village before we came to Shwezet IDP camp. He returned to our village to do the unfinished cultivation the paddy field. He came back when he had transplanted the paddy. He moved along with us when we came here. Here we needed to spend money because my children were back to school. We are provided food by the camp but the children need pocket money. He went along with the hired people to drive cows for sale. He was arrested in May. He had lived with his relatives in Ta Law Gyi before he came to live with us. Now he is 23 years old. Until today, he has never been a KIA soldier. He was beaten when he was arrest at Ta Law Gyi. They asked him if he was from KIA and beat him. He fainted and collapsed at that time. He was confined to dark cell when he arrived here. They beat and interrogated them one by one. Therefore, he was suffering pain all over his body and he asked one for medicine. Even now he is saying that he cannot here properly. They hit his head with the butt of a gun. We bought and sent vegetables to send to them. The hired someone else to cook for them. Last time when we went there to meet him, he was crying. I am like his mother since he has lived with us for 12 years. He ordered what he needed when we met there. Last visit to prison cost me Ks. 25,000. Sometimes I spent Ks. 15,000 and other times Ks. 30,000. The day of court appointment for hearing the case would cost

me only Ks. 10,000. His name is not in our house registration and it is hard for us to meet him. (Burma Prison Department use to order if someone wants to see an accused, they must see a house registration document.) So we sent money to him through someone else, but he never received the whole amount. When sent I viss (3 kgs) of meat to him, he would not receive even half a viss. So, he told me not to send anything to him until 2 myself met him on the day of court appointment. He told me not come because other people kept half. At first we did not know about it. After 2-3 visits we asked him and learned that not everything we sent reached him. I have spent about Ks. 200,000 – 300,000. I can't remember very well. Last time he said he was not feeling well and I sent him money, medical treatment fees must be paid, Ks. 5,000 for each injection. We have a lot of difficulties at home once he is not here. My sons go to school and I have to look after the youngest child. So I cannot earn money. I am always in need of money to visit him in jail and to buy medicine for the younger kids when they get sick. I have a lot of difficulties. Last time he had skin disease and the medicine was sent. Kachin herbal medicine was also given. Medical doctor's prescription was needed for English medicine. If the medicine is for Ks. 2000, we have to pay the doctor Ks 7,000.

5. Dayau Tang Gun

Name of the accused (Suspect)	: Dayau Tang Gun and Kadu Ja Dim
Date of Birth (Ages)	: 53 and 52
Gender	: Male and Female (couple)
Permanent address	: Thida Qr, Myitkyina
Current address	: Tatkone Qr. Myitkyina
Contact person	: Hkawn Bu
Contact address	: Independent Christian Church, Tatkone
Date of arrest	: 13 November 2011
Name of court	: Myitkyina Township Court
Act of the case	: 1908 Unlawful Associations Act, art. 17(1)
Verdict	:
Date of interview	: 26 September 2012

A Brief Account of Detention

U Dayau Tang Gun has a traditional music band and earns a living by entertainment along with over 40 orphans in his residence. An explosion broke out in his house on 13 November 2011. At that time he was in Nam Si Awng (110 miles far from Myitkyina where explosion occurred) along with his pastor. On his way homes, he was arrested by Mohnyin Police and sent back to Myitkyina. His wife received an injury on her heel from the explosion. Altogether 11 children including their two sons and orphans. The wounded were taken to hospital but interrogated the whole night without any medical treatment.

Dayau Tang Gun and his wife have been prosecuted for contact with KIA, explosion, concealment, arson, murder, and causing injuries for over a year now. (Actually this bomb is installed by the Military Intelligence, because Dayau Tang Gun and his family belief in Independence Christian, which is not similar to the Baptist Christian. Independence Christian name is close with Kachin Independence. This is why military thinks he has close relations with KIO/KIA)

The Oral Statement of Lu Lu Mai (Daughter of Dayau Tang Gun and Kadu Ja Dim)

Right after the explosion at 8:15 pm I took the injured children to the hospital. We care for orphans and we have many children in our home. I did not meet my mother. But I heard what had happened to her. My father goes on a trip at that time. Later, my mother, my older sister, U Maung (my older sister's husband) and Lawt Awng (my older sister's son), followed me. My mother's leg was broken and the police took her to another room in the hospital as if they would wrap bandage on her leg. My older sister and U Maung were accommodated in separate rooms. The next morning they took me to the explosion site and asked me to identify each body there. I was the only one without any injury and they asked me to do it when I saw those bodies I fainted (crying). Again they took me to the morgue and asked me to identify more bodies there. Over ten people died my older brother and my younger brother died at the explosion site. My sister-in-law (my older brother's wife) and U Maung were kept in intensive care unit for a week. My sister in law was released later. U Maung was not released. They also took away my mother with her broken leg. At first, we stayed in a hall of our independent Christian church. My older had broken back and she was discharged from the hospital after over a month. I was the only one taking care of over ten children and running mad. They often came and interrogated us. When the explosion happened, my mother was arrested but we did not inform my father because we did not want him to worry. But later we learned that my father had also been arrested. We have not met him for about a month. The soldiers came and informed us that nothing harm was done to my father. I did not know that they had arrested my father. I am caring for my older sister's son Law Awng all the time. His father and his grand mother were not there. He missed them and he was crying all the time. I feel pity on him so much. It is more than I can say. It would be good if I could bring my mother home. It would be better if my mother were arrested when she was fine. I feel pity on my mother because she was arrested when two of her sons were dead.

Every visit to the court cost me Ks. 40,000. The church has paid over 3 million kyats. Six people are being prosecuted in this case and a lot of money has been spent. Our lawyer is Ms. Doi Bu. At present they are being prosecuted for explosion, murder, arson and injury at together cases. My father has been accused as a collaborator. At first, I thought they said so because my father was the host. Later, I was not sure the reason. They said he had been listed as the collaborator with KIA because his band had played for KIA sometime around 2008 – 2009.

The Oral Statement of Dayau Hkawn Bu (Older daughter of Dayau Tang Gun + Kadu Ja Dim)

I am the older daughter. My father's name is Dayau Tang Gun. He is 53 years old. My mother's name is Kadu Ja Dim (Htu Raw). She is 52 years old. We are 5 children. Oldest son and youngest son died at the explosion. The second son is now in Malaysia. We heard that he was shocked and about to run insane when he heard the news from home. At present my father, my mother and my husband Than Htaik Aung are still in prison. U Brang Ra is staying in our home as an IDP. It was 8:30 pm in the evening of 13 November 2011 when the bomb exploded. Usually there was no electricity. But there was power that evening and I was watching TV with my mother. Suddenly, there was a loud explosion. I thought that a motorbike tyre had exploded. When I got up, the ceiling fell and I became unconscious. When I came back to my senses, my mother was calling my name "Ma Hkawn, Ma Hkawn" and walking me up. But I could not get up because my back pained very much. I look down stair and saw my husband but I could not walk anymore. I called him to collect me and my mother. He placed my son outdoor and my mother brought me down stairs. He helped

me climb down stairs. Then, I was taken to the hospital in a three-wheeler taxi. My back was dislocated. Since, I haven't seen my mother and my family members. Later, I learned that Sa-Ya-Hpa came and took away my mother. My mother had injury in her ankle. My mother was said to have been denied sleep but interrogated the whole night. We did not know that our family members died that way. We were shown the photographs.

6. Brang Ra

Name of the accused (Suspect)	: Brang Ra
Father's name	:
Date of Birth (Age)	: 45
Gender	: Male
Occupation	: Hillside farmer
Marital status	: Married
Name of spouse	: Daw Lu Mai
Permanent address	: Gara Yang village, Waingmaw Township
Current address	: Roman Catholic Church IDP camp, Mai Na
Contact person	: Daw Lu Mai
Contact address	: Roman Catholic Church IDP camp, Mai Na
Date of arrest	: 13 November 2011
Name of court	: Myitkyina Township Court
Act of the case	: 1908 Unlawful Associations Act, art. 17(1)
Verdict	:
Date of interview	: 30 September 2012

A Brief Account of Detention

Brang Ra lived in Gara Yang village. When KIA and military fought there, he and his family moved to Myikyina. His eldest daughter was entrusted to Dayau Tang Gun's care. He and his family came to meet his daughter and stayed in Dayau Tang Gun's home for a week. While they were staying there, an explosion occurred at Dayau Tang Gun's house on 13 November 2011 taken away by two members of Sa Ya Hpa for interrogation the next morning from hospital where he was receiving medical treatment. At present he is being prosecuted at Myitkyina Township Court.

The Oral Statement of Daw Lu Mai (U Brang Ra's wife)

In our village Ga Ra Yang, the Government troop and KIA fought battles. Therefore our family fled to Myitkyina empty-handed last November. We came and stayed at Dayau Tang Gun's home, to meet our daughter there. At 8:30 pm on 13 November 2011 evening, an explosion occurred there. I was stricken unconscious. I did not remember anything. When I came back to consciousness, my body below my waist could not move. At that time the fire brigade, the police, and other authorities had already arrived. They board the wounded ones on the three-wheelers. My oldest daughter was hospitalized. Her breast was wounded. The injury was not serious but she vomited blood. My lower back was broken. I heard that my husband was also injured. The next morning two members of Sa Ya Hpa flanked and took him away. Since that time our family members had been under house-arrest. After I got well and I was discharged from the hospital, I still could not inquire about him.

We were not allowed to go anywhere. We could see him only one month and 15 days after he had been arrested and taken away. He later told me that he was hung up side down in Thi Thant prison and beaten with a club. He said he was forced to kneel on pebbled paths and tortured in many different ways. I was running mad. My 5 years old daughter died the night of the incident. My husband was arrested. Our older daughter is in grade 4 this year. I am earning alone to make ends meet at home. I am carrying my husband's duty now. I do odd jobs to earn money for household expense and for going to appear at court appointments. My lower back is injured and I cannot work very well. I am uneducated and I don't know what to do about court procedures. U Zau Lum is doing the job. My husband has no association with KIA / KIO. He is only an ordinary farmer and supporting our family members. We fled here because the war broke out there. His health is not so good either. Therefore, KIA does not want him for service. He only stays at home and does farming. Not to mention about bombs, he does not know even how to repair bicycles. I need to spend at least Ks. 30,000 every time I go to appear at court appointment. Some time I spent Ks. 50,000 including the taxi fare, purchase of his needs, and fees at prison. One visit to see the prisoner costs Ks. 20,000. I have spent about Ks. 400,000 / 500,000. I have to work in my poor health because there is no one at home to earn money. He is first priority. Family member at home need no extra expenses. Since his health is poor, I need to buy him medicine. I worry about him only. He is innocent.

7. Dau Lum

Name of the accused (Suspect)	: Dau Lum
Father's name	:
Date of Birth (Age)	: 40 +
Gender	: Male
Occupation	:Mmanager, Star Guesthouse
Marital status	: Married
Name of spouse	: Daw Nang Shwe Nan Be
Permanent address	: No. 47, Kyunpintha Qr. Myitkyina, Kachin State
Current address	: 47, Kyunpintha Qr. Myikyina, Kachin State
Contact person	: Daw Nang Shwe Nan Be
Contact address	: No. 47, Kyunpintha Qr, Myitkyina, Kachin State
Date of arrest	: 15 November 2011
Name of court	: Myitkyina Township Court
Act of the case	: 1908 Unlawful Associations Act, art. 17(1)
Verdict	:
Date of interview	: 24 September 2012

A Brief Account of Detention

U Dau Lum is manager of Star Guesthouse near Dayau Tang Gun's home. On the day an explosion occurred at Dayau Tang Gun's house (13 November 2011), U Dau Lum was accused of his failure to register guest list and arrested by two Sa Ya Hpa personnel at 10:00 am, 15 November 2011 morning. At present he is being prosecuted at Myitkyina Township Court.

The Oral Statement of Daw Nang Shwe Nan Be (U Dau Lum's wife)

At 10:00 am in the next morning after the explosion at Dayau Tang Gun's home, two Sa Ya Hpa personnel came and took him away. He was released at 5:00 pm that evening. At 10:00 am in the morning 15 November 2011, Sa Ya Hpa authorities came with a van and arrested him. After that we could not meet him anymore. I am pregnant but I went to the superintendent of No. 1. Police station. I told him that I wanted to see U Dau Lum but he replied that no one was allowed to see him. I used to be a government employee, and then I knew how to talk to the authorities. I told the police superintendent and a policeman on duty that U Dau Lum had no association with KIA / KIO and all of our siblings were government servants. The policeman on duty looked into a record book and said, "U Dau Lum is completely clear". The police officer told the Sa Ya Hpa personnel not to torture him because we were a government servant family. He was detained in Thi Thant (this jail is call Thi Thant which means separated confinement) jail for a short time and moved to No. 1 police station. He said, "They would not tolerate". They said he was arrested because he failed to register the guest list at star guesthouse. He had worked there for only four months. In the past, he went to Hpakant and worked in jade mines. He used to send enough mercy to support our family members. His mother has poor health and he cannot go anywhere because he is the only son. His older sister who is living in America invited him but his mother would not allow him to go. She wants him to stay beside her deathbed. His case is not in Dayau Tang Gun's case. The police knew that he was innocent. But they said, "It is order from the superiors. The arrest warrant came from the Ministry of Home Affairs. We can do nothing. Everything will be all right when you are at the court". His lawyer is Daw Than Than Win. But for penniless people like us will have nothing left when we reach the court. They have arrested the head of our family and now they say that things will be all right when we get to the court. What should we do? He should be released if he is innocent. It is almost time for my children to go back to school. We have no money and the children cannot be sent to school yet. His mother often has heart attack because of his situation. I worry that his mother may die before he is released from jail we have had all kinds of problems here since they arrested him. I am four months pregnant and how can I care for these children? How can I earn money for delivery expenses? I am really upset. I know he would handle these problems if he were home. We cannot send our oldest son to kindergarten because we have no money. The children are affected too. He is asking about his father all the time but I could not answer him. I took him to his father in prison, but he was so surprised that we came back home without saying a word to his father. After that he never asked about his father. I feel very bad that he has trauma from meeting his father. Does the government realize our family members are suffering because they have detained the innocent man? Is it enough by saying "Everything will be all right when you get to the court?" who will compensate for our sufferings and trauma?

7. Bawk La

Name of the accused (Suspect)	: Bawk La
Father's name	: Hpauyam Bawk Naw
Date of Birth (Age)	: 30
Gender	: Male
Occupation	: In charge of carpenters in Kam Pai Ti
Marital status	: Married
Name of spouse	: Daw Lee Hwi Kyu
Permanent address	: Le Kone, Myitkyina
Current address	: Le Kone, Myitkyina
Contact person	: Daw Lee Hwi Kyu
Contact address	: Le Kone, Myitkyina
Date of arrest	: 15 November 2011
Name of court	: Myitkyina Township Court
Act of the case	: 1908 Unlawful Associations Act, art. 17(1)
Verdict	:
Date of interview	: 24 September 2012

A Brief Account of Detention

Bawk La was a member of Dayau Tang Gun's music band in 2006. Since 2007, he has worked as an employee at a construction company in charge of its security in Kampai Ti. In August 2011, he and his wife came down to Myitkyina for his wife's delivery. He also did jade business with Seng Hkum (Dayau Tang Gun's oldest son). He was arrested from his home by two policemen on 15 November 2011 because he had been going and coming to Dayau Tang Gun's home until the explosion incident. At present, he is being prosecuted at Myitkyina Township Court.

The Oral Statement of Daw Lee Kyu

We met in Kampai Ti while he was working there. We got married in May 2011, two or three years after we first met. We came down to Myitkyina in August 2011 because I was going to give birth. Five policemen came and arrested my husband at 5:30 pm in the evening on 15 November 2011. We could not find him anywhere. After they had taken him away they replied he was not there whenever we inquired about him. About one month later, upon Yup Zau Hkawng's (a rich man who involves peace committee in Kachin issue) request they allowed us to see him. I delivered my baby on the eight day after my husband was arrested. So, I myself did not go to see him. My family members went there. I was not allowed to see him right after my delivery. I dared not ask him if they tortured him at the interrogation. He did not tell me either. During interrogation they said, "If you don't admit or sign on the agreement sheet we will capture your wife and kick her pregnant belly". All your family members will be arrested". They arrested him by accusing him of the association with U Dayau Tang Gun's son. He went to Dayau Tang Gun's home for jade business.

I think I have visited the court more than 100 times now. Every time I go there, I have to spend over Ks. 10,000 to Ks. 20,000. No need to pay lawyer fees anymore lawyer Ms. Doi Bu is doing the job for us. I was told that my husband has been suffering from cold and headache in jail. I hate the police a lot because they arrested my husband who is a very simple man without investigating properly. I could not sleep 2-3 nights after he was arrested. I sat weeping the whole night. The sight

of my husband being hand-cuffed was always in my mind. I was scared and worried a lot. I was disheartened at the time of my delivery.

The Oral Statement of Bawk La's Mother

Bawk La did not pass grade 10. So, he went to his older sister in Kampai Ti and worked there as a watchman at the construction project. He was earning 800 Yuan (Ks. 100,000) per month. He started working there in 2007. When it was time for his wife to give birth, they came down here in August 2011. He did some jade business when he arrived here. He did it with Dayau Tang Gun. I think he was arrested when he went there to show some jade stones.

Two policemen came at about 5-6 pm. on 15 November 2011. They told him that they had something to ask him and took him away. Later, they handcuffed him behind his back and pushed him into the vehicle. I did not know where he was taken away. I inquired in No. 1 police station and No. 2 police station but they told me that he was not there. Later, I went to the Kachin State auxiliary police department and inquired about his. A person on duty said that he was there. Another one said that he was not there. I was weeping. My daughter-in-law was due for delivery. Eventually, the man told us that my son was there. I could not eat anything for about five days. I was informed to go there with community leaders. But I was not allowed to see him. On the sixth day I was told that he had been detained by SB (Special Branch), when I went to SB, they told me that they did not keep him there. On the 7th day, I was told that he had been transferred to No. 1 police station.

I wanted to make it sure and brought his clothes there. They returned me the clothes he was wearing at the time of his arrest. Then I learned that my son was there. My heart was a little lightened. One weak later we applied for the remand.

We could meet him when we asked Yup Zau Hkawng for favor to get the remand for the third time on 27 November 2011. As soon as I met him, I was shocked and I cried. My son also cried. He was behind the iron bars. He said he could not hear properly because they had struck him on his temple with the butt of a gun. When I cried more, he told me not to cry because God would help us. Before 2006, my son was working with salary at jade land Myanmar traditional music band. His father also worked there. His job was vaccinating and injecting to course and chickens.

Now, I am spending at least Ks. 10,000 on each visit to court appointment. I have to go at least once a week. I have spent nearly Ks. 1 million (Ks. 1,000,000) since he was arrested.

This happened because he said the wrong way. He said he did not make confession when I asked him later. He lost his hearing after his temple had been struck for three days. I had been crying the whole week without eating and sleeping properly because of worry after my son was arrested. I felt like a ribbon of mine was removed because we had never experienced such things before. My heart is quivering even while I am talking now.

Now, we have to contribute Ks. 500 for their fund every time we go to see him in jail. I slapped my daughter-in-law's hand while she was giving the money telling her that I had paid two times before. When I got angry, the shopkeeper nearby said the man must have been drunk that was not the workplace for a person getting drunk. I paid Ks. 1,000 and he took it.

I felt like being taken out any heart and my bones crushed. At first they came without any community leader accompanying them and said they would ask him a few questions. I thought he was simply called for inquiry. Later, I had to look for him the whole night without sleeping. I thought of any wrongs I did. I wondered if it was wrong that I had sent him to learn traditional music. I sent him there out of my love for our culture. I cheered myself by regularizing that it was the in-born duty of every Wunpawng Kachin. As long as there is discrimination between the majority ethnic and minority ethnic groups. I encouraged my son not to be upset.

8. Zau Ban

Name of the accused (Suspect)	: Zau Ban
Father's name	: Nhkum Zau La
Date of Birth (Age)	: 21
Gender	: Male
Occupation	: Mustard farm and corn farm (maize)
Marital status	: Single
Permanent address	: Mali Sut Yang, Myitkyina Tsp.
Current address	: Mali Sut Yang, Myitkyina Tsp.
Contact person	: Nhkum Awng Mai
Contact address	: Mali Sut Yung, Myitkyina Tsp.
Date of arrest	: 7 May 2012
Name of court	: Myitkyina Township Court
Act of the case	: 1908 Unlawful Associations Act, art. 17(1)
Verdict	:
Date of interview	: 5 September 2012

A Brief Account of Detention

Zau Ban was a KIA soldier but he did not want to serve there my more and ran away from them as an outlaw in hiding. In addition to the case under the 1908 Unlawful Associations Act, art. 17(1) he is presently prosecuted as a suspect by other 12 accusations.

The Oral Statement of Nhkum Awng Mai (Zau Ban's older brother)

My younger brother is an officially enrolled KIA soldier. I can't remember when he first went there to serve in the army. He fled to Hpakant on a motorbike because he did not want to be a soldier. I heard that he had sold his motorbike and invested about Ks. 150,000 in his brother-in-law's business. His brother-in-law did not return his money even after a long time. So, he stole his brother-in-law's motorbike and came down to Myitkyina. When he arrived at home in Myitkyina, a man named Wunna told him not to stay at home. He was told to stay in a hotel. He was arrested that night. A pair of pliers and a five feet long iron card were discovered in his bag. He didn't even know that those things were there. It seems that our own family members plotted against him. My younger brother told the names of his comrades during interrogation and all of his friends were nabbed. I don't know what to do now. We cannot send him the things he ordered because we have

no money. We cannot follow his case either. We have no money because we are just farmers. I am at my wits' end. Now, we heard that the government had hired a lawyer for him.

9. Ying Zung

Name of the accused (Suspect)	: Ying Zung
Date of Birth (Age)	: 68
Gender	: Male
Marital status	: Married
Permanent address	: Upper Mauhpawng, Myitkyina Tsp.
Current address	: Upper Mawhpawng, Myitkyina Tsp.
Contact person	: Zung Hkaw
Contact address	: Upper Mawhpawng, Myitkyina Tsp.
Date of arrest	: 8 May 2012
Name of court	: Myitkyina Township Court
Act of the case	: 1908 Unlawful Associations Act, art. 17(1)
Verdict	:
Date of interview	: 5 September 2012

A Brief Account of Detention

U Ying Zung lives in upper Mawhpawng Village. At. 7:00 am. in the morning on 8 May 2012, two Sa Ya Hpa trucks came and asked him about his son. He told them that his son was not there, and he was arrested for telling a lie. At present he is being prosecuted with 1908 Unlawful Associations Act, art.17(1) at Myitkyina Township Court.

The Oral Statement of Zung Hkaw (U Ying Zung's son)

My younger brother is a KIA soldier due to being a Kachin. He has to serve KIA as militia. We boys are blamed if we do not serve KIA. So he has to do the job. He came to stay in the village all the time after 2-month military training. They called him back to service when the civil war resumed in June last year. My father was arrested when he came to visit our home. I learned that my father was arrested when I returned home from the farm my father said that my younger brother went to Hpakant three months ago, and he was arrested for telling a lie.

Our relatives from Shwezet are following the case for us. We don't know anything. At first we borrowed Ks. 500,000 and gave them. They said that it was not enough. So, we sold the cart-bullocks and gave them another Ks. 800,000. It has been two months since I borrowed money with the interest of 8 % now. We sold two buffaloes to pay the debt but paid Ks. 1,200,000 to the lawyer fees again. We are plowing our farm with the bullocks hired from other people. We have spent about Ks. 2,700,000 in my father's case. Our relative who is working or our case said the money was paid to police, judged, and prison physician. I dare not to there either. Our lawyer told me not to come after, because I could be arrested too. Therefore, only my wife goes there when the food is sent. I never entered there.

The reason we sent money was for my father. He has an ulcer in his belly. It appears at its time, twice a year. It is something like cancer. I was paying them the money with the expectation of my father's release on bill if the medical doctor's recommendation allows him for this disease. He is not a KIA soldier either.

We have had a lot of trouble since my father was arrested. A lot of money is spent in visiting him at court appointments. I am not sure if the money is enough. I have given them another Ks. 200,000. My mother also has heart attack and she because ill after my father was arrested. She is scared every time she sees army trucks. I am taking medicines from Thazin Clinic. I cannot eat meals properly because I am in depression. My mother told me that none of the community leaders was with them when they came and arrested my father. The next time soldiers from cavalry troops near our village came and inquired if KIA soldiers gathered here. My mother was more frighten when she saw them.

10. Tang Gun

Name of the accused (Suspect)	: Tang Gun
Date of Birth (Age)	: 33
Gender	: Male
Occupation	: Carpenter
Marital status	: Married
Name of spouse	: Nila Win
Permanent address	: Shadau Village, Myitkyina Tsp.
Current address	: Shadau village, Myitkyina Tsp.
Contact person	: Tang Gun
Contact address	: Shadau village, Myitkyina Tsp.
Date of arrest	: 8 May 2012
Name of court	: Myitkyina Township Court
Act of the case	: 1908 Unlawful Associations Act, art. 17(1)
Verdict	:
Date of interview	: 5 May 2012

A Brief Account of Detention

Tang Gun is a carpenter earning a living in Shadau village, Myitkyina Township. He was arrested by Sa Ya Hpa on suspicion at 6:00 am in the morning on 8 May 2012 when he went out to fetch water. He was interrogated at Special Branch for 11 days and released.

The Oral Statement of Tang Gun

He has been living in lower Burma since childhood. He moved to Kachin State because he missed his homeland. It has been 7-8 years since he arrived in Kachin state. On 8 May 2012 mornin,g I went out of my house to fetch water. I didn't know that they were there in front of my house waiting to arrest someone. Then a policeman saw me and asked me where I was going. I replied, "To fetch water". He said, "you come to fetch water very early in the morning. You come to spy on

us, don't you?" I said, "No, I fetch water for my wife before I go to work because my wife is pregnant." They did not believe me and took me away in their vehicle upon suspicion". They did not torture me in jail but they asked me a lot of questions like where I was born, where I grew up, when and why I came to this village, etc. They detained me for 11 days and released me. But we are heavily indebted and cannot repay yet because my wife and my older sister had borrowed money needed for inquiring about my case. All the money was spent when they paid here a little and there a little. We had more difficulties later when my wife gave birth to our baby. My troubles and suffering are beyond expression. My family members spent a lot of money because of me. None of my family members knew when I was arrested. I was arrested that morning at 6:30 am. but any wife was informed by a neighbor woman about it only at 7:00 am. She did not believe her and told her that I went to fetch water. Our community leaders did not know anything about my arrest. They were surprised when I was released later.

11. Dan Mai Awng

Name of the accused (Suspect)	: Dan Mai Awng
Father's name	: Pausa Naw Bawk
Date of Birth (Age)	: 26
Gender	: Male
Education	: Grade 10
Occupation	: Three wheeler driver
Marital status	: Single
Permanent address	: 4/42 Lower Mawhpawng, Myitkyina Tsp.
Current address	: 4/42 Lower Mawhpawng, Myitkyina Tsp.
Contact person	: Pausa Naw Bawk
Contact address	: 4/42 Lower Mawhpawng, Myitkyina Tsp.
Date of arrest	: 8 May 2012
Name of court	: Myitkyina Township Court
Act of the case	: 1908 Unlawful Associations Act, art. 17(1)
Verdict	:
Date of interview	: 5 September 2012

A Brief Account of Detention

Mr. Dan Mai Awng is earning a living as a three-wheeler in Mali Zup Yang village, Myitkyina. He has quit driving his three-wheeler and stayed home since the fighting between KIA and the government troops resumed. He spent two nights at his friend Zau Ban's home before Zau Ban was arrested related to explosion case. Zau Ban was a KIA soldier and Dam Mai Awng and his father were arrested upon suspicion by Sa Ya Hpa, on 8 May 2011. At present Dan Mai Awng is being prosecuted at Myitkyina Township and Kachin State Court.

The Oral Statement of Pausa Bawk Naw (Dan Mai Awng's father)

My son was arrested together with me. The reason of arrest was as follows: Kayang Nu and Zau Ban from Mali Zup Yang village came down to Mawhpawng village along with my son. My son returned

home because I did not allow him stay out overnight. He rode Kayang Nu's motorbike with Zau Ban, when they reached here, it was not dark yet, and they went out to drink. At about 9:00 pm it was late so he could not said the motorbike along with Zau Ban. So Zau Ban spent the night in our home upon his request. That night, I was in Mali Zup Yang village. They were said to have gone to Myitkyina the next day. Zau Ban left my son behind and returned by the motorbike alone. Two days later, Kayang Nu came to our home saying that Zau Ban had sold his motorbike. Zau Ban's relative Wunna collected and returned the motorbike to him. When I heard that Zau Ban also pawned his older sister's motorbike, I told my son not to associate with him.

A bomb was found on the corner of the road entering our compound. Two weeks and two days after that, my son and I were arrested.

Ying Zung who was arrested together with my son told me that he heard Dau Mai Awng was struck twice during interrogation. Again he heard him being kicked out of the exit after interrogation when I saw him the next day, he was terrified. The policemen there also said he might not have been the offender. He is greatly scared. I don't think so either. But I am not sure.

Now, we are following up the case with lawyer U Mya Thein. The cases under the Act are number 69, 70, 71. The 69 case is under way at sub-district court. The 70 and 71 cases are in the process at the district court. We pay the lawyer Ks. 300,000 because there are two courts in two locations. At first he charged us only Ks. 200,000. Now, we go to court appointments twice a week. I have to go and send food to him although I am not feeling well otherwise he would be starring. On the days of court appointment he doesn't eat anything the whole day after breakfast at 8:00am. So, I buy him at least some drinking water twice a week. I have to spend at least over Ks. 10,000 on every visit. When he is sick I buy medicine and spend about Ks 20,000.

Once he is not home, I myself drive the three-wheeler. We cannot clear the grass and bushed in our compound. I cannot travel far because of his court appointments. From the beginning he refused to go to military training because he was scared when I told him to receive the training. He does not do any work at home either. He is afraid to be a Kachin soldier. Since the resumption of fighting he has not been driving three-wheeler to Mali Zup Yang side.

12. Pasau Naw Bawk

Name of the accused (Suspect)	: Pausa Naw Bawk (a) Lahtaw Naw
Date of birth (age)	: 60+
Gender	: Male
Occupation	: Three wheeler driver
Marital status	: Married
Permanent address	: 4/42 Lower Mawhpawng, Myitkyina Tsp.
Current address	: 4/42 Lower Mawhpawng, Myitkyina Tsp.
Contact person	: Pausa Naw Bawk
Contact address	: 4/42 Lower Mawhpawng, Myitkyina Tsp.
Date of arrest	: 8 May 2012 (6:00 am)
Name of court	: Myitkyina Township Court
Date of interview	: 5 September 2012

A Brief Account of Detention

He is supporting his family by driving a three-wheeler. He is Dan Mai Awng's father. He was arrested together with his son Dan Mai Awng by Sa Ya Hpa because he hosted his son's friend Zau Ban for two nights in his house. He was released after being interrogated at Special Branch for 11 days.

The Oral Statement of Pausa Naw Bawk

Usually I am at three-wheeler stand at 6:00 am. That morning I had gastric pain and returned home to take rest. I was told that some questions came and I get up from my bed. They came to my door and asked me if I was the household. They grabbed my hand behind my book. I was holding a radio in my hand. There were two vehicles parked in front of our house. While they were trying to board me in one of the vehicles, my son Dam Mai Awng was also arrested and put in the same or with me. There was Hpauyam Yu Gai in the vehicle. My son was tied together with him hand to hand. As the vehicle started to leave I asked Hpauyam Yu Gai what had we done wrong. The men yelled me to keep silent or they would shoot me dead and pointed the gun in my head. They also arrested Brang Li, a carpenter who was there to roof the house when they went there to roof the house when they went there to arrest Zung Ying. Then we came to Myitkyina. On the way the car following us made phone call at Pangmati village but they sent us to Myitkyina without waiting for that car. Six of us were there when we reached Kachin State interrogation unit (Thi-thant). Zau Ban the one who mentioned our names and Maru Tang Gun were in the other vehicle. Zau Ban was arrested the previous night. We were arrested the next day because he mentioned our name during the interrogation. The third group had the 66-year-old man Ying Zung. All of us made seven. Six of us were put in a hall and my son was confined to a dark cell.

At noon, a policeman and SB personnel came to interrogate us. They asked me if I knew Zau Ban. They brought Zau Ban to me.

My wife had informed them that I had dysentery because of internal bleeding in stomach. So, they asked me a few questions and left one alone. We were not provided drinking water or food the whole morning. At about 3:00 pm a policeman on duty there bought me some drinking water. Another policeman brought 10 small packets of cakes to me. After I had eaten, he threw cakes to others at 8:00 pm. he told them not eat then but keep them for later time. At about 9:00 pm. They were allowed to eat those cakes. My son was forced to sleep in the dark cell. I met my son again only three days after the arrest. But nothing could be sent to us yet. On the fifth day of detention, we were allowed to take shower. I saw Zau Ban once again that day. His right eye was surrounded by blue skin. The next time I saw him, I found his eyelids, his cheeks and his lips had been cut by razor blade. On the day of going out for remand, my hands were also tied with a rope because they ran out of handcuffs.

At about 9:00 pm after dinner, I was interrogated one more time. They interrogated my father, my mother, my older brother, my sister, and all the children. They did not ask me about my siblings because if I talked about all of them it will be a long time until daybreak. They accused me of accommodating a KIA soldier in our home. I don't stay at home most of the time because I am a

three-wheeler driver. I told them that he could be my son's friend. Zau Ban said that he spent one night in our house before. Later, he said that he slept there two nights. When they asked Zau Ban if the hosts know that he spent the night in their home, he said "no". They showed him to me but I did not know him. So, I was released.

On the 11th day our arrest, we were out to the interrogation. I signed the confession sheet without reading it and left because I was overjoyed. I escorted my son and Ying Zung to No. 1 Police office. Then, I sent Zau Ban there. I was told not to travel long trips because I would have to be interrogated again. I would not sleep 5 days and 4 nights at the interrogation center. One group after another came and interrogated me. Sa Ya Hpa also came 2-3 times. SB (Special Branch) interrogated me too. The old man Ying Zung was interrogated beside me. I heard they beat him once.

13. Hpauyam Yu Gai

Name of the accused (Suspect)	: Hpauyam Yu Gai
Date of Birth (Age)	: 56
Gender	: Male
Occupation	: Unemployed (his legs invalid)
Marital status	: Married
Name of spouse	: Hkawn Nan
Permanent address	: Mali Zup Yang, Myitkyina Tsp.
Current address	: Shadau, Myitkyina Tsp.
Contact person	: Hpauyam Yu Gai
Contact address	: Shadau, Myitkyina Tsp.
Date of arrest	: 8 May 2012
Name of court	: Myitkyina Township Court
Act for the case	: 1908 Unlawful Associations Act, art. 17(1)
Date of interview	: 5 May 2012

A Brief Account of Detention

Hpauyam Yu Gai served in KIA troops for 13 years from 1987. He was wounded in and he was discharged in 1987. He moved to IDP camp in Shata Pru, Myitkyina because the fighting broke out in Mali Zup Yang. In May 2012 his health was declining and he returned to his home in Shadau village. He was arrested by Sa Ya Hpa when he was at his home for three days. He was interrogated for 11 days by Anti-crime unit and he was release because he was found innocent.

The Oral Statement of Yu Gai

I have been living in Shata Pru IDP camp since the fighting started in Mali Zup Yang. I came down to Shadau village on May 2 because I was not feeling well I was at Shadau home for only three days, when Sa Ya Hpa came and pointed at me from behind while I was making fire in the kitchen in the morning. I asked them what wrong I had done, but they told me not to speak them and they arrested me. They were 10 policemen who carried my away. The superintendent (headman) of our

community was not there when they came to arrest me. When I reached there, they asked me if I was giving information to KIA while I was staying in IDP camp. They also accused me of selling opium. How could we sell opium at home? Even my drug addict son was kicked out of our home by his mother. I was not beaten when I was interrogated. But my hands were tied behind my back. They provided me food. But no meal was given to me on the whole day of my arrest. They started giving me food beginning from the following day. After 11 days in detention center, I was released on 18 May. I was released because my wife did her best to provide them the recommendations from our community and IDP camp. Over Ks. 150,000 has been spent. I was surprised because they did not investigate properly and they did not give me time to speak.

14. Brang Seng

Name of the accused (Suspect)	: Nhkum Brang Seng
Father's name	: Brang Nan
Date of birth (age)	: 33
NRC ID no.	: 1/MakaNa (Naing) 165689
Gender	: Male
Occupation	: Ta Law Gyi (Jinghpaw community head)
Marital status	: Married
Name of spouse	: Ma Hkawn
Permanent address	: Jinghpaw Qr., Talaw Gyi
Current address	: Shwezet IDPCamp
Date of arrest	: 5 January 2012
Name of court	: Myitkyina Township Court
Act for the case	: 1908 Unlawful Associations Act, art. 17(1)
Verdict	: 1 – year sentence
Date of interview	: 28 August 2012

A Brief Account of Detention

U Brang Seng is a member of village council his village. In Ta Law Gyi. He and his family moved to Shwezet IDP camp in December 2011. He came down to Ta Law Gyi upon the initiation of the superintendent of Ta Law Gyi. On his way to Ta Law Gyi U Brang Seng was arrested by Aung Kyaw Oo, the officer in charge of Kha La Ya (37) convoy on 5 November 2012. Brang Seng's wife Daw Ma Hkawn inquired about him and followed up to Nay Pyi Daw. So, Brang Seng was sent back to Myitkyina prison. At present, U Brang Seng is being prosecuted with 1908 Unlawful Associations Act, art 17(1) at Myitkyina Township Court.

The Oral Statement of U Brang Seng

At first, I had a lot of difficulties in jail the medicine sent to me from my home did not reach me. Mostly, the prison authorities kept it for themselves. I had to buy medicine in the prison. I paid Ks 500 for one tablet of paracetomol (pain relieve medicine) and one tablet of decolgen(pain relieve

medicine). Now, people die in jail every day. Some inmates have no money. It's real hot inside here. Everyday, 3-4 people die here.

During interrogation by Sa Ya Hpa they said, "Do you know where you Kachin People came from? You were born when we raped women at the front lines".

The Oral Statement of Daw Ma Hkawn (U Brang Seng's wife)

Our family members have been here in Shwezet IDP camp since last December. Brang Seng went down to Ta Law Gyi because the village superintendent called for him. Front line in charge Aung Kyaw Oo and his men from Kha La Ya (37) troop were the ones who arrested him. Aung Kyaw Oo called him and conducted a meeting. He kept him the next day also saying that they would have another meeting. But he was detained and carried away at about 11:00 pm. that night. The night he was arrested, 3-4 gunshots were heard in front of his home. He was blindfolded and turned 2-3 rounds before he was taken away. The soldiers yelled at him loading the gun and telling him to pray because they were about to kill him. Another soldier shouted that they would use the sword because they did not want to waste a bullet. Later, he was taken away to a monastery.

I went down to Ta Law Gyi the day after my husband was arrested. I approached the village superintendent (village head) and asked for the permission to take his clothes to the detention center. But I was not granted the request. The following day, I myself went to the front line commander in-charge and asked for the permission. I told him hat I wanted to send some food and warm clothes to my husband because it was winter. But the commander replied that they did not arrest him and he was not there; and even if they had arrested him they would be providing him food. He told me not to come here again. I went there several times but I did not meet my husband. I paid money to the men on night duty there and sent some clothes asking them to inquire about my husband. Then, he received any letter and I received his letter. I had to pay more if I paid the sentry man. I have to pay them Ks. 4,000 – Ks. 5,000 at every time. When sent money it never reached my husband. Last time I sent Ks. 10,000 and some materials. He received the items but not the money. I requested the village superintendent to ask the authorities the permission for me to meet my husband but it was not granted. I tried to obtain help from village elders and Shan village council members but they said they were afraid of the commander. I paid Ta Law Gyi police officer some money and requested to inquire about my husband's case, but he was told by the army front line commander not to discuss Brang Seng's case but other issues. The village superintendent, the village elders, and police officer were of no help. So, I went up to Myitkyina. I met some lawyers there and appealed to Nay Pyi Daw, running around with my 5-month old baby. After two appeals, my husband was sent back to Myitkyina. He was arrested on 2 January and sent back to Myitkyina on 2 February. I did not meet him during that one month.

That morning at 3:00 am when they were transported to Myitkyina the prison guards shouted at them to come out of the cell. The inmates were allowed to urinate only and driven into the vehicle. My husband was pushed into the front part of the vehicle and locked up inside. At dawn they were allowed to go out for urinating once and confined to the vehicle until 9:00 am. The whole day they were kept there without any food. There were not provided even drinking water. They arrived at Pangmati village at night. As soon as they arrived, they were taken away to Sa Ya Hpa unit. I went to Sa Ya Hpa together with village superintendent but I was not allowed to see my husband. He was

tortured and interrogated at Sa Ya Hpa. In Ta Law Gyi also, he was beaten and interrogated with his head covered with a plastic bag. The first three days of interrogation, he was not given food or drinking water. By the time I met him, his wounds had already disappeared. But he said he was beaten during interrogation at Sa Ya Hpa Unit. Sa Ya Hpa stripped him naked and forced him to kneel on cement floor with pebbles. He said that they also electric shocked him. after being tortured and interrogated at Sa Ya Hpa, he was sent to No. 1 police station. When he arrived there asked for Ks. 20,000. I was away in Nay Pyi Daw, at that time and lady preachers from KBC (Kachin Baptist Convention) sent the money to him. He was kept 5-days in No. 1 police station and later sent to Prison. I was told that people saw him there limping along when he walked. He became half-deaf. A one-foot wide bed had to be purchased in prison. Otherwise, he would have to sleep beside the excrement dump.

Now he has court appointment once a week. Sometimes, two court appointments in a week. On other occasions no suspect was questioned at court in 2-3 months. So far, we are dealing with court appointments. The other two inmates who were arrested together with him are Zau Seng and a Shan (ethnic) man. Every month they have 6-7 court appointments.

I have two children. They are 5 and 2. I am sure that was discharged. Now, he is being prosecuted with 17(1) for communicating with KIA, telephoning, supporting foodstuffs and recruiting soldiers for KIA. The prison cells were crowded and he had itchy skin. Every time I go to court appointment. I brought medicine at the beginning I gave him medicine for wounds receive from torture. I am getting tired of going to court appointments. I feel like we are paying for being Kachin. Now they have only one suspect to be questioned at court. The prosecutor from Sa Ya Hpa has not appeared at court for about a month now. He did not come although he had been summoned by court. I inquired the jury if the case could be dropped. He said. "no" I have spent about Ks. 4 million (Ks. 4,000,000). I have gone to Nay Pyi Daw twice. I have appeared at court appointment very often. I am surprised because we have never experienced like this.

15. Sama Zau Seng

Name of the accused (Suspect)	: Sama Zau Seng
Father's name	: Sama Zau Tang
Date of Birth (Age)	: 32
Gender	: Male
Occupation	: Farmer
Marital status	: Married
Name of spouse	: Thin Thin Shwe
Permanent address	: Kyunpintha, Ta Law Gyi, Waigmaw Tsp.
Current address	: Kyunpintha, Ta Law Gyi, Waigmaw Tsp.
Contact person	: Thin Thin Shwe
Contact address	: Nawng Pung, Myitkyina Tsp.
Date of arrest	: 1 January 2011
Name of court	: Myitkyina Township Court
Act for the case	: 1908 Unlawful Associations Act, art. 17(1)
Verdict	: 1 – year sentence
Date of interview	: 16 August 2012

A Brief Account of Detention

Sama Zau Seng is a farmer living in Kyunpintha, Ta Law Gyi village Waigmaw Township. His father is a member of KIA militia. He was arrested on the evening of 1 January 2012 by Kha La Ya (37) troop accusing him of communicating with KIA. At pere present, he is being prosecuted with 1908 Unlawful Associations Act.crt 17(1) at Myitkyina township court.

The Oral Statement of Zau Seng's Younger Sister

I was told by my Shan neighbors that they had heard people were being beaten in the monastery on 1 January 2012 night. They were said to have arrested in Kyunpintha, Ta Law Gyi village. I didn't go there. My sister –in law (Zau Seng's wife) went there to see him. At that time his face was swollen. He had knife wounds on his eyebrows too. He was captured by the first troop of the army convey. He was said to have been arrested on account of contact with my father. Actually, my father is a KIA militiaman. He is also leader in our village. Now our family members are dispersed. Zau Seng was brought back to Myitkyina after one month of his arrest. At first he was confined to the monastery in the upper part of the village, but later he was transferred to another monastery in the lower part of the village. Zau Seng never received military training. He always stayed at home. Now his wife has given birth to a baby and only my mother is looking after them. My mother is getting old and she cannot earn money properly anymore. Every time I go there to meet him, I spend Ks. 20,000-30,000. When I sent food to him in jail, there were many inmates from Ta Law Gyi and he share the food with all of them. So, he could eat only a little portion. Therefore, I have to bring enough food for his friends there too. At first there were only four people from Ta Law Gyi. But there are many of them. He still has wounds on his back. We can send him only Burmese traditional medicine. English medicines can be given him only with the prescriptions from a medical doctor. When he went to jail, a 12-in wide space had to be purchased with Ks. 5,000. Now that it had been 12 months and we have had 32 court appointments. We spend Ks. 25,000 for every visit.

The Oral Statement of Zau Seng's wife

No one told me about his arrest. I went there to send him some food and bedding, but the soldiers told me that he was not kept there. After incessant appeal, they let me see him. At that time I saw knife wounds on his eyebrows. I thought that he could not see any more. There was knife wound on his neck too. I asked them if they cut him with knives, but they told me that these wounds were open sores. After a month and a half detention in Ta Law Gyi, he was blindfolded and sent to Myikyina on a speedboat. I was left behind with pregnancy. We still had to harvest our own mustard farm and also my mother-in-law's mustard farm. I was in great trouble. I have gone to court appoints for 20 times. My mother in law is also busy with earning money and caring for our child. He is said to have been accused with 17(1). He never went to military training. I would not have married him if he had been a soldier. I married him after proper investigation about him. From the beginning, he always stayed at home because of his poor health. I am upset because I have too many court appointments. We need money for daily expenses. So, I am staying with my older brother's family. It would be good that he be sentenced if he is guilty or released if he is innocent. I am feeling like I am living in a dark world when he is not at home. It has now been 8 months since he was

arrested. I would rather that he be acquitted. I don't know how much money has been spent. My mother in law and my sister-in-law paid the expenses.

16. Maung Saing

Name of the accused (Suspect)	: Maung Saing
Father's name	: U Hla Oo
Date of Birth (Age)	: 35
Gender	: Male
Occupation	: Paddy farmer
Marital status	: Married
Name of spouse	: Daw Khin Myint
Permanent address	: Ta Law Gyi, Waigmaw Tsp.
Current address	: Ta Law Gyi, Waigmaw Tsp.
Contact person	: Daw Win Tin
Contact address	: Ta Law Gyi, Waingmaw Tsp.
Date of arrest	: 7 December 2011
Name of court	: Myitkyina Township Court
Act for the case	: 1908 Unlawful Associations Act, art. 17(1)
Verdict	:
Date of interview	: 21 November 2012

A brief account of detention

Maung Saing went to U Htwe's house for cow trade. He was arrested there by Sa Ya Hpa accusing him of being the confidant of a KIA officer, and he was taken away to Ta Law Gyi monastery on 7 December 2012. Altogether, 11 people were arrested but the other 10 were released the same night. They detained Maung Saing. It has been almost a year since he has been prosecuted under current act 17(1), at Myitkyina township court.

The Oral Statement of Maung Saing's mother

He works in our Ta Law Gyi paddy field. He is also engaged in cow trade. On 7 December 2011, he went to U Htwe Aung's house for cow business. There, Sa Ya Hpa came and arrested him accusing him of being the confidant of a KIA captain. Eleven of them were taken away to the monastery. They were tortured there in that monastery for about a month. Zau Seng, Brang Seng, Seng La, and Aung Thein Htaik were among who were tortured together with him. Their family members were not allowed to send meals to them. No one was allowed to see them. It lasted about one month. I fell pity on them a lot. I was unhappy too. I could not sleep well. I don't think they had to torture them without being murderers. Later, someone from Khad Cho village who went to court appointment told my daughter that Maung Saing had been sent to Myitkyina prison. Then, I learned that he was in Myitkyina prison. I thought he was still detained in Ta Law Gyi. Only on the day of court appointment could. I meet him. He said that they were blindfolded and taken away in a truck early in the morning. They stopped torturing when they arrived at Sa Ya Hpa office in Myitkyina. They were told to have been arrested out of suspicion. We have spent Ks. 2 million for his court

appointments. (Note; Zau Seng and Brang Seng cases were lodged to the Supreme Court but no success. Before lodging they were disappeared then we lodge this case to Supreme Court, which said they were not disappeared these cases were already in the Myitkyina Township Court. They have been arrested without warrant for a long time.)

17. Lahtaw Brang Shawng (This case was appealed by AHRC already)

Name of the Accused (suspect)	: Lahtaw Brang Shawng
Father's name	:
Date of Birth (Age)	: 26
Gender	: Male
Education	: Grade 4
Occupation	: Dry-paddy farmer
Marital Status	: Married
Name of Spouse	: Ze Nyi
Permanent Address	: Npawn, Waingmaw Tsp.
Current Address	: Jan Mai Kawng IDP, Myitkyina.
Contact Person	: Ze Nyoi
Contact Address	: Jan Mai Kawng IDP, Tatkone, Myitkyina.
Date of Arrest	: 17 June 2012
Name of court	: Myitkyina Township Court
Act for the case	: 1908 Unlawful Associations Act, art. 17(1).
Verdict	:
Date of Interview	: 23 August 2012

A Brief Account of detention

U Brang Shawng came to Jan Mai Kawng IDP camp in Myitkyina with his family on 29 July 2011 fleeing from fighting in Npawn. On 17 June 2011, over 10 people including Sa Ya Hpa captain Kyawzwa Lin with community superintendent came and arrested him while he was serving there as the warden of IDP dorm (1). He was tortured at Sa Ya Hpa office. At present he is being prosecuted by the 1908 Unlawful Associations Act, art 17(1) at Myitkyina Township Court.

The Oral Statement of Ze Nyoi (Lahtaw Brang Shawng's Wife)

My name is Ze Nyoi. My husband's name is Lahtaw Brang Shawng. He was arrested at 9:00 pm on 17 August 2012. They came to the IDP camp and arrested him. My family have come and stayed here in Jan Mai Kawng since the IDP camp was established. He was arrested on Sunday after I was just released from the hospital on Friday. I was still very weak and unable to walk properly when they came and took him away. We came to stay here on 29 July 2011. We have always been in the camp since we arrived here. They came and arrested him with the accusation of my husband involving in bomb explosion. They had no evidence or warrant for arrest over 10 people were arrested. Four of them were arrested inside the IDP camp. They were told they were going to be questioned on the explosion. Saya Aung Myat, the camp in charge went along with them. When they reached there, they were given seats in the sitting room, and Brang Shawng was led away inside. I asked my husband with they did to him inside. He said that the interrogator told him he had seen

him before, and accused him as KIA captain as soon as they reached inside the room. My husband replied that he was not KIA captain, but an ordinary citizen earning his simple living. From that time on, they bound his hands behind his back and began to torture him. They hit his head many times and his nose was bleeding a lot. Now, his mind is not normal and he spoke Burmese when I went to see again and he said that his brain was not normal anymore. He told me that Sa Ya Hpa tortured him for three days. But Saya Aung Myat said he might have been tortured for five days but he did not remember because he became lost consciousness. They left his hands tied behind his back without providing food for three days. Now, his left ear cannot hear at all. His right ear still can hear a little. Sometimes, we had trouble in communication because I said one thing and he heard a different thing. When we talked, sometimes he laughed and spoke Burmese. He is worse now because his hearing is impaired, he spits out blood when he coughs, and he says he cannot talk for a long time and something is wrong inside his chest. When he met Saya Aung Myat the first time, he said that they squeezed his throat and he could not swallow saliva because of pain in the throat. He did not tell me the worst thing that they burned his navel. I heard about from Saya Aung Myat. He told me only what I saw on his face. He showed me two-inches long scar on his face where they burned him. They burned his eyebrows with cigarette fire. I think that scar will remain there for life. Another wound was the scar on one of his thigh where they cut with a knife. They hit six times on both thighs and two people stepped on the bamboo bar that was pressing his shins on the cement floor. The scar on his calf is still visible. He told me that he felt like he was losing his feet when he walked. That was the way they tortured him.

He never smoked or used drugs. He studied up to grade 4 but he is not sharp. He is not much literate. He always asked me how to spell whenever he wanted to write. He would copy down from my draft. He cannot spell his name Brang Shawng properly without my help. He omits some letters. Even his Burmese writing is not correct. His good qualifications are meekness and he is hard working. Every one in IDP camp recommends those good things about him. He is also monitor of camp (2). He would not leave any task unfinished whenever a duty is assigned to him in this camp.

I have had 9 court appointments now. Everything I go to court appointment I have to spend Ks. 8,000–10,000. Sometimes he got sick but I could send medicine for one dosage or two only. I told him to get the medical doctor's prescription from so that I could give him more medicine. Oh… it was a lot of trouble. He wanted me to see him in prison with permission. But I had no one to look after our child. I told him I would visit him when my younger sister came. One visit to him when my younger sister came. One visit to prison costs at least Ks. 15,000. Every time I go there I have to pay Ks. 1000 at the prison gate. I need Ks. 15,000 if I buy food for him. I dare not tell him that I have no money. Our child was quite fat at first. But the child got sick and became very thin after my husband was taken away.

He was arrest on the 17th and brought back to the camp on the 20th. His face was beaten up and I came back from buying baby rice powder, the soldier were waiting in our room. Later, the vehicle that brought Brang Shawng arrived. The car stopped next to our room and I was looking for Brang Shawng in the car. They pushed him out of the car with his hands tied behind his back. When I saw him, he did not look like my husband anymore. My good-looking husband was unrecognizable and his face was swollen as if he was wearing eyeglasses. His lips were swollen. I gazed at him for 5 minutes and recognized his hair and feet. I broke down. They took him away again. I fainted and my friend carried me to clinic. I was shocked to see my husband. Blood clots below his eyes can be seen even now.

They brought him the next day. But he was not brought indoors. They took photographs of him in front of the door as if he was arrested that day. A police officer took me to our dining room and asked me how many siblings I had. I think he took me indoors because he thought I would weep and faint like the previous day. That day Saya Aung Myat saw blood stains on my husband's sarong longyi. I did not see that because I was weeping. They had told him to wear the sarong longyi dropped long. Usually he did not wear his longyi that way. Capt. Kyaw Zwa Lin was the one who arrested him. He did not torture my husband. But he was the one who put the sound recorder along with my husband on the day of obtaining remand. On the second court appointment Capt. Kyaw Zwa Lin was questioned. That day our lawyer asked my husband, "Did Capt. Kyaw Zwa Lin fixed the sound recorder on you?" My husband answered, "yes". His face had no scars on the day of his arrest but they (Sa Ya Hpa) made in their oral statement that my husband had motorbike accident two days before the arrest and he received wounds on his face and legs. He (Brang Shawng) used to go out for odd jobs to earn daily wages during his stay here. He earned extra income to buy food for our baby because my breast produced no milk. I have headache now because he is not here to earn money by doing odd jobs and I have to go to court appointments.

I have been disheartened since, and I have to sign 7-8 times to do it properly. My friend Nang Shen became mentally sick and hospitalized in the asylum for a wear after my husband was arrested and shown in the camp for a number of times. The old folks in the camp were so shocked that they requested the camp manager to grant them transfer to another IDP camp. When Brang Shawng was arrested they said Brang Shawng was a KIA captain with college education. Now, he is interrogated by the army and the explosion is not in the case. He is not someone with college education anymore. They forced him to admit that he had served KIA as a sergeant in 2004. The beatings and torture were reduced only after he admitted so. They showed him a pit in the ground and told him that they would kill him in that hole. He admitted because he worried about me and our family we would encounter hardship when he were dead and gone, and out of love and pity on me because I was always ill and there no one to wash clothes for me. He would have been dead now unless our friends and KBC had not followed up. I could not sleep or eat for about three days after I met him.

18. Naw Htoi

Name of the Accused (Suspect)	: Naw Htoi
Father's name	: Marip Naw Ja
Date of Birth (Age)	: 19
Gender	: Male
Education	: Grade 6
Occupation	: Paddy field farmer
Marital Status	: Single
Permanent Address	: Aung Mye (1), Waingmaw Township.
Current Address	: Aung Mye (1) Waingmai Township.
Contact Person	: Marip Naw Ja
Contact Address	: Aung Mye (1) Waingmaw Tsp.
Date of Arrest	: December 2012
Name of court	: Myitkyina Township Court.
Act for the case	: 1908 Unlawful Associations Act, art. 17(1)
Verdict	: 2-years sentence
Date of Interview	: 25 September 2012

A Brief Account of Detention

Maung Naw Htoi went to Kampaiti for earning money to make ends meet at home. There he came across with KIA and was taken away. After doing odd jobs in KIA camp for sometime, he escaped on his way home. He was arrested by Kha La Ya (321) with the suspicion of being a KIA soldier and taken to Myitkyina after torture. He was handed over to Sa Ya Hpa office. At present he is being prosecuted with 1908 Unlawful Associations Act, art 17(1) at Myitkyina Township Court.

The Oral Statement of Marip Naw Ja (Naw Htoi's father)

My son went to Kampaiti to earn money along with a Chinese woman who came and guaranteed. But very soon, I heard that he was captured by the KIA. He was said to have stayed in KIA camp for a month clearing the weeds in the compound. My son and his Chinese fried ran away from that camp. On their way home, they encountered the government Kha La Ya (321) army convey last December. We followed up as soon as we heard that they had been taken away by an army convoy. But we had no idea of their whereabouts. We even thought that he had died. But in January we found him. He said that they were tortured the whole month and he was omitting blood. After one month of detention there, he was handed over to Sa Ya Hpa. He was not tortured as much as they did to him in Kha La Ya (321) although they interrogated him there again. In April 2012, my son was in Myitkyina Township Court. We have spent over Ks 1 million (1,000,000 Kyats) since he was first prosecuted at court. We have no money at home because we work only on a hillside farm. We need money to hire workers our paddy farming. We had spent extra money. His mother has been crying at home since his arrest and she is not listening to anybody. Our boy is still young and we parents worry about him. My son's health is good in jail. But he said he had itchy skin disease lately. Moreover, his old wound is recurring and he is taking medicine. He also said that he coughed out blood. We are spending Ks. 30,000 every time we go to court on the appointment days for hearing. Now, my son is sentenced to 2 years term. We have not appealed for him because we have no money. I don't know what to do.

19. Nra Naw San

Name of the Accused (Suspect)	: Nra Naw San
Date of Birth (Age)	: 30
Gender	: Male
Occupation	: KIA soldier
Marital Status	: Married
Name of spouse	: Ja Hku Lu
Permanent Address	: Nawng Nang, Myitkyina Tsp.
Current Address	: Du Kahtawng, Myitkyina.
Contact Person	: Ja Hku Lu
Contact Address	: Du kahtawng, Myikyina
Date of Arrest	: 29 June 2012
Name of cour	: Myitkyina Township Court.
Act for the case	: 1908 Unlawful Associations Act, art. 17(1)
Verdict	:
Date of Interview	: 13 September 2012

A Brief Account of Arrest

Nra Naw San had served as a KIA soldier before he became a Militia soldier since the fighting between the Government Army and KIA broke out, he has served in the KIA again. When he was on duty in Ubyit village he was arrested on 29 June 2012. At present he is being prosecuted at Myitkyina Township Court for drug case, illegal arm possession case, firing back case, and insurgent rebel case.

The oral statement of Labang La Seng (Nra Naw San's cousin)

He was captured on 29 June 2012. The police arrested him for drug abuse. At that time he pointed at them with his gun. Formerly, Naw San had a problem in KIA Brigade (3) where he served a trainer, them he defected to militia. When the political situation because worse. He returned to KIA and served there as a soldier. Now he is the intelligence of Brigade (6). The day after his arrest, he was brought his wife's house and the whole house was searched. But nothing was found. He said that he was beaten during interrogation on the night he was arrested. His face was swollen when they brought him to his wife's home. Naw San's case was drug abuse, possession of ammunition, firing back, and being an insurgent. His pictures are printed on daily newspapers. So, we are told that we can never follow up his case. As I am also a family man I have to earn money and I have gone to the court appointment only once so far. My wife is pregnant and we have a lot of trouble. Less than a week after staying in their house, he was arrested.

The Oral Statement of Ja Hku Lu (Nra Naw San's wife)

He must be an intelligence assigned by KIA Brigade (6). When I asked him what job he was doing, he just replied, "You know nothing about it". Therefore I don't know for sure what job he has been doing. The next day six soldiers came to my mother's house in Du Kahtawng Qr. in Myitkyina. They search the whole house but found nothing. My husband's face and neck were swollen when they brought him to our home. Then they kept him in the No. 1 police station again. He was detained in police station No. (1) for about 13 days. We could send meals to him when he was there,. Now, we have gone to court appointments for 10 times, and every visits spent costs me Ks. 20,000. We have spent over Ks. 1 million (Ks. 1,000,000). He is suffering from cough and itchy skin disease. We are not allowed to send English medicine to him in jail. Naw San is being prosecuted by drug case, firing back and insurgence. His pictures are printed in newspapers. At first, we hired lawyer Nwe Nwe Htun. After we had paid Ks. 150,000. She charged us another Ks. 50,000 and we stopped hiring her. We have paid her Ks. 150,000 already. I have a lot of difficulties. I have been pregnant for 8 months now. I am really upset because the due delivery is drawing near and I have to pay the lawyer fees. I dare not stay in Nawng Nang home. I am very disheartened too.

20. Manam Tu (a) Pat Tu

Name of the Accused (Suspect)	: Manam Tu (Pat Tu)
Father's name	: Manam Naw
Date of Birth (Age)	: 30
Gender	: Male
Education	: Grade 4
Occupation	: hillside paddy farmer
Marital Status	: Married
Name of spouse	: Lahpai Roi Bu
Permanent Address	: Jinghpaw Qr. Block (5), Ta Law Gyi, Waingmaw
Current Address	: Jan Mai Kawng, Roman Catholic Church IDP camp
Contact Person	: Lahpai Roi Bu
Contact Address	: Jan Mai Kawng Roman Catholic Church, IDP camp
Date of Arrest	: 30 May 2012
Name of court	: Myitkyina Township Court.
Act for the case	: 1908 Unlawful Associations Act, art. 17(1)
Verdict	:
Date of Interview	: 16 August 2012

A Brief Account of Arrest

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The Oral Statement of Lahpai Roi Bu (Manam Tu's wife)

I have financial problem because I have a nursing baby and I cannot work to earn money. I have received about Ks. 150,000 from the donation of people inside and outside the IDP camp. I know that my husband will not be treated well in the hands of the enemies. We hire lawyer because it is important that he be not sent to labor camp after the verdict.

We were hiding in the jungle during the fighting. We were preparing to make fences around our paddy field. But there were plenty of mosquitoes coming and we were afraid that children might be infected with malaria. So, we moved to IDP camp. We rented our paddy field. He came to the camp on 16th May. About 14 days later policeman U Tin Htun Aung came and arrested him. He was accused of being a KIA militia. Then he was kept in Sa Ya Hpa for 10 days. He was given meals only on the third day. Then, he was detained in police station (1) for 15 days. He was tortured so terribly that he could not eat anymore. The difficulties are more than I can say. My husband earned money when he was at home. Now that he is not here and we have difficulties.

21. Zau Doi Awng

Name of the Accused (Suspect)	: Zau Doi Awng
Date of Birth (Age)	: 22
Gender	: Male
Education	: Grade 10
Occupation	: Three-wheeler driver
Marital Status	: Married
Name of Spouse	: Seng Mai
Permanent Address	: San Pya (188), Tatkone, Myitkyina.
Current Address	: San Pya (188), Tatkone, Myitkyina.
Contact Person	: Zau Doi Awng
Contact Address	: San Pya (188), Tatkone, Myitkyina.
Date of Arrest	: 7 July 2012
Date of Interview	: 26 August 2012

A Brief Account of Detention

Zau Doi Awng is living at San Pya (188), Tatkone Qr and supporting his family by driving a three-wheeler. He was arrested by the superintendent and six policemen for interrogation on 7 July 2011. He was released a week later.

The Oral Statement of Seng Mai (Zau Doi Awng's wife)

The superintendent came with six policemen came and arrested him on 7 July 2012. They said it would take only a few moments when they first took him away. They told him that they would send him back home that same evening. After that we heard nothing about him. He said that they asked him which people he knew and he would be released. They also asked him who had been his trainer. He replied that he did not know. Then they beat his leg with a begonia trunk. Later he was detained hand-cuffed in the prison cell. He was bailed him out a week later. They were three men being arrested. Another man was Lahtaw Tang Gun. The other one was from Njang Kawng Quarter. I don't remember his name. I spent money only when I went there to send meals to him. I was told that he could have been prosecuted at the time of his release. But police said they did not prosecute against him anymore. I was shocked when they came and arrested him. I was worried whether he would be released or not.

22. Bawm Zung

Name of the Accused (Suspect)	: U Bawm Zung
Father's name	: U Hkaw Bawm
Date of Birth (Age)	: 60
NRC ID No.	: 1/ Ma Ka Na (Naing) 127055
Gender	: Male
Education	: Grade 4
Occupation	: Hillside paddy farmer
Marital Status	: Married
Name of Spouse	: Daw Htu Seng
Permanent Address	: Ga RaYang Village, Waingmaw Tsp.
Current Address	: No. (187), Htoi San Block, Tatkone Qr. Myitkyina.
Contact Person	: U Bawm Zung
Contact Address	: No. (187), Htoi San Block, Tatkone Qr., Myitkyina.
Date of Arrest	: 7 May 2012
Name of Court	: Myitkyina Township Court
Verdict	:
Date of Interview	: 17 August 2012

A Brief Account of Detention

U Bawm Zung carried amunition for KIA when he was taken away by KIA from his home in Ga Ra Yang during the fighting there. After that incident he and his family fled to No. (187) Htoi San Yang Block, Tatkone Qr., Myitkyina. In the afternoon of 7 May 2012, Police Superintendent Tin Htun Aung and his team from Special Branch came to our house and took him away saying that they had something to question him. He was acquitted by Myitkyina Township Judge on 6 August 2012 upon insufficient evident for a 17(1) accusation.

The Oral Statement of Daw Htu Seng (Bawm Zung's wife)

He is from Block (1), Ga Ra Yang village. We married at Myitkyina in June 2012. At first we were provided rice and cooking oil by the Roman Catholic Church in San Pya Quater. Now we are receiving rice and cooking oil from Galilee Church. I just listened at the court and returned home without understanding Burmese language. My relatives took me to the court because I did not know how to ride a motorbike. I have sent Ks. 60,000 to him in jail. Each visit to the court appointment costs over Ks. 20,000. Now, we have had over 10 visits. Even after his release from prison now, he is still scared and in a hiding.

23. Gaw-yung Ying Ting

Name of the Accused (Suspect)	: Gaw-yung Ying Ting
Father's name	: Gaw-yung Ting Ying
Date of Birth (Age)	: 25
NRC ID No	: 1/ Wa Ma Na (Naing) 086796
Gender	: Male
Occupation	: Paddy Field Farmer
Marital Status	: Single
Permanent Address	: Mading, Waimaw Tsp.
Current Address	: Mading, Waimaw Tsp.
Contact Person	: Gaw-yung Ying Ting
Contact Address	: Mading, Waimaw Tsp.
Date of Arrest	: 17 November 2011
Name of Court	: Myitkyina Township Court
Act for the case	: 1908 Unlawful Associations Act, art. 17(1)
Verdict	:
Date of Interview	: 21 November 2012.

A Brief Account of Detention

Ting Ying came down to his home in Mading Village, Waingmaw from Kampaiti because the fighting broke out between KIA and government troops. Upon arriving at the football field in Mading Village, U Sai Hlaing from KhaLaYa (58) and three village elders arrested him saying that they had inquired everything about him and telling him not to deny it. He was taken away to village council hall. He was prosecuted in Myitkyina Township court for nearly 7 months and eventually released on 24 August 2012 due to lack of sufficient evidence.

The Oral Statement of Ting Ying

As the oldest sibling in our family, I have to do all our family business. I went to Kampaiti and worked there. Then, I returned home. Three village council members and U Sai Hlaing from Kha La Ya (58) when I reached football field in Mading Village, and took me away to village council office. The next morning they took me away to Kha La Ya (58). But they did not torture me there very much. The following day they transferred me to Myitkyina Sa Ya Hpa Unit. In the interrogation room they tortured me in many different ways. They slapped me on my cheeKs. They beat my whole body with rods. They kicked me and punched me. At first, I could endure a little bit. But eventually, I admitted that I had served 3 years in KIA troops and that at present I was not a soldier. Then, they prosecuted me with the case by 17(1) for 7 months. I was released due to lack of evident. I had a lot of difficulties in jail. I could not eat food in the prison. So, my family members brought the meals from home. They served sweet potato leaves broth and fish paste for prison food. Rice was red and mixed with pebbles. My health is good now. I will be suffering internal pain when I grow old.

The Oral Statement of Daw Bangli Lum Naw (Ting Ying's mother)

His father is dead. He is my eldest son and breadwinner in our family. I don't know where to find him. I thought he was dead. The community leaders have pity on our family and provided or needs. The lawyer asked for Ks. 1 million. We could not afford it and the lawyer felt pity on our family and helped us. I went to court appointments 50 times. I have spent Ks. 900,000 on permission to see him in jail and court appointments. Everyone did favor for our family. I am very much thankful to them.

24. Htawng Zawng

Name of the Accused (defendant)	: Htawng Zawng
Father's name	: Lum Htawng
Date of Birth (Age)	: 24
NRC ID No.	: (cannot remember)
Gender	: Male
Education	: Middle School
Occupation	: Unemployed
Marital Status	: Single
Permanent Address	: Maingna, Waingmaw Tsp.
Current Address	: Maingna, Waingmaw Tsp.
Contact Person	: Lum Htawng
Contact Address	: Maingna, Waingmaw Tsp.
Date of Arrest	: July 2011
Name of Court	: Myitkyina Township Court
Act for the case	: 1908 Unlawful Associations Act, art. 17(1)
Verdict	: 2 years sentence
Date of Interview	: 19 November 2012

A Brief Account of Detention

Maung Htawng Zawng was arrested in July 2011 by Waingmaw-based Burmese Military Brigade (88) because he fired at his home in Maingna during the fighting between the military and KIA.

The Oral Statement of Lase Hkawng Naw (Htawng Zawng's mother)

My son was a KIA soldier before the fighting. He never does any job faithfully. He did not serve in KIA troop very well and came home. In July 2011, the fighting between KIA and Military broke out. So, KIA summoned him. I think he was given a gun. I was not at home during that incident. He seemed to come home drunk. He asked his older brother and his sister-in-law for some money. His brother had no money and did not give anything. He seemed to get angry and fired one shot into the air. The next morning Waingmaw-based Brigade (88) arrested him and took him away. I didn't know anything about his arrest. I knew it only when the clerk at community administration office told me about it. I didn't know where to inquired about him. Later, I found him in Myitkyina prison. I can't remember the dates. We can't afford to hire a lawyer. I can't go to court appointment either. We don't know what a lawyer is like. They say that my son has been given 2 years sentence now. He would be released in May 2013. My son never did any job before. As a mother, I feel bad about my son even though he is good or bad. My feeling is beyond my expression. I have to earn extra money

for court appointments too. My son's health is not good now. I was told that he vomited blood. His health had been damaged too much. I asked him if they beat him or tortured him. He said that he was beaten and tortured a lot. He told me that he is receiving treatment in prison hospital.

The Oral Statement of Htawng Zawng

I was hit with the butt of a gun for two days and two nights at Kha La Ya (58) in Waingmaw. Now I am under 2 years sentence: I am suffering from TB disease in jail. I vomit blood too. The army tortured me so much that I am coughing out blood. Moreover, the itchy skin disease is very common in jail. I don't know how to cure it. They give me only rice. Mustard broth is the only curry. We are provided two meals a day. The court appointment lasts 7 months. I don't hire any lawyer. I face the prosecution by myself.

25. Chyauchyi Brang Shawng

Name of the Accused (suspect)	: Chyauchyi Brang Shawng
Date of Birth (Age)	: 45
Gender	: Male
Occupation	: Paddy Field Farmer
Marital Status	: Married
Name of Spouse	: Htoi San Roi Ja
Permanent Address	: Ta Law Gyi
Current Address	: Shwe Nyaung Bin Village, Waingmaw Tsp.
Contact Person	: Htoi San Roi Ja
Contact Address	: Hpunglum Yang IDP camp, Laiza.
Date of Arrest	: 6 February 2012
Name of Court	: Myitkyina Township Court
Act for the case	: 1908 Unlawful Associations Act, art. 17(1)
Verdict	:
Date of Interview	: 19 September 2012.

A Brief Account of Detention

He was arrested by Kha La Ya (37) convoy troop in his house while he was waiting for dinner upon arriving from his paddy field. He was tortured and interrogated. Then he was taken to Myitkyina and now he is being prosecuted under 1908 Unlawful Associations Act, art. 17(1).

The Oral Statement of Htoi San Roi Ja (Chyauchyi Brang Shawng's wife)

Brang Shawng was left behind in Ta Law Gyi working in the paddy field. He did not even stay at home. He was staying in his younger brother's home. I fled to Laiza with my children. He was arrested at about 3:00 pm on 6 February 2012 accusing him of being a KIA militia. I did not see them because I was in Laiza. His younger sister Hkawn Ra saw him taken away. All his face was swollen when I met him. His left ear could not hear anymore. His feet were squeezed between bars and lower parts of his feet are numb. They said they had been searching for him for a long time at the time he was arrested. He said that he might not be the one because he did not do anything. Then, they beat him more. Brang Shawng eventually admitted because he was becoming Paint when

his head was covered with plastic bag and he was about to collapse. The first two days after the arrest when he was beaten were the worst. He was provided rice and water but he could not eat or drink because he had been tortured too much.

Not to mention about being a soldier, Brang Shawng has rheumatic complaint and his feet would become swollen when he stayed too long in the wet paddy field. He has swollen liver. He cannot do even household chore properly. He was forced to sign on the make up statement sheet with the words that Brang Shawng did not say, the accusation of possessing bullets, and KIA enrollment number. He signed it because he was afraid that they would torture him more. Now, he is coughing and suffering from itchy skin. We sent some medicine too but it never reached him. I have spent about Ks. 700,000. I have paid the lawyer Ks. 100,000. I can come to court appointment only once a month. I cannot afford to come every week from Hpunglum Yang IDP camp in Laiza. I save money by doing daily wage odd jobs for the trip to meet him. I also sold a buffalo for the travel expense. The difficulties are insurmountable beyond my expression. I paid Ks.50,000 at the beginning of his imprisonment. After payment, he was not assigned to fetch water anymore. There have been so many court appointments but be have had only six hearings yet.

I felt very lonely when he was arrested. I don't want to see those faces of Burmese soldiers anymore. I cannot tolerate their actions beating innocent people.

Interviews with Lawyers

Doi Nan (LL.B)

Name : Doi Nan (LL.B)
Occupation : High Grade Pleader
Address : Myitkyina
Date of Interview : 29 August 2012

Presently, I am handling four Unlawful Act 17(1) cases. My Clients are Lahtaw Yaw Htung, Gawlu Bawk Lum, Chyauchyi Brang Shawng , and Phoe La Pyay. Now, they are being prosecuted with art.202 for failure to give information instead of 17(1). Although the government has declared KIA as illegal party, they are still in sitting talks. None of my clients has been given 17(1) verdict. Most of the accused under detention are civilians who are suffering and there are very few KIA soldiers among them. Sa Ya Hpa does not disturb me very much while I am handling these 17(1) cases. In my opinion, this should not exist in our country now because we are living in unity today.

Ma Hka (LL.B)

Name : U Ma Hka (LL.B)
Age : 29
Occupation : High Grade Pleader
Date of Interview : 16 August 2012

I am handing six 17(1) cases. Five of these cases are the accusation of being KIA soldiers. Another case is related to being a porter carrying things for KIA. All the members of their families are IDPs. They themselves are fathers. Therefore, their families are facing difficulties. They have financial problem, once they come to court. They have to come to court appointments. When a person is arrested he is not provided anything from prison. They have to buy clothes, beds and everything. If

they don't but beds they have to sleep on cement floors. When they pay for everything, they are allowed to sleep next the window with proper ventilation. If they don't pay money, they are forced to do a lot of hard jobs. They are not assigned that much work if they pay. They have a lot of trouble hiring a lawyer. E.g. when a suspect is arrested and taken away no one is allowed to see him. They don't want people see the wounds on the suspect incurred by 17(1) interrogation. When someone from the suspect's family sees him they will tell everyone about it. Before the suspect's family members are allowed to see him, they torture him the most and force him to admit. So far, Sa Ya Hpa has not interfered with my 17(1) case procedures. But sometimes, they come and overhear when we meet with our clients at court. Sometimes, they walk to and from around us. They try to scare the suspects so that they dare not speak to us. The worst part is that they come and listen near us when we meet with the family members of our clients. A person who understands Kachin language would come and listen so that the family members are so terrified to speak. In court, none other than the accused is allowed to enter the room. Usually, there used to be a recording clerk at court. No one is allowed to accompany the defendant and record the hearings in this 17(1) case. Eventually, we found with great difficulty someone to follow up. The judge allowed her to accompany the defendant but writing down the hearings was prohibited. I insisted on writing down the facts saying that there might be omissions and missing points if only one clerk writes down. Then, I was granted. There are so many things we can talk about the court. Sometimes, Sa Ya Hpa people gave me disturbances around me. In fact, there is no 17(1) case in a democracy country. That Act was handed down from the colonial era. What is worse is that the suspects are beaten and tortured by finding faults with no reason. I think they promulgate that policy for Kachin State. It must be the policy to make the IDPs discouraged and make them feel going back to their villages.

Mung Seng Tu (LL.B)

Name	: Mung Seng Tu (LL.B)
Occupation	: High Grade Pleader
Age	: 32
Date of Interview	: 22 September 2012

At present, I am handling two cases. Those are the cause of Nra Naw San and Brang Seng. The problem is that I don't receive the lawyer fee. Mostly, I do it free of charge. But I told then to pay me at least Ks. 100,000 so that it looKs nice on the government's perspective. That is only enough for documents in the court. That way how I deal with them in front of others. If I don't charge them, my service will be undervalued. The suspects may be released because their cases are policy issues. Since I have worked in court for 12 years now, I understand about it quite well. The problem is that Sa Ya Hpa did not come to court appointments. But SB witnesses did come. They gave statements well too. They are prosecuted using the interrogation statements only. Therefore, it is good that Sa Ya Hpa did not come. But the cases are different from one another. The prosecution was based on the interrogation and the eyewitness from the public was necessary. The statement from fire brigade did it very good. It has positive outcome because they came. They testified that Brang Seng was innocent and that there was no evidence. SB came but they did not interfere with us. Naw San is prosecuted with Unlawful Associations Act art. 17(1), and 19 (Sa) and explosive substances. The 17(1) case has been heard at Township Court and the other cases have hearings at District Court. Only Ks. 100,000 is charged for 17(1). The other cases have to do with the lawyer's skills and know-how. 17(1) has been since the British Colonial time and it should not be practiced anymore. Freedom of speech does not require 17(1).

II. Cases of Accused in Northern Shan State

1. Yaw Zung, Yaw Sau and Lamai Awng Mai

Names of the suspects(accused)	: Yaw Zung, Yaw Sau, Lamai Awng Mai
Gender	: Male
Occupation	: Farmers
Marital Status	: Married
Permanent Address	: Nawng Jan Kone, Nam Kham Dist, Northern Shan State
Current Address	: Nawng Jan Kone, Namkham Dist, Northern Shan State
Contact Person	: Ji Grawng
Contact Address	: Nawng Jan Kone, Namkham Dist, Northern Shan State
Date of Arrest	: 17, November 2011 (1:00 am)
Law Court	: Muse Township Court
Act of the Case	: 1908 Unlawful Associations Act article 17(1)
Verdict	: 3 years sentence
Date of Interview	: 11 September 2012

A Brief Account of Detention

Yaw Zung, Yaw Sau, Lamai Awng Mai, Yaw Ting, Yaw Htung, Nhkum La Mai, Kum Hpang, Lamawng Dut, Saya Maung Tang were arrested and interrogated. At present, Yaw Zung, Yaw Sau and Lamai Awng Mai are in prison. They lived in the same compound when they were arrested in Nawng Jan Kone, in Namkham (Northern Shan State) at 1:00 am on 17 November 2011. The authorities heard that there were 17 KIA soldiers in Nawng Jan Kone and came to arrest these men. Therefore, people living in Nawng Jan Kone fled to hiding places. Yaw Zung, Yaw Sau and Lamai Awng Mai are suffering from serious torture by the Burmese Army.

Statement of Ji Grawng

Yaw Zung, Yaw Sau, Lamai Awng Mai, Yaw Ting, Yaw Htung and Lamawng Dut are brother- in-law. They live in the same compound. On the day of incident, all of them brothers and sisters were living in Nawng Jan Kone. They were arrested being suspected as K.I.A soldiers. Everyone in the house including parents-in-law were taken away. Yaw Sau's wife Nang Kai was later left in my house to look after many children of them. Over ten people, men and women, were arrested. Men were arrested at night and women were taken away the next morning. My mother-in-law was one among them. They were arrested as KIA soldiers. But they were not KIA soldiers at all. They were not tortured when they were arrested at their homes. But they were said to have been electrocuted at Pang Se militia camp (Nawarat outpost). They said that their whole bodies were eclectric-shocked. Yaw Ting was released later. He was beaten to near-death. When he could no longer bear the suffering, he confessed that he was KIA soldier and promised the interrogators to show where he had hidden the weapons. He came out to the highway with soldiers and escaped. By that time everyone in Nawng Jan Kone had already fled to hiding.

Saya U Maung Thant who was evangelizing Palaung tribe in Nawng Jang village was also arrested. He is 72 year old and he was not beaten. But he was said to have been detained in a bathroom for a night. On 18 November 2011. La Nu, Kum Hpang, his father-in-law, Yaw Htung and Yaw Zung's son were released. While we were drinking green ten after breakfast, my mother-in-law was summoned to sign the bill so that her children would be released. Pan Se militia were the ones who took him away. My mother-in-law Dashi Roi Ji was detained for 4-5 days.

The community leader met me and said, "I don't know what to say. The police asked me to summon your people but later the Pan Se militia came and took them away". My mother in law was to have molested on her breast and hit with the butt of gun accusing her of concealing weapons. Therefore, her teeth were still loose by the time of her release. She was said to have been unconscious for quite a long time after being struck on her head.

Lamawng Dut died on the same day because of extreme torture. The soldier left his body in Namkham hospital. There was slash on his throat. The army said that he had committed suicide. At 5:00 pm the same day, the body was collected and buried at Ban Lung Village. Mean while, Yaw Zung, Yaw Sau and Lamai Awng Mai are still under detention. They were not soldiers at all,

(1) Dashi Roi Ji (mother age 58) arrested
(2) Zahkung Yaw Bawm + Maran Ji Grawng (not arrested)
(3) Zahkung Yaw Zung (arrested) + Bya Si (not arrested)
(4) Zahkung Yaw Ting (arrested) + Lamai Ja Ing (not arrested)
(5) Zahkung Yaw Sau + Nhkum Nang Koi (arrested)
(6) Zahkung Zau Lat + Nbrang Bawk Mai (arrested)
(7) Zahkung Seng Hkawn + Lamawng Dut (died) (arrested)
(8) Zahkung Yaw Wan + Lamai Awng Mai (arrested)

2. Naw Bawk and La Ring

Names of the suspects	: Naw Bawk and La Ring
Name of their father	: Lahpai Kawng Naw
Date of Birth (Ages)	: 27 and 24
Gender	: Male
Occupation	: Farmers
Marital status	: Single
Permanent address	: Na Mawn Village, Namtu Tsp, Northern Shan Sate
Current address	: Na Mawn village, Namtu Tsp, Northern Shan State.
Contact person	: Labang Lu
Contact address	: Na Mawn village, Namtu Tsp, Northern Shan State.
Date of arrest	: 21 August 2011
Reason of the case	: Contact with illegal party
Name of court	: Lashio township court
Act of the case	: 1908 Unlawful Associations Act, art. 17(1)
Verdict	: 3 years sentence
Date of interview	: 28 July 2012

A brief account of the arrest

Naw Bawk and La Ring are brothers. Their parents are Mr. Lahpai kawng Naw and Labang Lu. The two brothers were arrested in their home. They were arrested in the absence of their parents. Naw Bawk was sick and staying at home while their mother was out transplanting paddy in the field. La Ring was arrested while he was at home preparing to cut bamboo shoots. La Ring was not KIA soldier. The two brothers were taken away from their home by Kha-La-Ya 342 troops. At first they were called as forced porters and guides. Upon their arrival at Ham Tsin Stream they were tied together with Gam Shawng who was arrested on the road and beaten. Naw Bawk was seriously tortured but La Ring was not beaten. Later, their parents were alarmed when they heard that the boys had been sent to Lashio prison. As soon as they heard the news, their parents sold cattle and everything they had to go to the prison.

The oral statement of Labang Lu, the mother of Naw Bawk and La Ring

The boys were staying at home. La Ring was arrested while he was preparing to cut bamboo roots. Naw Bawk was not feeling well and sleeping at home. Both of the two brothers were taken away. At first they were asked to guide the troop. They were said to have been beaten upon their arrival at the other bank of Namtu Stream. We were told that Naw Bawk and La Ring had been tied together on the vehicle and beaten. We heard the news only when they reached the army post. None of the two brothers had served in KIA troop. Their eldest brother had been a KDA soldier. But he does not serve there anymore. The eldest brother had problem in the KDA (Militia) troop and fled. He has remained a veteran since. I was not at home at the moment. Naw Bawk and La Ring were arrested. I sent out La Ring to collect bamboo shoots and went to hillside paddy field. Now, their father has stomachache and he cannot work at home. Their youngest brother is also still young and I myself earn money alone. Now, the children are not home and I cannot do anything property. I am really upset. I cannot do anything. I am sad because my boys are detained. There is no one to do household chores. I don't know how to earn money now. We have sold all our cattle. About 250,000 kyats has been spent.

3. Ma Gam

Name of the Accused (Suspect)	: Ma Gam
Date of birth (age)	: 30
Gender	: male
Occupation	: Hillside paddy farmer
Marital status	: Married
Name of spouse	: Mrs. Myitung Roi
Permanent address	: Tung Swe, Man Tung Tsp., Northern Shan State
Current address	: Tung Swe, Man Tung Tsp, Northern Shan State.
Contact person	: Myitung Roi
Contact address	: Tung Swe, Man Tung Tsp., Northern Shan State
Date of arrest	: 20 August 2011
Name of court	: Lashio Township Court
Act of the case	: 1908 Unlawful Associations Act, art.170 (1)
Verdict	: 3-years sentence
Date of Interview	: 28 July 2012

A brief account of detention

Ma Gam is Myitung Roi's husband. They have three children. The youngest child was born after father had been arrested. Ma Gam was arrested on 20 August 2011. Formerly, he was a KIA soldier and but then retired. When he was in the village U Lazing came and asked for a favor. U Lazing was a village head. Janda Maung Kyaw, Aik San and Doi La came along with them. They went to be enrolled in KIA troop. They were arrested while they were resting in Kala's house on their way. That night they were tied with ropes but U Lazing escaped. Since that time Ma Gam was tortured as being their leader. The troop unit which arrested them was Kha La Ya (342) Infantry from Namtu. Ma Gam was unfairly tortured for possessing the gun.

The oral statement of U Ma Gam's mother

Ma Gam was arrested when he was led away by an elder U Lazing escaped that night. There and then, my son became the culprit. When they arrived at prison, he was entitled KIA sergeant. My son was the one who helped them. He had to go wherever they sent him. He was arrested on the way to the army when that soldier Lazing requested him to go along with him. U Lazing was KIA leader residing in the village. He was in charge of the village. He carried a gun because he always traveled. The gun left behind by U Lazing was regarded as belonging to my son. My son Ma Gam had five children. But only three are living. The children are facing difficulties because he was arrested, and taken away. His wife's name is Myitung Roi. Their youngest child was born after he had been detained. Now they have two boys and one girl. They work on hillside paddy field. After he was arrested, they could not work in paddy field anymore. After his arrest, his wife gave birth to their baby and she could not do anything. Among hill dwellers mostly boys only work in the dry land cultivation. KIA does not provide anything. No social welfare. No one helps.

They were arrested by Kha La Ya (342) infantry from troops in Namtu. They were tortured without mercy when they were taken away. They were said to have been beaten with iron bars. They were just surviving when the reached Lashio, beaten all over their body. He told me last time I met him there. I had been 5-6 months since I last heard about him. He was so beaten up that he could not eat, and the medicine did not work when he arrived at prison. Now, I heard that he had been sentenced. I don't know his whereabouts. I have no contact. Last July, my younger brother went there but he was told that my husband had been sentenced elsewhere. My son is in jail together with Naw Bawk and La Ring from Namawn village. He was arrested at Kala's house in Namawn village. Now, all of them are said to have been detained by lawsuits under art. 17(1). Everyone has been sentenced and no one knows where they are now. My son was tortured seriously and I wanted to appeal that he be not sent afar but I could not go because of my illness.

4. Gam Mun (a) Awng Li

Name of the suspect	: Gam Mun (a) Awng Li
Date of birth (Age)	: 45
Gender	: Male
Occupation	: Farmer
Marital status	: Married
Name of spouse	: Lashi Hkawn Shawng
Permanent address	: Hu Long, Man Tung Tsp., Northern Shan State
Current Address	: Hulong, Man Tung Tsp., Northern Shan State
Contact person	: Lashi Lu Awng
Contact address	: Hulong, Man Tung Tsp., Northern Shan State
Date of Arrest	: 20 July 2012
Name of Court	: Lashio Township Court
Act of the case	:1908 Illegal party, Act, art. 17(1)
Date of Interview	: 24 August 2012

A brief account of detention

U Gam Mun (a) Awng Li is a 45-year-old man. His wife is Lashi Hkawn Shawng. They have seven children. They are farmers living in Hulong village. He is said to have been arrested on 20 July 2012 (not sure of the exact date).

He was a KIA soldier. He was arrested because of the information. He was said to have been tortured at the time of his arrest. On the way, he was pulled by the hair and dashed headlong against a tree. A wireless talking machine (walkie-talkie), statistics documents, a gun and KIA uniform were confiscated from him. We learned that he is still being detained in Namtuu army camp. Over 30 people's names from Man Tong were listed in his documents. Therefore, Burmese soldiers are said to be searching for over 30 KIA soldiers for further arrest.

The Oral Statement of Lashi Lu Awng

My brother-in-law was arrested according to the information about him. Quite a number of soldiers visited him when he was at home. I think he was arrested by new soldiers. I am not sure which troops they were from. He was pulled by his hair and dashed against a tree. They tortured my brother-in-law very badly. They tied him the whole body with a rope. The soldiers ransacked his house and took away everything, my older sister Lashi Hkawn Shawng was weeping all the time.

4. Lashi La Ja

Name of the Accused (Defendant)	: Lashi La Ja
Date of birth (age)	: 49
Gender	: Male
Occupation	: Hillside paddy farmer
Marital status	: married
Nam of spouse	: Tangbau Kai Htang
Permanent address	: Man Hpang, Man Tong Tsp., Northern Shan State
Current address	: Man Hpang, Man Tong Tsp., Northern Shan state
Contact person	: Tangbau Kai Htang
Date of arrest	: 21 July 2012
Name of court	: Lashio Township Court
Act of accused	: 1908 Unlawful Associations Act, art.17(1)
Date of interview	: 24 August 2012

A brief account of detention

Lashi La Ja is Tangbau Kai Htang's husband, living in Man Hpang Village. From the beginning he has had a wireless talking machine (walkie-talkie) entrusted to him by KIA. This machine was kept there being unable to replace now was kept there being unable to replace now batteries, the use of walkie-talkie has been prohibited in Mang Tong Township. He was arrest because his name was found in U Gam Mun's list, and eventually the machine was confiscated from him. He was arrested by Man Tong Troop Kha Ma Ya (130).

The oral statement of Tangbau Kai Htang

My husband has had good friendship with the Burma army troops. One day which I can't remember exactly (21 July 2012), six-soldiers came and asked me if U La Ja was at home I did not know the reason why they asked and I simply answered "Yes". The soldiers invited my husband to drink green tea downstairs. My husband in turn invited them to come upstairs, but they insisted on his coming downstairs. My husband brought green tea cattle and came down. At that time, I was in the kitchen. A soldier came in and took away the rope fastened to the basket. I asked him if he would use it to tie the pig. He said it would also be necessary to do so. They grabbed my husband on both sides while I was fetching water at the well and told me not to worry because he would be released soon after their officer had interrogated him. So they took him away. While they were searching in the house, they discovered an old wireless talking machine. My husband could not afford to buy new batteries and he kept it there. Actually, my husband wasn't an informer for KIA. They did not torture him in our house. The same evening I bought bread with Ks. 1,500 to him. I didn't know where they kept him. I haven't seen him since he was arrested. Now, I learned that he was in Namtu. He was arrested by Man Tong Troop (130). Five soldiers who came and arrested him had guns. I didn't know the names of those soldiers well. But my husband must have known them. We have only 1 acre of paddy field. The oldest child of our three children has dropped out of school. Only the two younger ones are at school. It has been nearly one month since my husband was detained. We are not in normal condition since he is not at home.

5. Labang Sharoi

Name of the accused (Suspect)	: Labang Sharoi
Father's name	: Lahpauk Hawng Ze
Date of birth (age)	: 37
Gender	: Male
Education	: Grade 5
Occupation	: Hillside farm and Tea plantation
Marital status	: married
Name of spouse	: Ja Bawk
Permanent address	: Dat Lat, Man Tong Tsp., Northern Shan State
Current address	: Dat Lat, Man Tong Tsp., Northern Shan State
Contact person	: Labang Sharoi
Contact address	: Dat Lat, Man Tong Tsp., Northern Shan State
Date of arrest	: 12 August 2012
Reason of case	: Possession of wireless talking machine
Date of interview	: 24 August 2012

A brief account of detention

Labang Sharoi lives in Dat Lat village, in Man Ton Township. His wife Ja Bawk (age 37) and he has two children. He was arrested by Man Tong Troop (130) on 12 August 2012. He was badly tortured after his arrest on his way to fetch water. They began to torture him when the village elder brought the wireless talking machine in front of the villagers. He was released on the same evening he was arrested because his mother passed away. But he still cannot move around properly due to the torture.

The Oral Statement of U Labang Sharoi

I am the one who handles the wireless talking machine entrusted to me by this village. The superintendent friend of mine has not issued the prohibition of the use of wireless talking machine (walkie-talkie). I thought it was still allowed and used it. My mother had been ill for about two months. I had been using this wireless talking machine because I could not find time to see that superintendent friend of mine. While I was using the machine, the troop Kha Ma Ya (130) came and interrogated me. First, I thought they came to take the wireless talking machine (walkie-talkie) to use in the mass gathering of the villagers. So I brought it to them. I told them that I was YaYa Kha (village council member) and to check my name in the list if they did not believe me. And, actually I did not want to side with any party. I also told them that I had sore throat. They took me always and beat me along the way until my muscles cramped. They pointed at me with a knife and aimed with gun to my forehead very hard. They squeezed my finger between the bullets.

Along the way they tortured me on and off. I told them that I knew nothing but they continued to beat me repeatedly. They hit me with the gun. Major Thet Htwe himself came and arrested me. Every time he stumbled on his way to searching house to house he beat us again and again saying that he got hurt because of coming to find us. Each of the ten soldiers had a gun. In fact, they did not come to arrest me but to arrest someone else downstairs of my house. I was released upon the

village elders' request because of my mother's death. They warned me not to say anything when they would arrest me on the way. They found Zau Hpang on the road and slapped him on the cheek. They also asked him who else in the village had wireless talking machine. He replied none. Then they took out a bullet and said the he would be shot dead by that bullet next time there were fighting in this village.

6. Lashi Ma Tu

Name of the accused (Suspect)	: Lashi Ma Tu
Date of birth (Age)	: 40
Gender	: Male
Occupation	: Hillside paddy farming
Marital status	: Married
Name of spouse	: Palawng
Permanent address	: Laung Kyin, Man Ting Tsp., Northern Shan State
Current address	: Laung Kyin, Man Tong Tsp., Northern Shan State
Contact person	: Nhkum Lu Awng
Contact address	: Laung Kyin, Man Tong Tsp., Northern Shan State
Date of arrest	: 21 August 2012
Reason for the case	: Wireless talking machine (walkie-talkie)
Name of court	: Lashio Township Court
Act of the case	: 1908 Unlawful Associations Act, art. 17(1)
Date of Interview	: 24 August 2012.

A brief account of detention

Lashi Ma Tu is a resident of Laung Kyin village. He was arrested by Kha La Ya (130) from Man Tong Troop at about 7:00 pm in the evening of 21 August 2012. His family members earn a living by hillside farming. The soldiers came and searched for him because his name was found in the name list. A wireless talking machine was discovered from his house. He was not tortured.

The oral statement of Nhkum Lu Awng

Lashi Tu Awng is a villager of Laung Kyin village. He was arrested the following day because. His name was found in my brother-in-law's name list. He was not beaten. A wireless talking machine (walkie-talkie) was found in his house. KIA might have given it to him because his house is on the roadside. I think, that machine was given to him for reporting information. He was taken away by Kha La Ya (130) from Maung Tong Troop. I think he is still there with them until now but I am not sure the exact whereabouts. His wife is weeping at home without knowing anything to do. They have four children.

7. Lum Awng

Name of the suspect	: Lum Awng
Date of Birth (Age)	: 41
Gender	: Male
Occupation	: hillside farming
Name of spouse	: Myat Ohn
Permanent address	: Dat Lat, Mang Tong Tsp., Northern Shan State
Current address	: Dat Lat, Mang Tong Tsp., Northern Shan State
Date of arrest	: 21 July 2012
Name of Court	: Lashio Township Court
Act of the case	: 1908 Unlawful Associations Act, art. 17(1).
Date of Interview	: 24 August 2012

A brief account of detention

Lum Awng is a village elder of Dat Lat village. Being illiterate, he was given a wireless talking machine. The community superintendent U Tu Lum and six soldiers were the ones who came and arrested him. He was not beaten. He was told he would be detained only that night. He was arrested and taken away because his name was found in Gam Mun's name list.

The Oral Statement of Myat Ohn (Lum Awng's wife)

When I returned home from market, the soldiers were already there. As soon as they saw me, they inquired where my husband's wireless talking machine was kept. I did not know that my husband was using a wireless talking machine. I work in the hillside farm only. I told them that I never saw him using that kind of device. When I replied that I was earning a living only by hillside paddy farming to feed my children, they scolded me not to tell lies. I told them to search it they did not believe me. Then, they entered the house and searched inside. When they did not find it indoors, they came out and searched in the compound later, a soldier shouted, "I found it" and came out with a wireless talking machine. He brought it from underneath a tree. I told them that I did not know where my husband kept what. Later, I asked them when my husband would be released, but they told me not to ask any questions. When I complained that this year's paddy field is going to fail, they told me not to worry because he would be released soon. I told them not to lie and Corporal Win Kyaing replied to me not to worry. My husband has not come home yet. But they have not beaten him.

8. Munghpauk Lum Dau

Name of the suspect (Defendant)	: Munghpauk Lum Dau
Date of Birth (Age)	: 29
Gender	: Male
Education	: Grade 3
Occupation	: Hillside farming and tea farm
Marital status	: Married
Name of spouse	: Pausa Bawk tawng
Permanent address	: Umaung, Man Tong Tsp., Northern Shan State
Current address	: Umaung, Man Tong Tsp., Northern Shan State
Contact person	: Munghpawk Lum Dau
Contact address	: Umawng, Man Tong Tsp., Northern Shan State
Date of arrest	: 12 July 2012
Date of interview	: 25 August 2012

A brief account of the detention

Munghpauk Lum Dau is Pausa Bawk Tawng's husband. They have one child. The superintendent of Umawng village left his wireless talking machine (walkie-talkie) in a shop. Maunghpauk Lum Dau was in Kala's house near that shop. He was interrogated because he came from Umawng village. He was tortured badly because of that talking device. His hands and ears were cut with a knife. He was released upon the request of village elders and his relatives. He was tortured because they thought him to be on KIA soldier.

The Oral Statement of Munghpauk Lum Dau

I was in that Kala's house. There was a shop near the house where I was staying. That shop belongs to church elder U Naw. The superintendent of Umawng village left his wireless talking machine (walkie-talkie) in that shop. At that time, I was inside Kala's house and they began to beat me because I was from Umawng village. The soldiers held my hand tight on both sides and beat me up. That was Let-pan-daung quarter in Umawng village. They tied my hands in my back and cut my neck, ears, and hands with a knife. They also beat me with a stick. They kicked me too. They tortured me from the time they arrested me on Sunday to the time I was released the following Monday morning. They did not take me through Umawng village. They beat me at every stop on the way. Even some Indians saw me suffering.

9. Lagang Awng Mai

Name of the accused (Suspect)	: Lagang Awng Mai
Father's name	: Lagang Lau Hkawng
Date of Birth (Age)	: 24
Gender	: Male
Education	: University graduate
Marital status	: Single
Permanent address	: Kutkai, Northern Shan State
Current address	: Kutkai, Northern Shan State
Contact person	: Lagang Lau Hkawng
Contact address	: Kut Kai, Northern Shan State
Date of arrest	: 10 September 2011
Name of court	: Lashio Township Court
Act of the case	: 1908 Unlawful Associations Act, art. 17(1)
Date of interview	: 11 September 2012

A Brief Account of Detention

Awng Mai is the eldest son of Lagang Lau Hkawng and Hka Ra. His father is a government servant, and mother is a nurse. They have six children. Awng Mai is 24 years old. He is a university graduate and a member of a youth organization. He was arrested while he was taking a photograph of Loi Sam Sip mountain (famous mountain) in Kutkai. It was not known exactly which army troop arrested him. He was tortured and locked in fetters. At present, he is serving prison terms in jail.

The Oral Statement of His Father Lagang Lau Hkawng

Although I am his father, I do not know about the incident very well. I thought he was out of home earning income. But later I heard that he was arrested because he was lurking around taking pictures. I was told that his camera has pictures of him in KIA uniform. There were also photographs of him taken at KIA 4th Brigade during their meeting on opium drug. He was said to have been arrested according to Act, art. 17(1). He was arrested somewhere around Loi Sam Sip mountain in Kutkai. I told him to work as a government servant upon his graduation. But he said he had no interest in government employment. We found him at immigration office. He quit the job and he was doing some other odd jobs. As he was commuting back and forth to Lashio, I thought that he on duty. I think he was doing two jobs at the same time. I do not know which troop arrested him. I did not inquire about it properly. At that time, I was at Nawng Nang, (Myitkyina). When he was taking pictures nearly the mountain, the authorities passed by vehicles. The boss in the vehicle told his men that there was someone taking pictures, when they interrogated him, they found his pictures in the camera and took him away. I don't know what happened and what he had been doing.

10. Brang Nan

Name of the accused (Suspect)	: Brang Nan
Father's name	: Gam Awng
Date of Birth (Age)	: 29
Gender	: Male
Occupation	: KIA. Officer
Marital status	: Single
Name of court	: Lashio Township Court
Act of the case	: 1908 Unlawful Associations Act, art. 17(1)
Date of interview	: 15 August 2012

A Brief Account of Detention

Brang Nan is a KIA army officer. He was arrested with a soldier named Zau Gun at Bang Law village while he was carrying out his duty assigned by KIA. He admitted that he was an army personnel and said that Zau Gun was a student. A wireless talking machine (walkie-talkie) and a computer were confiscated from the two men. Kha-La-Ya (342) troop from Namtu arrested them. Brang Nan was beaten seriously at the detention center and taken away to Nay-Pyi-Daw.

The Oral Statement of Brang Nan

I don't want to say anything about how they tortured me in Nay-pyi-daw. Zau Gun and I were traveling from Mung Yu to Nam San, and from Nam Su to Ban Laung. I had to Zau Gun to drive fast. I felt rather relaxed since we were almost there approaching our comrades. There and then we encountered an army convoy and we were arrested. Namtu Kha-La-Ya (342) which arrested us had about 200 soldiers, quite a large number of them. A wireless talking machine (walkie-talkie) and a laptop were confiscated when they arrested us. I confessed that I was an army personnel and that Zau Gun was a student financially supported by our troop. As soon as I admitted that I was a soldier, they tied one as usually done to a soldier, and I was taken away to Nay-Pyi-Daw. They interrogated me there. I don't want to say how terrible they tortured me. They put me in prison all underground.

11. Htawng Hawng

Name of the accused (Suspect)	: Htawng Hawng
Father's name	: Lum Htawng
Date of Birth (Age)	: 25
Gender	: Male
Education	: Grade 6
Occupation	: Hillside farming
Marital status	: Married
Name of spouse	: Htawng Tse
Permanent address	: Galaung village, Kutkai Tsp., Northern Shan State
Current address	: Galaung village, Kutkai Tsp., Northern Shan State
Contact person	: Lum Htawng
Contact address	: Galaung village, Kutkai Tsp., Northern Shan State
Name of court	: Lashio township Court
Act of the case	: 1908 Unlawful Associations Act, art. 17(1)
Date of interview	: 13 August 2012

A Brief Account Detention

U Htawng Hawng is a militia soldier from Kutkai. While he was staying at home on leave, army officer Lt. Gyung came and took him to KIA service. Htawng Hawng was captured by his former friends in militia and brought to Kutkai police station. At present, he is being judged under the 1908 Unlawful Associations Act, art. 17(1) at Lashio Township Court.

The Oral Statement of Htawng Hawng's Father U Lum Htawng

He was formerly a member of militia in Kutkai. He was a lance corporal too. When this son of mine was staying at home on leave. KIA officer Leut. Gyung persuaded him saying that was the time for every one to get involved in Kachin National cause, and my son left home with him. I always told him to do well wherever you serve our people. He joined them because he himself was motivated. Now he has a wife. His wife's name is Hkawng Tse. They have a child.

Interview with Lawyer

Pawlu (L.L.B)

Occupation : High Grade Pleader
Residential address : Lashio, Northern Shan State
Date of interview : 24 October 2012.

I have handled three cases of Unlawful Association Act, art. 17(1). At present, I do not have any other one. This present case is policy-related case and there is little possibility for acquittal. But I will have to work on it according to the law. Usually most cases ended in prison terms. Sa-Ya-Hpa authorities did not disturb me when I was handling that case. However, they inquired me whatever they wanted to know why I met with my clients whenever I met to my clients. At the time of case interrogation I was not disturbed by them. For instance, I would be suspected as if I was paid by KIA to handle the case if I did not charge my clients. Most 17(1) KIA related case ended in imprisonment. So, I cannot do the job by myself alone. Urgent verdict for a suspect to prison sentence has to do with the court, and anyone else. We have appointment at Lashio law court once a week. The witnesses also came to the court appointment every week. If some one there was not listed in the witness list, he or she would be dismissed. If any case had seven witnesses, but when the case had enough evident after testifying five witnesses, the other two would be excluded. So, only three are witnesses would come, and sometimes only two would comes. After their oral statement, in 4 or 5 weeks, the witness part would be enough. Then the suspect (defendant) would testify. After that the case would be nearly finished. It might take longer time depending on the authorities side. Sometimes, we had to wait for some organizations, or waiting for some current situations. Sometime, nine or ten eyewitnesses came. Mostly, people from the army came. They would come unless they were out in the front line battlefields. The police took longer time. The army would not delay. The situation has changed and they would come when summoned. The suspect was arrested by them and they had to be present. That's why the procedure was fast.