Licence to Rape
by Shan Women’s Action Network (SWAN)

“The United States Government is appalled by reports that the Burmese military is using rape as a weapon against civilian populations in the ethnic regions of the country.”

US State Department, 17 December 2002

The Shan Women’s Action Network (SWAN) and the Shan Human Rights Foundation (SHRF), Thailand-based Shan rights groups from Burma, jointly released a report, 'Licence to Rape' on June 19, 2002.

Licence to Rape details 173 incidents of rape and other forms of sexual violence, involving 625 girls and women, committed by Burmese army troops in Shan State, mostly between 1996 and 2001. 83% of the rapes were committed by officers, in most cases in front of their troops. The rapes involved extreme brutality and often torture, such as beating, mutilation and suffocation.

25% of the rapes resulted in death. 61% were gang-rapes, and in some case, women were detained and raped repeatedly for periods of up to four months. The incidents detailed were committed by soldiers from 52 different battalions. Out of the total 173 documented incidents, in only one case was a perpetrator punished by his commanding officer. More commonly, the complainants were fined, detained, tortured or even killed by the military.

The majority of rape incidents were committed in the areas of Central Shan State where over 300,000 villagers have been forcibly relocated from their homes since 1996. Many rapes took place when girls or women were caught, usually searching for food, outside the relocation sites. Rapes also occurred when women were being forced to porter or do other unpaid work for the military, and when stopped at military checkpoints.

In Licence to Rape, SWAN
- gives clear evidence that rape is officially condoned as a ‘weapon of war’ against the women in Shan State, and that the Burmese military regime has committed war crimes and crimes against humanity in the form of sexual violence, against Shan women.
- demands that the Burmese military regime stops sexual violence against ethnic women, and immediately implements a nationwide ceasefire to stop increased militarization and anti-insurgency campaigns in the ethnic states, and also begins tripartite dialogue with representatives of non-Burman ethnic nationalities and the democratic opposition on the country’s political future.
- appeals to the Royal Government of Thailand to allow Shan refugees, particularly women and children survivors of sexual violence, to access refugee camps in Thailand.

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Thailand and receive aid provided by international humanitarian organizations. - urges the international community and international institutions to discontinue all financial assistance and other forms of aid to the SPDC until the restoration of peace, democracy and the rule of law in Burma.

International responses

Since Licence to Rape was published, it has attracted considerable international media attention. Friends and networks around the world have also put all their efforts into spreading our campaign locally and internationally.

On 5 September 2002, 93 Thai women's groups submitted a petition to the Thai Prime Minister to put pressure on the Burmese regime for political reform and to ensure the safety and security of people working to restore peace and democracy in Burma, especially SWAN and SHRF, the authors of Licence to Rape.

On the same date, Thai-based regional organizations placed an online petition to "Stop Licence to Rape in Shan State", Burma for the international community, which can be viewed and signed at <http://www.petitiononline.com/Forumasi/petition.html>.

On 17 September 2002, 32 US senators sent a letter to UN Secretary General Kofi Annan urging the UN to investigate the contents of Licence of Rape.

In November 2002, the US State Department released a report detailing its own fact-finding mission to the Thai-Burma border to investigate the issues of sexual violence raised by "Licence to Rape." The findings of their report corroborated that the Burmese military is still using rape on a widespread scale against ethnic minorities.

Response of the regime

Until today, the Burmese military regime has continued to deny that their soldiers have committed sexual crimes. It has even manipulated the presence of UN agencies, the ICRC and international NGOs in Shan State as evidence that no human rights abuses, including sexual violence, are taking place. However, even in the limited areas where international human rights monitors have been allowed into Shan State, people have not dared testify for fear of their lives.

This is the true, brutal face of the military regime today in Burma. The regime repeatedly claims in international forums that it has achieved peace throughout the country and it is making progress towards democratic reform. It is using this pretext to ask for international aid and investment.

Because of international pressure, the regime in August 2002 conducted an investigation into the “Licence To Rape” report. People throughout Central and Southern Shan State were forced to sign documents testifying that no incidents of sexual violence had been committed by Burmese troops in their areas, and in some places people were forced to stage "demonstrations" to support their claim. Also, information about incidents of sexual violence brought to their attention during their investigation was suppressed by the regime. (See details at : http://www.shanland.org/shrf/License_to_Rape/A_mockery.htm)

The regime then publicly announced that the allegations in the Licence to Rape report were "false and fabricated."

This "investigation" is just adding to the wounds of the women who have suffered sexual violence. Not only have they been raped, but now they are being called liars.

SWAN refutes the findings of the regime’s “investigation”. It is clear that under the current military dictatorship, with no rule of law and no faith in its institutions, no-one will dare testify against perpetrators who have absolute power in their communities. The Burmese army's “licence to rape” continues.

SWAN believes that to solve the problem of sexual violence and other abuses in the Shan State, there must be an end to the Burmese Army's increased militarization and anti-insurgency campaigns. There must be a political solution to the issue of Burma's ethnic peoples.

Please act now to protect these women and support our struggle to end this violence!!!!

Licence to Rape is available online at: http://www.shanland.org/shrf/License_to_Rape/license_to_rape.htm

For further information, please contact us at:

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