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Update by the Shan Human Rights Foundation

April 23, 2018

Brutal rape of 73-year-old woman by Burma Army soldier in Mong Phyak highlights vulnerability of women in militarized eastern Shan State

The rape and brutal slashing of a 73-year-old woman by a Burma Army soldier near Mong Phyak town, eastern Shan State, on April 2, 2018, highlights the vulnerability of women amid the heavy Burma Army presence in this area.

The town of Mong Phyak, half way between Tachilek and Kengtung, is surrounded by Burma Army bases, including Military Operations Command 18, Infantry Battalions 329 and 330, an armored battalion, supply bases and a Military Hospital battalion. There has been no reduction in troop numbers despite ceasefire agreements with ethnic armed groups in eastern Shan State since 2012.

There are about 1,000 Burma Army troops stationed around Mong Phyak town, which has a population of about 6,000 civilians. Such a large military-civilian ratio is a constant source of fear for local residents, particularly women, given ongoing military impunity for sexual violence. In 2015, SHRF documented the rape of a woman near Tachilek by a Burma Army soldier from Mong Phyak. The soldier was transferred back to his base in Mong Phyak, but there was no news of further punishment.

In the recent rape case on April 2, several factors indicate the culprit was confident of impunity. The crime was committed in broad daylight, close to the town golf course, and close to the culprit's own battalion. Police arrested him near the scene of the crime several hours afterwards, his hands and clothes still bloody, in possession of the victim's jewelry – apparently having made no attempt to get rid of incriminating evidence.

Military impunity for sexual violence is a threat to women throughout the country, and must end. SHRF therefore welcomes the new report by the UN Secretary General on conflict-related sexual violence, which blacklists the Burma Army for being “credibly suspected of committing or being responsible for patterns of rape”.

International pressure is urgently needed not only to end the Burma Army's systematic use of rape, but also its ongoing militarization and offensives in ethnic areas. This must include economic sanctions, particularly on resource extraction in ethnic areas, which requires heavy Burma Army security, thereby fuelling conflict and human rights violations.

SHRF specifically urges the Australian-run company, Access Asia Mining, which is planning a giant 150,000 acre gold-mining venture in Mong Phyak, to immediately pull out from this project, which is strongly opposed by local communities, or risk becoming complicit in the Burma Army's systematic violations, including rape.

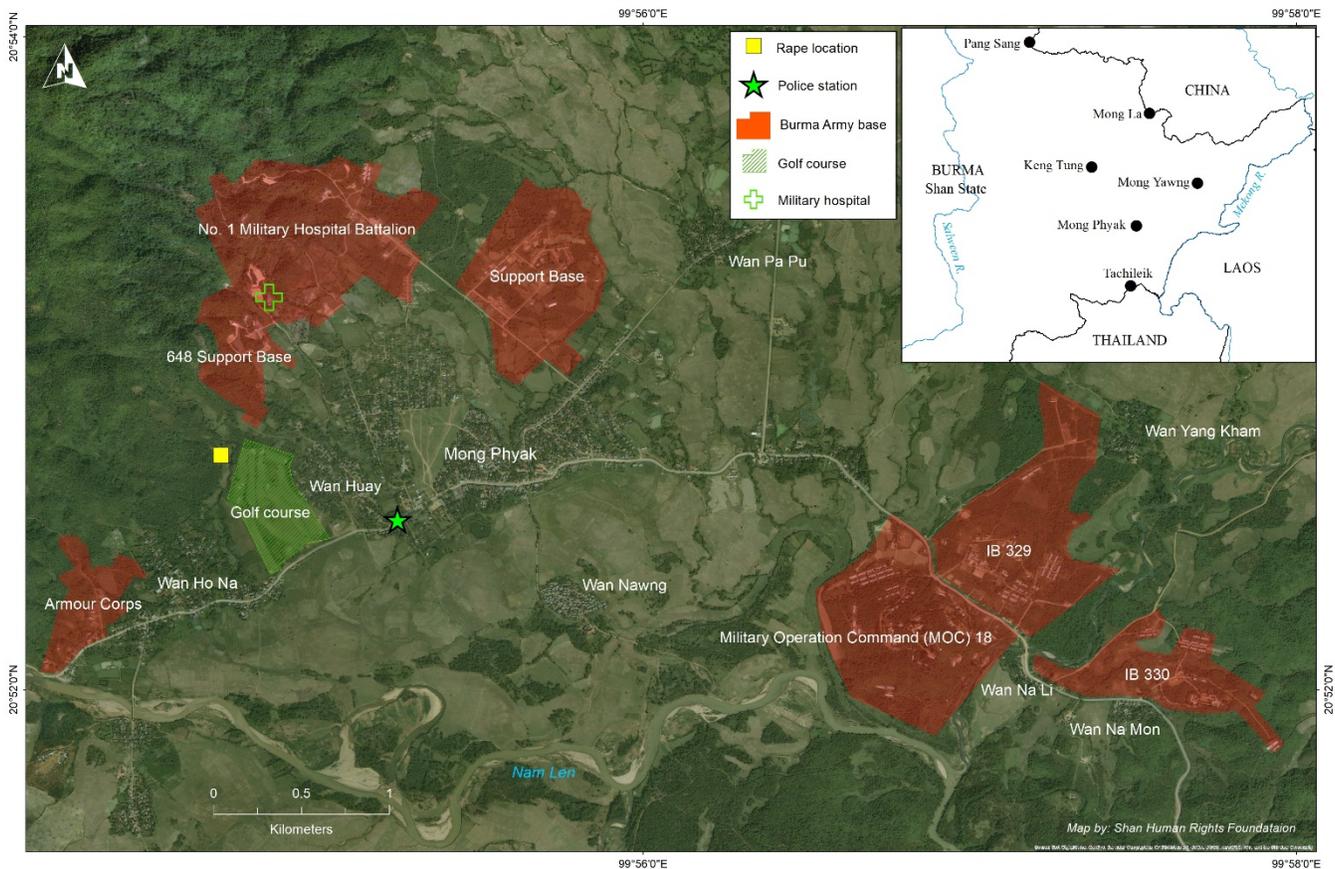
According to a shareholder update of Access Asia Mining dated March 2, 2018, (http://accessasiamining.com/pdf/shareholders/AAM_Shareholder%20Update%20020318.pdf) the company is still awaiting final approval for its east Shan mining project from the Shan State government. The company also stated: “We are regularly asked about the impact of the much-publicized Rohingya refugee crisis on our business. This crisis, whilst generally perceived negatively throughout the international community, has no impact on our day to day operations as it is playing out in a region where we have no license applications and hence no operational activities.” SHRF wishes to point out that it is the same Burmese government armed forces, credibly documented as committing horrific crimes, including systematic rape, against the Rohingya, which will be giving security to the Access Asia Mining operations in eastern Shan State.

Details of the rape incident on April 2, 2018:

A 73-year-old woman was raped by a Burma Army soldier and her head and ears slashed to rob her ear rings while she was working in her farm close to Mong Phyak town, eastern Shan State, on April 2, 2018.

At 7:30 am on that day, the woman, called Pa Kawng Kaew, from Wan Huay village, had left her home to collect vegetables from her farm, about half a mile west of their home. At about 9:30 am, a Lahu villager came to report to Sai Tip Yee, the Wan Huay village administrator, that there was a woman lying bleeding on the ground, without a sarong, near the golf course west of Wan Huay village.

Location of rape of elderly woman by Burma Army soldier in Mong Phyak, E. Shan State



Sai Tip Yee went to see the injured woman, and recognized her as Pa Kawng Kaew. She was squatting without a sarong, and her whole body was covered with blood. Her ear lobes had been cut, and she had three knife wounds on the top of her head. She told Sai Tip Yee she had been raped. He then went to the police station to report the case, and another villager went to inform her family. Sai Tip Yee came back with two policemen in a car, and her son came and took her to Mong Phyak civilian hospital at 11:00 am. A doctor there told her son that due to the seriousness of her wounds, she should be transferred to either Tachilek or Kengtung hospital. Her son chose for her to be transferred to Kengtung hospital, and they arrived there at about 1 pm. She needed a blood transfusion, but the hospital did not have enough blood. After her family informed Sai Tip Yee and the police, two army officers came to Kengtung hospital and arranged for Pa Kawng Kaew to be transferred to the Kengtung Military Hospital at about 8:30 pm, where she was able to get a blood transfusion.

Meanwhile, the police had gone looking for the perpetrator, and at 11:30 am, they found a Burma Army soldier (not in uniform) called Private Nay Myo Thu, age 25, in a farm hut near Wan Ho Na village, not far from the scene of the crime. His shirt was still bloody and they found one ear ring with him. He was based at Military Hospital No.1 near Wan Huay village. They arrested him and detained him at Mong Phyak police station where he was initially questioned by the police. The commander of the Military Hospital no. 1 Battalion then came to the police station and asked for him to be handed over. At about 5:30 pm, he was transferred to the Military Hospital No.1 base and detained there.

That day at 5:00 pm, two Burma Army officers from the Military Hospital No 1, and Sai Tip Yee, came to see Pa Kawng Kaew's husband, Lung Sai Hseng, and told him not to worry about the medical treatment fees. They said they would take full responsibility for all costs, and also in the case of her death.

The military have said that the culprit will be charged in a military court. No court proceedings have started yet, as they are waiting until Pa Kawng Kaew is in a condition to testify. She is recovering and was transferred to Mong Phyak military hospital on April 15.

The ear rings which were stolen from Pa Kwang Kyio were worth 150,000 kyat (115 US\$). The ear ring found by the police is being kept at the police station as evidence, together with the knife used against her.

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