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**Update by the Shan Human Rights Foundation**

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### **Villagers remain fearful after Burma Army rape-murder in Ho Pong, despite punishment of alleged culprit**

On June 6, 2015, a 28-year-old Shan woman was found raped, murdered and robbed in Ho Pong Township, southern Shan State, with evidence pointing to Burma Army soldiers stationed at the nearby Light Infantry Battalion 249 outpost. After initial denial, local Burmese military officers arrested one of their soldiers for the crime, gave him a public beating, and announced he would be given the death sentence. The Eastern Commander himself, Major General Aye Win, came from Taunggyi to apologize to the victim's husband, and donated money and food to him.

However, lack of transparency around the military's handling of the case is instilling doubt that justice has been served. Villagers are wondering why only one culprit has been arrested, when several soldiers committed the crime, and fear that one or more culprits remain free. They also have no way of knowing whether the death sentence will actually be carried out.

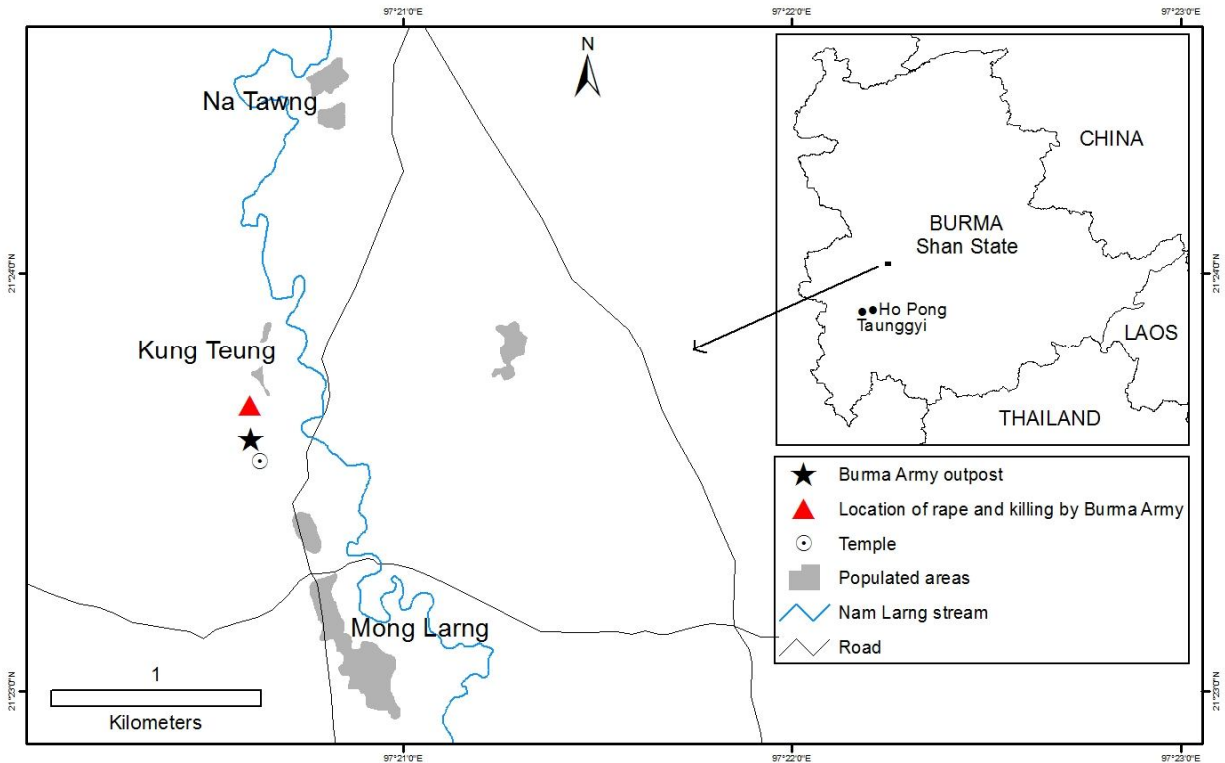
This case shows clearly that even though the Burmese government signed the Declaration of Commitment to End Sexual Violence in Conflict in June 2014, nothing has changed on the ground to protect women from military sexual violence in ethnic conflict areas. Reparations made by the Burmese military in this latest case in Ho Pong are token, arbitrary, and fail to address the structural root causes of military sexual violence, making it inevitable that such crimes will continue to occur.

A key factor causing sexual violence is the large number of Burma Army troops deployed throughout the ethnic states. Even in ceasefire areas, such as Ho Pong, the Burma Army continues to maintain and build up its military bases, instead of reducing its presence to show it is sincere about seeking a negotiated political solution to the conflict.

Another key factor is the military's exemption from civilian control under the current constitution, making troops confident that they can commit crimes with impunity. It is significant that the culprits in the Ho Pong case dared commit rape and murder only about 60 meters from their military outpost, right in the middle of a small community.

To seriously address the problem of military sexual violence, SHRF reiterates our calls for the Burmese government to end its military offensives, begin troop withdrawal from the ethnic areas, and enter into dialogue to bring about political reform that will end the war and bring the military under civilian control.

### Location of rape-murder by Burma Army in Ho Pong on June 6, 2015



### Details of the crime

The victim, 28-year-old Nang Khaek, lived in the village of Wan Na Tawng, Mong Larng village tract, Ho Pong Township, southern Shan State. She was a farmer, married with one 13-year-old son, who was a novice in the local monastery at Wat Kung Teung.



*Wat Kung Teung Temple*

In the morning of June 6, 2015, she had gone to work on her cornfield, and on the way back, had gone to give alms at the Wat Kung Teung temple in the late afternoon. However, by about 5pm she had not returned home. Her husband, Sai Ka Vi, became worried, and went to see if she was at the house of his mother-in-law, Pa Ne, but did not find her there. The two of them therefore went together to look for Nang Khaek along the path she usually took to her fields.

At about 6 pm, they found the body of Nang Khaek near the path between Wat Kung Teung temple and Wan Na Tawng village. She was lying naked on the ground, with her sarong tied around her neck. She had wounds on her chin and behind her neck, from being hit with a hard object, and her body was

covered with blood. Her right ear had been slit to remove her earring, and she had also been robbed of the money she had been carrying (120,000 kyat – about USD 120). Her body was found only about 60 meters from the “Kung Teung Pha Lai” outpost of Burma Army Light Infantry Battalion (LIB) 249, which was located directly next to Wat Kung Teung temple.

Her mother covered her daughter’s body with clothes, and Nang Khaek’s husband, Sai Ka Vi went to inform the village headman and other villagers, who then came to inspect the crime scene. The villagers saw several sets of boot-prints near the body, and found a stick nearby, with traces of blood and hair on it. The stick was the kind used to build the roofing of the military outpost. Nang Khaek’s farming knife had been stuck into the ground beside her body, and had traces of blood on it. It had apparently been used to cut the earring off her ear.



*Burma Army outpost next to Wat Kung Teung Temple*

The next day, on June 7, 2015, the Mong Larng village tract committee and monks from Wat Kung Teung temple, altogether about 20 people, called Sgt. Major Kyaw Htet, the commander of the local LIB 249 outpost, to the temple. He came with two other soldiers. The committee informed him that they suspected his soldiers of committing the crime, but he denied that any of his troops were responsible.

That day, at 3 pm, the villagers and family of Nang Khaek arranged for her body to be cremated.

Local monks and villagers refused to accept Sgt. Major Kyaw Htet’s denials that his troops were involved, and on June 8, Maj. Wai Yan Nyein Thurein, commander of the main LIB 249 base at the neighbouring tract of Mong Paeng, arrived to deal with the case.



*Nang Khaek*

On June 9, after conducting investigations, Maj. Wai Yan Nyein Thurein called the victim’s relatives and other villagers to the Kung Teung Pha Lai outpost. He apologized to them, and informed them that they had arrested the soldier who had committed the crime, and he would be given the death penalty. The culprit was brought before them, and given a severe beating in front of them. The earrings and money were also returned to Nang Khaek’s husband.

On June 11, 2015, the Burma Army Eastern Commander from Taunggyi, Major General Aye Win, arrived at Wat Kung Teung temple with about ten other military officers in two army trucks. He called Nang Khaek’s husband,

Sai Ka Vi, and other local villagers to the temple. He apologized to Sai Ka Vi and presented him with 15 sacks of rice, 2 sacks of potatoes, 1 sack of onions, 16.6 litres of cooking oil, and 5.3 million kyat (approx USD 4,800).

