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OHCHR REGISTRY

18 MAR 2013

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16 March 2013

Dear Sirs and Madam,

I wish to refer to your joint letter dated 8 November 2012, seeking updated information about Ms. Sumlut Roi Ja and three others.

I have received the following information about the aforementioned case:

- After receiving the allegations about the abduction and rape of Ms. Sumlut Roi Ja, the concerned authorities formed an investigation tribunal in accordance with the relevant regulations of the Armed Forces and conducted an investigation into the alleged case. The tribunal thoroughly investigated the military personnel from No. 321 Light Infantry Battalion.
- Contrary to the allegations, the tribunal found out that the Hkai Bang village, where the case was alleged to have occurred, is not located in Moe Meik Township. It is actually located in Loi Je Sub-township, instead.
- One of the findings of the tribunal is that the armed men from the Kachin Independence Army (KIA) were moving around in that area at the time when the alleged case occurred.
- Since the breakdown of the peace deal with the KIA on 9 June 2011, the military personnel from the Loi Laung Taung military outpost and the Hill 6414 military outpost remained only at their camps in a defensive posture. They did not carry out any activities whatsoever outside of their camps.
- There is no evidence of the military personnel from the aforementioned military outposts having abducted any women to their camps.

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- No complaints or reports were received from the administrative officer of Loi Je Sub-township or Loi Je police unit or the community leaders of Loi Je Sub-township.
- It was also found out that the relatives of Ms. Sumlut Roi Ja did not file any complaint to the commandants of the relevant military battalion or township police officer or township administrative officer.
- U (Mr.) Dau Lum, husband of Ms. Surlut Roi Ja, filed a petition for writ of habeas corpus to the Union Supreme Court. In his application, he said that the three military personnel from No. 321 Light Infantry Battalion, which is under the command of Lt. Col Zaw Myo Htut, based in Loi Laung Taung (Mou Bun) military outpost, arrested his wife, while she was harvesting corn in the field on 28 October 2011, at 1230 hrs and detained her at Mou Bum military outpost.
- The Union Supreme Court heard the case based on arguments and affidavits made by the complainant and the defendants. On 1 March 2012, the Union Supreme Court Judge U Myint Aung rejected the petition on the grounds that there was no clear evidence to prove that the complainant's wife was arrested by the military personnel of the No. 321 Light Infantry Battalion.
- Therefore, the concerned authorities have concluded that the allegations about the abduction and rape of Ms. Sumlut Roi Ja and three others are not true. These allegations were fabricated and circulated on the internet not only to tarnish the image of the Armed Forces of Myanmar but also to sow distrust and misunderstanding between the people and the Armed Forces.

Please accept, Sir and Madam, the assurances of my highest consideration.


16/3/2013
(Maung Wai)

Ambassador/Permanent Representative

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Professor Tomas Ojea Quintana

United Nations Special Rapporteur on the Situation of human rights in Myanmar

Ms. Rashida Manjoo

Special Rapporteur on violence against women, its causes and consequences

Mr. Hadji Malick Sow

Chair-Rapporteur of the Working Group on Arbitrary Detention