

SHRF MONTHLY REPORT - JANUARY 2008

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COMMENTARY

No Right to Life, Liberty and Security of Person

While human rights violations like forced labour and extortion have long been daily occurrences, other more brutal types of abuses such as killing, rape, beating, torture, arrest and detention, etc., by the Burmese junta's troops have also been more or less frequent occurrences in Shan State, especially in the remote rural areas.

As if accusing the villagers of having something to do with the Shan resistance was a handy tool to create excuses to do something inhuman, the junta's troops have always been ready to use it against the villagers as they plundered the rural communities in Shan State.

Villagers have often been accused of having something to do with the Shan resistance and arrested, tortured, raped and even killed by the junta's troops, whether or not there was evidence to support their accusations.

A villager who was looking for his cow was arrested and accused by SPDC troops of having connections with the Shan resistance and tortured to death in front of his 7-year-old sister, who was also tied up to a tree and left to die.

Several villagers in Lai-Kha township were also accused of having one thing or another to do with the Shan resistance and severely beaten up, while villagers in Murng-Kerng were also beaten up for failing to do their routine forced labour duty, by 2 patrols of SPDC troops in 2 separate incidents.

A 9-year-old girl was gang-raped and left for dead by SPDC troops, but she survived to tell her story. In a separate incident, a woman was taken as a guide and raped by the commander of a patrol of SPDC troops.

6 PALAUNG VILLAGERS RANDOMLY SHOT DEAD IN KUN-HING

In July 2007, 4 male and 2 female villagers of Paang Pek village in Saai Khaao village tract, **Kun-Hing** township, were randomly shot dead by SPDC troops from LIB569 in their village, during a skirmish between the SPDC and Shan resistance troops.

On 5 July 2007, a column of SPDC troops from LIB569, based in Murng-Nai, came to search the area of Saai Khaao village tract in Kun-Hing township. At about 10:00 a.m. on that day, the SPDC troops suddenly came into Paang Pek village, which was a village of the Palaung people in the area.

At that time some Shan resistance soldiers happened to be in the village and a gun battle broke out, with the SPDC and Shan soldiers shooting at each other from opposite edges of the village, that lasted more than an hour.

The villagers were greatly frightened by the bursts of gunfire and tried to run and hide. After running out of their houses, some of them hid and took cover under their stilted houses while some continued to run in different directions, and some saw some of their fellow villagers shot down by the SPDC troops.

About 2-3 hours after the skirmish when the SPDC troops and the Shan soldiers had left the village for a while, villagers who were hiding in the village and those who had run away came out and found 6 of their fellow villagers, 4 men and 2 women, had been shot dead.

Two of them were killed on a street while running towards the SPDC troops and 4 were gunned down as they tried to leave their house compounds. All of them were on the side of the village where the SPDC entered.

The villagers knew very well who had shot dead their fellow villagers. But no one dared to do anything about it for fear of further abuses. There seemed to be no casualty on the side of the SPDC troops, otherwise they would have abused the villagers more, or even burned down the whole village, they said.

A VILLAGER BEATEN TO DEATH IN FRONT OF HIS 7-YEAR-OLD SISTER, IN KUN-HING

In August 2007, a villager was bound with a rope and beaten to death by the SPDC troops from IB246 in front of his 7-year-old sister, who was also bound to a nearby tree, in Wan Saak village tract in **Kun-Hing** township.

On 29 August 2007, Zaai Tu, aged 27 and his sister, Naang Ing, aged 7, of Wan Saak village in Wan Saak village tract, Kun-Hing township, went out of the village early in the morning to look for one of their family's draught oxen which had not returned home since the previous evening.

As they were looking for their ox at the edge of a deserted rice field about 2 miles east of their village, the villagers ran into a patrol of SPDC troops from IB246 who were out patrolling the area early in the morning.

The SPDC troops pointed their guns at the villagers as soon as they saw them and quickly approached and arrested them, and bound them with the ropes that the villagers brought with them to tie the ox they were looking for.

Without asking who the villagers were and where they were from, the SPDC troops accused them of having connections with the Shan resistance and started to interrogate Zaai Tu about the Shan soldiers' movements in the area.

The SPDC troops tied Naang Ing to a nearby tree and tortured Zaai Tu in front of her as they interrogated him. One of the SPDC troops held one end of the rope that bound Zaai Tu and the others beat and tortured him.

Finally one of the troops struck Zaai Tu's forehead harshly with his rifle butt and he fell to the ground, and the other troops struck the back of his head with their rifle butts repeatedly 5-6 times. After that, the SPDC troops left the place, leaving Zaai Tu lying on the ground and Naang Ing tied up to a tree.

After the SPDC troops left the place for a while, Naang Ing called out to her brother to get up and come and untie her, but Zaai Tu did not move. Naang Ing then cried and repeatedly called her brother every few minutes, but to no avail.

At about 9:30 a.m. that morning, a fellow villager, Lung Ti, who had come to cut bamboo in the area, heard Naang Ing's cries and rushed to the scene. Lung Ti immediately untied Naang Ing and tried to treat Zaai Tu, but instantly knew that he was already dead.

Lung Ti immediately took Naang Ing back to their village and reported the incident to her parents and the village leaders and elders, and together they went to the SPDC township office in Kun-Hing town and lodged a complaint with the authorities.

Although there were witnesses who saw a patrol of the said SPDC troops going towards the area on the morning of the day of the incident, and Naang Ing, who was old enough to be able to recount the incident, had witnessed it with her own eyes, the SPDC authorities did not accept the case.

The SPDC authorities said that it could only be the Shan soldiers who did such cruel things to innocent people, and that it was surely not the SPDC troops because they did not go out of their camp on the day of the incident.

According to the witnesses, including Naang Ing, there were 15 SPDC troops from IB246 in the said patrol and led by an officer named Than Naing Aung who had one star on each of his shoulders. However, the villagers could do nothing more about it except to return and conduct a proper funeral for their fellow villager, Zaa Tu.

GANG-RAPE OF A 9-YEAR-OLD AKHA GIRL IN KAENG-TUNG

In July 2007, a 9-year-old Akha girl was gang-raped by 3 SPDC soldiers and had to be hospitalized, near Nawng Non village in Murng Zaem village tract, **Kaeng-Tung** township.

On 2 July 2007, a 9-year-old Akha girl, Aa Mi (not her real name), of Nawng Non village, went to collect some vegetables for cooking after returning from school.

At that time, 3 SPDC soldiers who were attending a local SPDC army training school captured her and carried her to a nearby gully. They raped her and attempted to strangle her to death afterwards.

When Aa Mi did not come back that evening, her family and neighbours went to search for her but could not find her. She returned only after 2 days with many bruises on her body.

She was sent to hospital, and it was confirmed she had been raped, so the police were notified.

The girl was sent home from hospital after one day, and told not to answer any questions. An investigation was instigated, and she was able to point out the 3 soldiers at the army school.

After that, the Kaeng-Tung Deputy Military Commander gave Aa Mi and her family 500,000 kyat.

He is reported to have said: "If anyone spreads news about this event, action will be taken against them."

A WOMAN RAPED WHILE FORCED TO BE A GUIDE IN MURNG-PAENG

In October 2007, a woman was taken away from her farm to serve as a guide and raped by SPDC troops from IB43, near Kawng Khaa village in Murng Poo village tract, **Murng-Paeng** township.

On 4 October 2007, Naang Seng (not her real name), aged 18, from Murng Poo Awn village in Murng Poo village tract, Murng-Paeng township, was in a rice farm some distance away from her village when a patrol of SPDC troops came and forced her to go with them to serve as a guide.

As it was the time when rice paddy was ripening, her parents assigned Naang Seng the duty to scare birds from eating their rice at their farm. Naang Seng had been staying at the farm every day during the day for some days when she was forced to serve as a guide.

There were 18 SPDC troops from IB43 in the said patrol, led by a commander with one star on each of his shoulders named Aung Aung. When the patrol got to a place not far from Kawng Khaa village, the commander stopped and ordered most of his troops to go and look for food in the village, leaving only 2 as his guards.

After all the troops had left, Aung Aung ordered his 2 guards to go in different directions and keep watch some yards away and out of sight, and raped Naang Seng. Holding a pistol in one of his hands, Aung Aung threatened to shoot her dead if she struggled or made noises.

After raping Naang Seng to his satisfaction, the commander told her to return to her farm alone, and he followed his troops towards Kawng Khaa village together with his 2 guards. As Naang Seng returned alone crying, she met a farmer from her village, Lung In-Da, who was returning from his farm, and she came back with him to their village.

Although Naang Seng and her parents complained about the incident to their village leaders and elders, no one dared to do anything about it, let alone file a complaint against her attacker, mainly because the SPDC troops of IB43 were quite notorious for their brutality, especially in beating innocent people.

VILLAGERS ROBBED OF THEIR FISH, SEVERELY BEATEN AND TORTURED, IN MURNG-NAI

In July 2007, 3 villagers who were returning from catching fish in the Nam Taeng river were robbed of their fish, and one of them was severely beaten and tortured, by the SPDC troops from LIB576, in Kaeng Tawng sub-township, **Murung-Nai** township.

Sometime in July 2007, Zaai Pi (m), aged 30, Zan-Da (m), aged 20 and Thein Han (m), aged 16, of Wan Kaad village in Kun Long village tract, in Kaeng Tawng sub-Township, were returning from catching fish in the Nam Taeng river when they ran into a patrol of 7 SPDC troops on the way.

The SPDC troops pointed their guns at the villagers and ordered them to stop and searched them. Each of the villagers was carrying a small bamboo basket in which was about 2-3 kilos of fish which they had caught from the river.

As the villagers said they were ordinary villagers in the area and were just returning to their village after catching fish, the SPDC troops demanded some fish from them, saying that if they were really local villagers they could catch more fish later.

All the fish was then piled up at a place for the SPDC troops to choose from and the villagers were ordered to stand in line with their arms folded and wait. As the troops were busy choosing and stringing the fish together, 2 of the villagers, Zaai Pi and Thein Han, ran away and escaped.

The other villager, Zan-Da, also tried to run after he saw his friends had run away but was grabbed by one of the SPDC troops who saw him make a move, which was a bit too late and he was the one who was standing closest to the troops.

The SPDC troops then accused the villagers of being Shan soldiers which they believed was the reason for them to attempt to run away, and interrogated Zan-Da, beat and tortured him. He was beaten with a stick all over and his ears were slit with a knife.

Zan-Da was released only after his village leaders and elders came and guaranteed that he was an ordinary villager of their village, after learning about the

incident from the 2 other villagers who had escaped to their village and immediately reported it to the headman.

SEVERE BEATING OF VILLAGERS IN LAI-KHA

In June 2007, several villagers of Maak Kawk village in Haai Seng village tract, **Lai-Kha** township, were severely kicked and beaten up by a patrol of SPDC troops from IB64 who had come to search the village.

On 12 June 2007, a patrol of about 20-30 SPDC troops from IB64 came to Maak Kawk village, spread out in small groups and searched the village; some roamed and searched the streets while some entered houses and searched.

At one point, 2 SPDC troops who were searching the house of Naang Awn, aged 40, accused her of being the wife of a Shan soldier and kicked her severely in the stomach, causing her to collapse and almost lost consciousness.

At another house, the head of the family, Lung Zing (m), aged 40, was accused of being an informer of the Shan resistance and tortured. He was bound with a rope, a gunny sack put over his head and forced to walk along the streets while being repeatedly beaten with a stick for more than 20 minutes until he fell down and lost consciousness.

As the troops left the village, they also beat up a woman who was planting rice in a field outside the village. Pa Pheng, aged 40, was harshly struck in the stomach by one of the SPDC troops with his rifle butt and she had to squat down and lean against an embankment of the rice field with pain for about 20 minutes before she was able to get up.

VILLAGERS SEVERELY BEATEN UP, FORCED TO KEEP WATCH, IN MURNG-KERNG

In June 2007, villagers of Wan Phui in Wan Phui village tract, **Murng-Kerng** township, were interrogated and beaten up by SPDC troops from LIB514, and were later forced to constantly keep watch around their village.

On 4 June 2007, in the early morning, a gun battle which lasted for a short while broke out near Wan Phui village in Wan Phui village tract, Murng-Kerng township. Although the battle took place not far from Wan Phui village, the villagers had no idea of who were involved in the fighting.

In the evening of the same day, at about 17:00 hrs, a patrol of SPDC troops from LIB514, based at Paang Kae Tu village in the same township, came to Wan Phui village and asked the villagers about the gun battle that had taken place near their village that morning.

When the villagers said they did not know who were involved in the said battle, the SPDC troops thought they were lying and ordered about 10 village leaders, including the village tract leader, to gather in the centre of the village and interrogated them.

After about 30 minutes of interrogation and even the village tract leader himself was still saying he did not know about the battle, the SPDC troops beat up all the village leaders. The village tract headman was struck harshly 2 times in the stomach with a rifle butt and beaten on the back with a split bamboo stick several times until it was bruised and swollen. The other leaders were also beaten on the back with split bamboo sticks not less than 3 times each.

After beating the villagers, the commander of the SPDC patrol said that it was

a punishment for the villagers for not keeping constant watch around their village, which was why they did not know about the fighting that had taken place close to their village, and for failing to report the gun battle to the authorities.

Before leaving the village, the SPDC commander further ordered the villagers to keep watch around their village all the time and immediately report any unusual incidents to the nearest SPDC troops without fail, or else they would have to face more severe punishments.

2 GEMSTONE DIGGERS ARRESTED, GIVEN LENGTHY JAIL TERMS, IN MURNG-SU

Since May 2007, 2 villagers who earned a living as hired hands in Murng-Su gem mines were arrested for digging for gemstones in a prohibited area and given lengthy jail terms by the SPDC authorities in **Murng-Su** township.

In May 2007, Zaai Lin-Ta-Ma (m), aged 33 and Zaai Pun-Nya (m), aged 36, of Ka Li village in Kun-Hing township went to Murng-Su township in order to work as wage earners in the gem mines, digging gemstones as hired hands for mine contractors and gem traders.

After working for only about 10 days, the villagers were arrested by a patrol of SPDC troops who accused them of digging at a spot in an area said to be prohibited by the SPDC authorities. They were interrogated and detained at a military camp in the mine area for one night and then sent to Murng-Su jail.

After hearing the news of their sons being arrested by the SPDC troops in Murng-Su, the parents went up to Murng-Su to enquire about them. They were told by the SPDC authorities they met there that they would have to pay 100,000 kyat each for their sons' release.

The parents of the said 2 villagers were poor people who earned their living as daily wage earners and could not afford to pay the demanded amount of money. They did not even have 10,000, let alone 100,000 kyat, they complained, and the authorities said that if they could not pay the required amount of money, their sons would have to stay in jail for 50 years.

The parents could do nothing but return to their village, Ka Li, in Kung-Hing township and relate their plight to their relatives and fellow villagers, who also could do nothing much to help them because they were all poor people who had to struggle to feed their own families.

According to a villager from Ka Li who had fled to the Thai border, the said parents were trying in vain to save money in order to get their sons out of jail, and the thing that hurt them most was what the SPDC authorities in Murng-Su said to them. The authorities said the Shan people had no right to dig or trade in gems, they said.

FARMERS BANNED FROM CULTIVATING DRY RICE FARMS IN MURNG-TON

In mid 2007, farmers in Huay Saai village tract in **Murng-Ton** township were ordered by SPDC troops of IB277 to stop cultivating their dry rice farms, just as they were about to sow rice seeds after clearing and preparing the ground.

Although farmers in the area cultivated wet rice fields, for lack of enough land most of them could not produce enough for both their own consumption and the rice quotas required to be sold to the authorities at very low prices, and had to also work dry rice farms to supplement their rice produce.

At least more than 20 farmers of Hawng Lin and Phaai Khe villages in Huay Saai village tract were affected by the said order. Many of them have fled to other areas and Thailand after harvesting their wet rice fields in late 2007 and selling their rice quotas to the authorities.

They fled because they did not have enough rice left to feed their families until the next rice growing season and there were no other appropriate jobs to be found in the area. Desperate to find something to do that would enable them to earn enough for their families, they set out not knowing where exactly they should go.

Furthermore, the order said that all forest areas along the main road from the Thai border to Murng-Ton and up to Ta Saang village on the Salween river were banned from being used for crop cultivation, effectively depriving the villagers in the area of their traditional method of livelihood.

The main reason for the ban was said to be to keep the forests green and beautiful for the eyes of the foreigners who would be travelling to and fro between the site where a mega dam was projected to be built on the Salween river and Thailand.