

**April 11, 2003**

**Oral Intervention on Agenda Item 12  
Asia Pacific Forum on Women, Law and Development  
Delivered by Ms. Mary Jane Real  
59th Session of the UNCHR  
Geneva, Switzerland**

Madame. Chairperson,

On behalf of the **Asia Pacific Forum on Women, Law and Development**, and over 100 member organizations, we would like to draw your attention to the on-going sexual violence against ethnic Shan women in Burma perpetrated by the State.

In Burma, Shan women are being raped by the military junta's forces with impunity. Over the past decade, the regime has increased the size of its army. In Shan State alone, there are now at least 150 battalions, with well over 100, 000 troops. The army exercises absolute power and all abuses, including sexual violence, are licenced, in the interest of controlling local populations. There have been 173 documented incidents of rape and other forms of sexual violence involving 625 women and girls committed by Burmese troops in Shan State, mostly from 1996-2001. 83 % of the rapes were committed by officers, in most cases in front of their troops. The documentation gives clear evidence that:

- Rape is officially condoned as a "weapon of war" against the women in Shan State.
- The Burmese military regime has committed war crimes and crimes against humanity in the form of sexual violence against Shan women.

Out of the total 173 documented incidents, in only one case was a perpetrator punished. More commonly, the complainants were fined, detained, tortured or even killed by the military. There is no means of seeking redress or relief within Burma. Many women are forced to flee to Thailand. Even there, especially Shan women, do not have access to relief services.

The urgent and immediate needs of the survivors and their communities are:

- Temporary shelter in neighbouring countries where they can access protection, basic humanitarian assistance and community-based support systems;
- Protection for local groups which are working closely with and assisting the survivors; and
- Capacity-building for women's groups from Burma to address and prevent violence against women through community-based strategies and actions.

The overwhelming desire of women survivors interviewed has been to be able to return to their homes inside Shan State, where their families have lived for generations, and to live in peace. They want the Burmese military to withdraw from Shan State and let them live without fear.

### ***Recommendations***

We call on States to urge the Royal Thai Government, in co-operation with UNHCR and the international community to:

- Provide international protection as defined in the Refugee instruments to Shan civilians seeking asylum in Thailand; including
- Providing temporary refugee camps and humanitarian relief for Shan refugees in Thailand
- Providing rape survivors access to services offered by international humanitarian organizations, particularly psychosocial and medical services in Thailand
- Ensure the safety and security of the people involved in the documentation and publication of “**Licence to Rape**”.