

Who Killed Ja Seng Ing

?

C O N T E N T

1. Ja Seng Ing's Photo	3
2. Hpakant Map	5
3. Introduction	6
4. Methodology	7
5. Summary of Events of 13 September 2012	8
6. Recommendation	10
7. Witness Testimony	11
(a) Ja Bawk Lu: Ja Seng Ing's classmate	11
(b) Ja Mun Mai: Ja Seng Ing's classmate	12
(c) Seng Mai: Ja Seng Ing's classmate	13
(d) Roi Nu: Ja Seng Ing's classmate	14
(e) Daw Nang San: teacher and eyewitness to shooting of Ja Seng Ing	15
(f) Unnamed K.I.A. officer	20
(g) U Brang Shawng: Ja Seng Ing's father	22
(h) Daw Ja Gu: Ja Seng Ing's mother	26
(I) Deacon U Lamai Brang Awng: owner of home where Ja Seng Ing was treated	27
(J) Unnamed businessman from Sut Ngai Yang	28
(K) U Soe Moe: A witness to the events of September 13	29
(L) U Myint Kyaw: Sut Ngai Yang resident	33
(M) Unnamed Sut Ngai Yang resident	35
(N) Unnamed local resident	36
(O) Unnamed local resident	38
(P) Unnamed local resident	39
(8) Appendix	41

1. JA SENG ING'S PHOTO



အ.ထ.က (ဖားကန့်) ၊ ဖားကန့်မြို့

၂၀၁၁/၂၀၁၂ ပညာသင်နှစ်



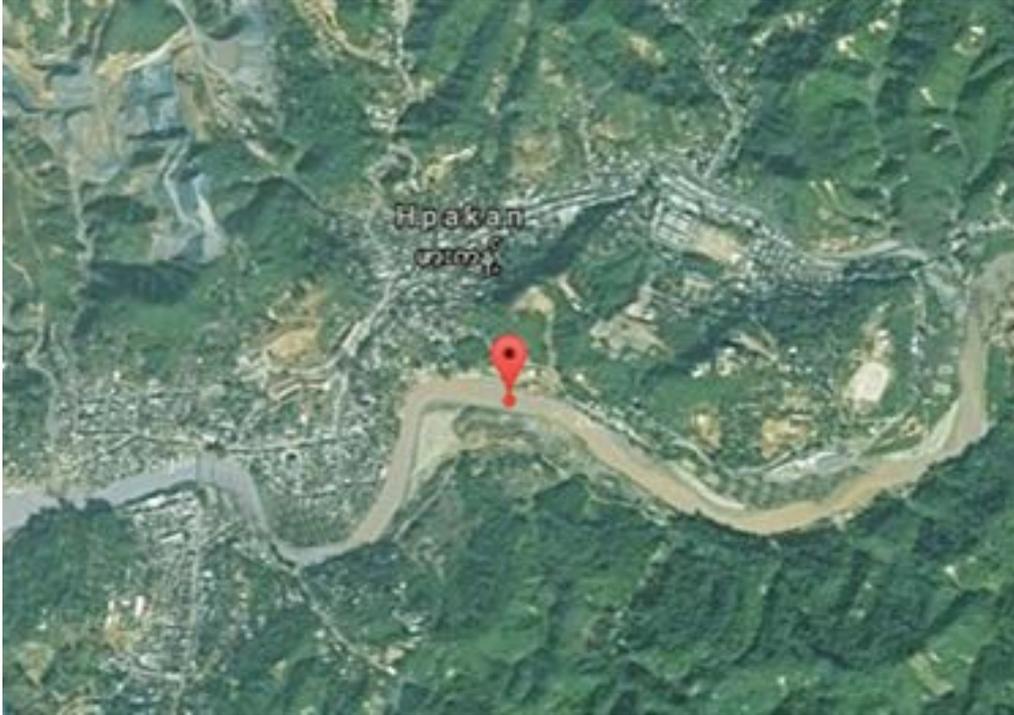
မဂျာဆိုင်အိန်

Grade:9(I)

ကျောင်းဝင်အမှတ် - ၀လွန်-၂၆၃
 မွေးသက္ကရာဇ် - ၂၀.၇.၉၈
 အပအမည် - ဦးဘရန်ရှောင်
 နေရပ်လိပ်စာ - ဆွတ်ငိုင်ယန်

ကျောင်းအုပ်ကြီးလက်မှတ် -

2. HPAKANT MAP



***Sut Ngai Yang village is located in Hpakant Township, Kachin State, over 90 miles from Myitkyina. The location where Ja Seng Ing was injured is N 25°37.202", E 096°18.826" 1002 Ft GPH. The place where Ja Seng Ing died is N 25°37.256", E 096°18.897" Ft.

3. INTRODUCTION

On 13 September 2012, Shayam Ja Seng Ing, a 14 year old Kachin girl, was fatally injured in Sut Ngai Yang village, Hpakant Township, Kachin State. Her father, Shayam Brang Shawng, and multiple eyewitnesses allege that she was shot and killed by Myanmar Army soldiers during a period of indiscriminate gunfire. The Myanmar Army alleges that she was killed by a mine detonated by the Kachin Independence Army (KIA).

Following the death of Ja Seng Ing, Brang Shawng sent complaint letters to President U Sein Thein and the Myanmar National Human Rights Commission. The letters requested that there be an investigation into the death of his daughter and that steps be taken to ensure that similar incidents do not occur in the future.

In February 2013, a Myanmar Army officer submitted a complaint against Brang Shawng to the Hpakant Township Court, alleging that he made false charges against the Myanmar Army in his letter to the Myanmar National Human Rights Commission. Since that time, Brang Shawng has been required to appear in court more than 45 times to defend himself against charges under Article 211 of the Myanmar Penal Code. The case is ongoing. If convicted, he faces up to two years in prison.

This report includes a description of the events of 13 September 2012 from the perspective of many eyewitnesses. It does not answer all of the questions about that day, but it highlights the injustice suffered by Ja Seng Ing and her father, Brang Shawng.

4. METHODOLOGY

This report is written by the Truth Finding Committee of Ja Seng Ing's Death (the Committee), a group of civil society organizations in Kachin State, Myanmar, in close collaboration with the community in Hpakant and the family of Ja Seng Ing.

The Committee conducted interviews with 16 individuals with knowledge relevant to Ja Seng Ing's death between December 2012 and September 2014. Additionally, the Committee collected physical and photographic evidence as well as GPS data from Sut Ngai Yang village and other relevant locations in Hpakant Township.

This report consists largely of statements provided by eyewitnesses to the events of 13 September 2012, including local residents, village elders, school girls, a medical doctor, a KIA officer, and Ja Seng Ing's parents. Altogether, the statements of 17 people are included in this report. The author's opinion is not included in this report, which merely presents the views of numerous eyewitnesses.

Interview notes have been translated from Kachin and Burmese languages into English. The English transcripts of interviews have been edited for style and grammar, but the content has not been changed. In some cases, multiple interviews with a single individual have been consolidated into a single statement.

5. SUMMARY OF EVENTS OF 13 SEPTEMBER 2012

The events that led to Ja Seng Ing's death occurred in Sut Ngai Yang village, Hpakant Township, Kachin State, on 13 September 2012.

Numerous residents of Sut Ngai Yang reported that soldiers from Myanmar Army Light Infantry Battalion (LIB) 389 arrived in the village early on the morning of 13 September. They report that the soldiers spent the day in their houses, eating their food and drinking liquor.

At approximately 4pm, as soldiers were forming to leave the village, an explosion occurred, injuring several Myanmar Army soldiers. A KIA officer interviewed by the Committee claims that KIA soldiers under his command remotely detonated the bomb.

Local residents report that, after the bomb exploded, soldiers from LIB 389 indiscriminately fired their weapons in Sut Ngai Yang for a period of approximately one hour. Additionally, small arms and heavy weaponry were alleged to have been in used in other parts of Hpakant Township. Although the Myanmar Army claims it was fighting the KIA, the KIA officer interviewed by the Committee states that his soldiers did not engage in a gun battle with the Myanmar Army soldiers. Local residents allege that units within the Myanmar Army were fighting each other.

Ja Seng Ing, several of her classmates, and a preschool teacher were returning from school to Sut Ngai Yang village at the time of the explosion. They said that, when the Myanmar Army soldiers started shooting, they took shelter behind the kitchen of a house at the bottom of the hill leading to Sut Ngai Yang. According to their account, after approximately one hour of shooting, soldiers yelled at them to come out of their hiding spot and then fired shots, including one that struck Ja Seng Ing in the hip.

According to the descriptions provided by numerous eyewitnesses, Ja Seng Ing was not near the explosion in Sut Ngai Yang village. Her father, her classmates and the preschool teacher she was with believe unequivocally that she was shot and killed by Myanmar Army soldiers. Additional witness testimony, physical and photographic evidence, and GPS data support this conclusion.

Several interviewees, including the preschool teacher and Brang Shawng, described how Ja Seng Ing received medical treatment at the home of a church deacon in Sut Ngai Yang. The teacher and her father claim that they asked a commander from LIB 389 to be allowed to take Ja Seng Ing to the hospital, but were denied permission until the soldiers were ready to leave the village.

At the hospital, according to Brang Shawng, the surgeon was called away from the hospital to visit the nearby Army camp before he was able to conduct surgery on Ja Seng Ing. When he returned, he performed the surgery, but Ja Seng Ing died during the operation. The surgeon claims that he never removed a bullet, piece of shrapnel, nor any other object from Ja Seng Ing's body and that he does not know what caused her injury. He claims that no post mortem was performed on her body to determine the cause of death. Brang Shawng claims that he was told that it was a bullet which killed Ja Seng Ing.

According to Brang Shawng, three days after Ja Seng Ing's death, he was paid 100,000 kyat in compensation for the death of his daughter at the nearby army base.

6. RECOMMENDATIONS

The Truth Finding Committee of Ja Seng Ing's Death requests the following:

1. The Government of the Republic of the Union of Myanmar establish an independent commission to investigate the death of Ja Seng Ing and the injury of other civilians in Hpakant Township on 13 September 2012.
2. The Myanmar Tatmadaw and Kachin Independence Army establish their army posts in areas not inhabited by civilians and take care to reduce the civilian impact of their operations and armed conflict.
3. The Myanmar Tatmadaw and Kachin Independence Army refrain from targeting civilians with violence or indiscriminately firing weapons in civilian areas, and hold accountable soldiers who engage in these types of conduct.

JA SENG ING'S PROFILE

Name	Ja Seg Ing
Age	14
Identity card	1/kmn (n) 043956
Father	U Brang Shawng
Nationality	Kachin
Religious	Christian
Job	Student (Grade 10)
Address	NO(1),Sut Ngai Yang, Maw Wan Quarter, Hpakant Township.
Date of Violation	13.9.2012
Place of incidence	NO (1), Sut Ngai Yang, Maw Wan Quarter, Hpakant Township.

7. WITNESS TESTIMONY

A. JA BAWK LU: Ja Seng Ing's classmate

I have been Ja Seng Ing's classmate for a long time since our kindergarten years. I never thought that something like this would happen. Every one of us friends had a different high ambition. My friend Ja Seng Ing said that she wanted to become a famous and successful singer. We all believed that she would become one. But her dream will never come true anymore.

An unforgettable thing happened on 13 September 2012. Our school had extra time off because there was a flood. The incident happened at the bottom of the hill [below Sut Ngai Yang] upon our return home at about 3:30 p.m.

[When we were hiding] we heard a voice, "Fire up the hill, Fire up the hill." Again I heard someone shouting and cursing, "Don't you hear! Come out. I will set the whole village on fire." I looked outside pulling up the skirt that hung to dry in front of me and saw the man yelling orders from behind the wheel of a small tractor. Another man was cocking his fire arm. The other one was opening fire continuously. He shot with a long-barrel gun. Bullet shells were scattered around. It must be around 5:30 p.m. or 6:00 p.m.

I feel that the world has broken into pieces after she had gone. To console myself, I always think that she will come back to life someday. I felt so sad that I wanted to leave this world. I remembered and long for those old days when we went

to school together, we played together and we dressed ourselves together. We dreamed about studying abroad after we passed grade 10. We were always together, going about and gossiping around. Sometimes, we quarreled but as friends. We were the only close friends in this world. She was pretty and there was no fault in her gestures. She was good at her studies. I feel pity and wasted for her. We understood each other very well. Sometimes, I dream of her and miss her a lot.

I wish my friend Ja Seng Ing was here and I think that this happened because of the war. I hate war. We were not enemy soldiers but school girls. They shot at us. I hate them. She is a regular church-goer. She was holding a scripture sheet at the point of her death.

I was surprised with her. I feel pity for her and wonder about her fate. I feel bad as I am being interviewed now. I also feel very sad.

I do not think it is fair to have the lawsuit against her father. I am bewildered why these things happen in our lives. Her life should not have been wasted so. We were saved from death by the grace of God. The God who created us must have the answer to our questions. I believe that God will lead us. I, Ja Bawk Lu, would like to tell everyone to trust in God.

B. JA MUN MAI: Ja Seng Ing's classmate

It was Thursday, 13 September 2012. I was in Class D, and Ja Seng Ing was in Class G. We were happy together, eating noodles and cracking jokes. But at about 3:30 p.m., we were scared when we heard a loud explosion.

I am now scared to see the Burmese soldiers. I feel so bad about my friend Ja Seng Ing's death. Why did she die? Was it because of her fate or because of the Tatmadaw? I am still confused. She died from a bullet wound. I was so shocked that I could not talk or eat three or four days. I came back to my senses only because my mother spoke to me. I can never forget what happened to my friend in front of us. I feel very sad because Ja Seng Ing is not with us anymore when we went back to school.

I was sad again when the exam results came out. I felt so sad after my friend was gone. I don't think I can ever forget about her in the future. We were wearing white and green school uniforms. Where is the law for shooting schoolgirls?

Now Ja Seng Ing's father is being sued and I don't think it is fair. Why did they do this? There are plenty of wise people in this world. We were not enemies. I want

to ask why they killed my friend. I am scared to death whenever I see soldiers. Now, they are saying that a bomb shell hit my friend who was shot dead in front of us. That is not true at all. I know that she was shot dead in front of us.

C. SENG MAI: Ja Seng Ing's Classmate

[Ja Seng Ing and I] had been loving friends and like sisters since our childhood. After a scripture recitation contest in 2012, we shared among ourselves about our ambitions. She said that she wanted to become a lady preacher.

School finished at 3:30 pm on 13 September 2012. We were waiting for our friends until about 4 p.m. We met some soldiers at the crossroad near where the path goes uphill to Sut Ngai Yang. They had been there since the morning and we were not alarmed.

As soon as we had crossed the bridge and began to walk uphill to the village, we heard an explosion from up the hill. At first, all of the girls gathered and stood near the army post fence. Then the soldiers shouted at us to hide at a safer place. So we tried to enter the house compound [that was nearby], but the gate was shut and we walked around the back of the house. There we took shelter under a [hanging] tarpaulin.

The day Ja Seng Ing was hit by the bullet, government soldiers were also crouching near our hiding place. Two men without Army uniforms who came along with the soldiers joined us behind the house. I was not sure if they were from Maw Won or not. I had never seen them before.

I remember that I was so scared then. Every soldier was firing small guns. We did not hear heavy artillery. Everywhere was the sounds of the shooting of small weapons. No more explosions were heard. We did not stand up because of the firing of the small weapons.

Seng Mai, teacher Nang San, Ja Bawk Lu, Ja Mun Mai, Roi Nu, Ja Seng Ing and I were lying down abreast. All but Ja Seng Ing were facing west toward the village. Ja Seng Ing was the only one facing east, away from the village. All of us were crouching. Ja Seng Ing faced eastward, her head covered by her shoulder bag, and her lunch box beneath her bowel. Until that time, Ja Seng Ing was not wounded. Then we heard soldiers shouting, "Come out, Come out, don't you hear me?" There were many soldiers around the house yard. All of us girls were kneeling down on the ground. I think Ja Seng Ing was shot when the soldiers shouted at us to come out and opened fire.



Ja Seng Ing's hiding place

I felt so bad that her father was sued instead of them having sympathy for my friend who had been killed. I came to this interview to straighten up the unfair case.

I hate Tatmadaw soldiers. I am saying this so that nothing like this would happen again to us students. I pray that shooting intentionally may not happen to any child in any country. This was an unforgettable incident in my life. I heard deafening noises of gunshots then. I miss [Ja Seng Ing] when I go to school now. I felt so bad when her name was not on the list for the final exam result. This happened because of Tatmadaw soldiers, not because of fate. Why did they hurt us while we were wearing school uniforms?

D. ROI NU: Ja Seng Ing's classmate

Ja Seng Ing was our childhood friend. We lived together as real sisters, going to school and coming home together. We always went together to Church for choir practice. [On 13 September 2012] there was a flood in Hpakant and our teachers let us go home early. The groups of friends we were with sang songs on our return home.

Later, my friend was pitifully shot by Burmese soldiers, and she died of her bullet wound. I hate whoever shot my friend dead. Ja Seng Ing was hiding next to me at the time. There were government Tatmadaw soldiers around us. They opened fire non-stop. Even now, I hate them whenever I see them. I also dream of Ja Seng Ing every night. I pray that nothing like this will happen to us students or any family again.

I missed her when the final exam results came out. She would have passed the exam if she had been here. She wanted to become a singer. I want to become a school teacher.

We were wearing school uniforms and hiding with our school teacher, but they fired at us. We were not only one or two [in the hiding place], but six or seven. Why did they target her? I cannot find the answer.

When the bullet hit Ja Seng Ing, she shouted, “Uhh...the bullet hit me, please wait for me.” She was shot at the time when the soldiers ordered us to come out [of our hiding place]. The soldier shot her with a long-barreled gun. The earth in front of us was blown away. It was sure she was hit by a gun bullet. Ja Seng Ing herself said that she was hit by a bullet. At that time there was no explosion. Ja Seng Ing had only one wound on her body. Her skirt was all soaked with blood. Even her shoulder bag was blood stained. The blood came out from that single wound.

I hate wars. There is no law that allows the students to be shot. She died pitifully but why did they sue against her father? Why do they say that she was killed by a bomb shell when we saw her shot dead in front of us?

E. DAW NANG SAN:

Teacher and eyewitness to shooting of Ja Seng Ing

I don't know what time classes are over at Hpakant School. My school classes are over at 3:30 pm. I met [Ja Seng Ing and the other students] on my way home after collecting my children. There were five of them together. They were happy when they saw me. They were not my pupils. They are not from my school either, but they were my former Sunday School students in this village. At first they were scared because they knew that Tatmadaw troops had been in the village the night before. Later, they were happy because they saw me. So they carried my shoulder bag and my daughter.

While we were returning home happily, we saw four or five government soldiers coming down the road. We thought that they would have left because they had been in the village the previous night. We were not scared because people were going and coming along the road. On the way, I saw flower pots on the roof of Chinese La Ja's house and told the girls to grow flowers.

At that time, we heard a loud explosion. We were shocked and standing in the middle of the road. The children began to run all directions. I had the sense that people should not run around when there is an explosion like that. I told the children not to run but to gather in one place.

Myanmar government soldiers took positions as soon as the bomb exploded. One soldier told me to take shelter in a safe place because it was not safe on the road. I did not know where to go. Chinese La Ja's house was safe but it was quite a long way back and we would have to walk quite far. We were scared. So we went to a nearby house with a fence and stood under the roof. The house was very small and there was not enough space for us under it. So, we ran around the house until we found a mound behind the old kitchen. We tried to find shelter for our heads under a tarpaulin plastic roof.

Then, they began to fire in all directions yelling at us to come out. We were afraid because we have never had this kind of experience. The school girls were also scared. Some girls even cried. I told them that we should pray. At that time, Roi Nu began to weep. I asked them to pray silently. I felt it was quite a long time. It must have been at least one hour.

Then a Burmese soldier came to our hiding place and ordered us to come out, but we did not think that he was yelling at us. He did not see that they were wearing white and green uniforms. They fire above our heads. My ears were hot. Then, I realized that they were calling at us. I replied to them and asked them to wait. I was the oldest and the only adult. I carried my child and came out. But I could not walk because my legs were numb. I walked on all fours. The soldier saw me and knew that we were a teacher and school girls. I said that I was a school teacher and I had many school girls with me, and that we were from the upper part of the village. I was not able to speak loudly, so he ordered me to speak louder. I requested that he let us go because I was a school teacher and I had some schoolgirls with me. Then, he told me to leave immediately. I said "Thank You" to the captain and returned to the hiding place.

[When I returned] Roi Nu was embracing Ja Seng Ing, who was bleeding. She had bled a lot. I did not ask her what had happened, but I saw a lot of bleeding. I told them to leave because they had let us go. Then Roi Nu said that she did not want to leave anymore. I asked her why. All of them were crouching because they were scared and no one said anything. At that time, the Burmese soldier did not see us coming out and ordered us to leave immediately. All of school girls left while Ja Seng Ing and I stayed behind. I told the soldier that one of my girls could not walk.

At that time, two men who might have been hiding in the same place came out with their hands held up. The soldier ordered us to take the wounded girl out. I drew her out of the hiding place. She asked me not to abandon her. I replied that I would not, and that we would go home together. I consoled her not to worry about anything. I thought that the wound on the hip would be treated and be cured because it was just a small injury on the buttock.



Ja Seng Ing's blood

I told Ja Seng Ing that there was nothing to worry about even if she needed an operation. I carried her out. Then the soldier and the two men outside came and told me to take her to the hill where they had a medic team. One of the men tried to carry Ja Seng Ing on his back but she fell back. I thought it would take a shorter time if we could carry her on someone's back.

Outside were soldiers in green uniforms. I was scared to death. They told me to carry Ja Seng Ing on my back, but I told them to do so. We lifted her up to put her on the man's back, but she could not bear the pain and fell back. She held her bowel and said that she was in pain. They could not carry her on their backs, so one man held her at the arms while another man held her at the legs. They took her up with much difficulty to the hill.

When we reached the hill, they laid her down in the deacon's kitchen. They asked me what had happened to the girl. I replied that I did not know. The medic asked me where the wound was. I told him that it was on her hip. He told us to leave the girl there. I told the medic to give her an injection quickly because the girl was young and she was pale from a lot of bleeding. I also suggested him to give her a blood transfusion. A man looking like an officer standing on the side gave the medic permission and she was given an injection.

I had sympathy with the girl as a woman, so I requested them to check if there were other wounds on her body. When I tried to remove her white blouse, she, being a teen-age school girl, refused to let me do it because she was shy. I consoled her not to feel shy because they would give her medical treatment. I also told her that her parents were with us downstairs and I was the only one who was allowed to enter that room. I told her not to worry and removed her blouse to find more injuries. I found no other wounds. I wanted to check around her pubic region. She got angry and snapped my hand, not letting me touch her underwear. I told her not to feel shy. At that time, the deacon's wife was coming in and out of the kitchen room. We checked her everywhere and found no other injuries.

The medic found the wound on her hip and cleaned it with alcohol. Then I saw the bullet wound properly. They poked the wound with a hair-clip and the wound seemed quite deep. I thought the bullet had gone through the hip and never thought that it entered her bowels. They said that the child had to be taken to the hospital and have an operation. Then they bound her wound with a large bandage.

The girl was asking for water. I asked the medic if I should give her water. The medic told me not to give her any water at all. I did not know why I should or should not give water to the girl whose lips were so dry and who was demanding water so badly. I was worried. It seemed that her intestines were injured. Her breath was hot and foul. I thought she had a fever.

We were looking at each other face to face. She did not let me go away. She was worried because she thought that I would leave her alone. I told them to pray and prayed for her. She complained that her legs were tired. She said she wanted to make body movements. The medic told me not to let her move, and gave her two injections.

After the injections, she became more calm and spoke well. When it was getting darker, a soldier planned to take Ja Seng Ing with two other wounded soldiers to Hpakant Byuha hill. Then I told the soldier that I dared not go along with them to Byuha hill when my child was with me. The soldier asked me why. I could not answer why I dared not go, but I told him that I had to look after my other two children at home and that our family members were scattered.

That girl's parents were in the village and both parents were decent village elders. I requested them to call for the girl's father and let me go because I was so scared and could no longer take care of her. A tall man with yellow skin came and told me to go and get her father upstairs and her mother downstairs where male and female villagers were kept. Then, Ja Seng Ing caught hold of my thigh and requested me not to leave her to get her parents. I told her that her father had to

be with her when they took her to the hospital and he would solve the problem. The tall man whom they called “Abba” (Papa) ordered his men to ask for the girl’s father and call for him to come.

Later the girl’s father came along. Her father asked me what had happened when he saw me. He did not see Ja Seng Ing because she was lying there. I told her what happened to Ja Seng Ing. He was shocked when she saw Ja Seng Ing. He asked her what happened but the girl replied that nothing happened. The father was so worried, so I told him not to worry so much. He asked me where the bullet hit her and I answered that it was on her hip and we were preparing to take her to Byuha hill. I also told him to go along with her.

He had to decide quickly because they were preparing stretchers for her. He dared not asked further questions because we were the only two civilians among many soldiers there. There was no one else to consult. So he was walking in and out of the room. Eventually he said that he would go to Byuha hill with the church deacon in the church vehicle.

Then they left one by one. It was quite dark when the owner of the house, the deacon, arrived. They borrowed a businessman’s car and went to the hospital. The girl and her father alone went to the hospital. I did not go to the hospital with them. I had two young children at home. I learned that they went away to Maw Won Kale Quarter. A three-year old child was alone [at a day care center] at that time. I fetched that child from the day care center.

No bomb exploded near the place where we took shelter. We did not know anything about guns or about medical treatments. But when Ja Seng Ing’s father went to the hospital, the doctor who performed the operation told him that the bullet spiraled through three of her intestines and hit one of her rib bones. It might have been the time when I came out and I was talking to the soldier that the bullet hit Ja Seng Ing. She was still praying when I left the hiding place. There was no explosion around me. They asked me at Byuha hill when Ja Seng Ing was hit by the bullet. I just guessed and told them that it might have been when I came out and talked the soldier. I told them that Roi Nu was shaking and waking up Ja Seng Ing when I looked back.

I think Ja Seng Ing was hit by the bullet a little over five minutes after 5. The class was over at 3:30 pm. We walked slowly. The explosion on the hill top might have occurred at about 4pm. The incident happened one hour later. Her wound was no other place except her left buttock. We all searched for the wound. We could not count how many shots were fired while we were hiding. Every time the cannon from Byuha hill was heard, the soldiers fired. The gun shot sounds were everywhere.

The firing stopped after Ja Seng Ing was hit. The sounds of the gun fire died down when they learned that a school girl had been hit. They were still firing when we were carrying Ja Seng Ing to the hill. They shot at everyone they saw.

Moreover, we didn't think that the Army's enemies were around us. If the KIA and Burmese Army fought each other, then the Burmese soldier would have been there where we were hiding. If they fired at each other, we would have been hit by the bullets too. And because we were in a house compound, the neighborhood houses would be hit too. But Ja Seng Ing and U Soe Moe from Sky Bakery (Moe Kaung Kin Bakery) were the only ones who were wounded. U Soe Moe told them that he was Burmese but they shot at him anyway. They also hit my husband with the gun. They took away people's cell-phones. But my husband's cell-phone was returned to him.

If the two armed groups fired at each other, many of us and school children from Maw Won Gyi and Maw Won Kale would have been hit and wounded by the bullets. Many of us would be broken or dead. Roi Nu, Ja Bawk Lu, Ja Mun Seng, Seng Mai and Ja Seng Ing were the ones accompanying me. We put our heads together where we were hiding. But I had a small child with me and I could not find shelter like the others did.

Ja Bawk Lu said that she saw Ja Seng Ing being shot. They were hiding with their heads together, and she saw Ja Seng Ing being shot.

Now, Ja Seng Ing's father is being sued and I think it is not fair. Others who read the prosecutor's law suit would feel the same as I. He has lost his daughter and he may probably be imprisoned too. In my opinion, it should not be so. That day, we were not the only ones who were hiding. Everyone in the village took shelter. Ja Seng Ing was hit by the bullet. It should not happen again here or anywhere else.

F. Unnamed K.I.A. officer

Our soldiers never plant land mines to explode and kill civilians. We never give trouble to the people by planting land mines. However, we will fight our enemies anywhere.

I myself ordered the land mine to explode at Sut Ngai Yang in Maw Wan Quarter [on 13 September 2012]. The Burmese soldiers were wounded and they opened fire at everyone they saw in the village. At that time, Burmese troops came in from all sides. Therefore, I ordered to explode the bomb by remote control for the troops which came from Nam Mahpyit side. No civilians were injured at that time. But the enemies were wounded.



Explosion place

The Tatmadaw infantry troops shot at the civilians. The bullet casings were piled up at a villager's house compound. The Burmese troops from Byuha hill also opened fire at our side on Maw Mau Bum hill. Soldiers from Sut Ngai Yang also fired back at Byuha hill. They shot at each other by mistake. Some of them were not accustomed to the region.

I myself was the one commanding the operation at that time. Therefore, there could be no mistake. We had fought 3 days at Thaing Taung. But we opened the way out of the area in consideration for the civilians. We could have remained there and not withdrawn if we had wished. However, we had consideration for the Kachin civilians and we opened the way out. Moreover, we opened Phakant Road in consideration of the people, so as to not cause them trouble.

It is not possible that civilians were injured by a K.I.A bomb or bullet [on 13 September 2012]. All of the people in Maw Wan would give the same answer if they were asked about that. It is not true that there were shootings between the K.I.A and government troops. I had ordered my men to explode the bomb and then leave. The Burmese troops were firing at one another.

I did not order my soldiers to fire a single shot and they did not bring guns with them on that day. I did not give them arms either.

It is by no means lawful to prosecute Ja Seng Ing's father now. We would take responsibility and confess our fault if we made a mistake [and injured Ja Seng Ing]. We would conduct the funeral for her family's sake if that were the case.

K.I.A troops as well as Tatmadaw frontline troops were going and coming at the crossroad between Maw Mau Bum and Taw Hmaw. Every frontline soldier walking along there planted bombs. They never removed the bombs they planted. That location was left [with bombs] as it was as a black area. A woman from Maw Mau Bum died there when one of those bombs exploded while she was collecting vegetables in the forest. Nobody knew whose bomb it was. But we took the full responsibility for her funeral.

We heard later that three soldiers were wounded and two died on the hill at Sut Ngai Yang on that day. They open fire everywhere because they became furious about the explosion.

During my command there were three big battles in the Hpakant area:

- (1) Way Aung Company (May 2012);
- (2) A three-day battle at Kathaing Taung (August 2012); and
- (3) A two-day battle at Maw Mau Bum Yung Cho.

There have been many minor battles. But those battles were long term battles. I have learnt that quite a number of government soldiers died. I reckon that they opened fire at every house they saw in Sut Ngai Yang because they had a grudge against us.

G. U Brang Shawng: Ja Seng Ing's father

The incident happened when my daughter, Ja Seng Ing, her grade nine classmates Ja Mun Mai, Ja Bawk Lu, Seng Mai, and Roi Nu, their teacher Lahpai Nang San, and her 3-years old child were returning home from school at about 3:45 p.m on 13 September 2012.

They met the [Burma Army] troops at the junction near the entrance to Sut Ngai Yang. At that time a land mine exploded and they were frightened. They took refuge in U Shwe Win's backdoor kitchen on the right side of the stream.

In that place, those who were firing the whole hour were government soldiers only. They opened fire in all directions. After about one hour of shooting, the soldiers saw the school girls and shouted, "Come out, don't you hear?" At the same time, they opened fire and my daughter who was crouching on the ground was hit on her left hip by the bullet. The bullet went through her butt and entrails.



Myanma Tatmadaw's Boom and Bullet

When they yelled at the school girls, the teacher came out from her hiding place. The teacher being the oldest told them that she was with the school girls who lived in the upper part of the village. The soldiers ordered them to go away. But, when the teacher looked back, my daughter was not able to rise up and walk anymore.

After the children reached the bunker on the other side [where they were hiding], we heard guns and artillery. Therefore, we civilians regard it to be illegitimate shooting. They treated the civilians as the enemies, and they were about to kill all the villagers at Sut Ngai Yang that evening. We could not raise our heads while we were hiding in our home.

Two men from the same compound and the school teacher carried my daughter to Sut Ngai Yang hill. The troop commander and the medic were there on the hill. My daughter was carried to Deacon U Lamai Brang Awng's kitchen. The men of Sut Ngai Yang and the women of Sut Ngai Yang were kept separated at that time. I was among the male group. A soldier came and asked if there was U Brang Shawng, and I answered that I was him. He took me to the place where my daughter was laid.

I looked at my daughter's condition. She told me that she had pain in her stomach. I told her not to worry about it and that she would be treated well until she was cured. I also met the troop commander and talked to the medic, who advised

me to take her to the hospital soon. The name of the troop commander was Major Zaw Minn Thant. I came out of the room and requested Major Zaw Minn Thant to let me take her away in the church vehicle. But the troop commander rejected my plea and told me that I could take her away only after the troops had departed.

They did not leave the village quickly, so quite a long time passed until they departed. It was 7 p.m. when the troops had left and we could take her to hospital by a business man's car. The doctors and nurses did their best to treat her. They gave her a blood transfusion immediately. While the third bottle of blood was being transfused and the doctors were getting ready to operate on her, Dr. Kyaw Tun was called by the brigade commander to meet him at Byuha hill (Army post). Upon his return from Byuha hill, my daughter received the operation. He spent 30 minutes going to and from the Byuha hill. We arrived at the hospital a few minutes after 7 p.m., but the operation only started at about 9 p.m.

The doctor came out of the operation room after 9 p.m., hugged me and told me that he was sorry but it was too late for Ja Seng Ing to recover. He told the nurses to give me some water and a seat. The doctor told me that the bullet had destroyed my daughter's bowels and that three small intestines were broken. He said that the injury was from a gun bullet.

Our church vehicle arrived later and we took my daughter to our home. I saw the bullet wound on my daughter's body. That was the only hole on her body. The whole Hpakant was silent on the night she died. Only a few neighbors kept vigilance with the dead. She was buried two days later on 15 September 2012.

Later I learnt from Ya Ya Ka village elders that the Brigade Commander called for me on the third day [after Ja Seng Ing's death]. The name of the Brigade Commander was Zaw Minn. I wondered what would happen and I went there along with the village elders. There were four of us: the 5-household head, 100-household head, an elder from the village council, and myself. We went to see the brigade commander. Upon our arrival at the Byuha hill, a meeting was held. As soon as I entered the hall, the Brigade commander asked me if I was Ja Seng Ing's father and handed me 100,000 kyat. Then, he said that they were sorry, and that they had helped me as much as they could when he handed me 100,000 kyat. Then we left but the commander had not even told us to take seats.

A week later my whole family moved to Myitkyina. On 25 September 2012, I wrote an appeal to the President of our country to take a proper action against the troops [for Ja Seng Ing's death]. My intention was that this kind of incident would not occur again in the future and that the troops would not fire recklessly on civilians. I also included in the letter an appeal that my family's sad story

might not be repeated in the future. I also appealed to the President to consider about our compensation.

Later, on 1 October 2012, I wrote another letter to Myanmar National Human Rights Commission, asking them to investigate the incident. At the end of the appeal letter, I added two requests: that the soldier who shot my daughter be court-martialled and that compensation for us be considered. Otherwise, the words in this letter were not very different from those in the appeal letter to the President. I also included a few questions such as: Is the Tatmadaw the enemy of innocent civilians or the army which protects the citizens? Whom should the citizens depend upon? I wrote that the soldiers opened fire between the convoy and Byuha hill not on the battle field between two conflicting armed forces, because I saw it with my own eyes that they were firing at Byuha hill.

Even after I sent my appeal letter to the Myanmar National Human Rights Commission, no reply letter was received from President Thein Sein. Therefore, on Kachin State Day, 10 January 2013, I met with Lawyers' Network, 88 Generation Student's Association, Kachin Peace Network Group and other network groups for a news conference concerning my daughter at Taw Win Hninn Si Hall in Yangon. At that time, about 30 media reporters attended the news conference.

I was informed by the court that I had been sued by Major Zar Ni Minn Paik from Hpakant Byuha hill. I went to the court and signed for the confrontation at the law court. At first, I was a little shocked because the brigade commander sued against me meant that the government man was taking action against me.

I was sad when I heard that I had been sued for making "false charges," because, in fact, they shot my daughter, and there was no reply letter to indicate whether my appeal letter was received by the President. Now the military is taking action against me. I regard the government as my parent. But, the government took action against me alone, so I am very sad.

At present my sorrow is increased by the additional worry. I cannot express how I feel because I have lost a child. My relatives and my family are so sad that we cannot say anything. My daughter was shot dead after I had raised her without blemish for 14 years up to grade 9. Not only my family but also those who heard this news are sad.

H. DAW JA GU: Ja Seng Ing's mother

I feel sad beyond my expression because of my daughter's death. I do not know what to say. I have six children. Two of them died young in their early childhood. All of my children are girls. Miss Ja Seng Ing is the third born. She was born on 20 June 1998. She was 14, attending Grade 9, and studying economics at Hpakant High School at the time of her death.

I believe that the government troops shot her dead, because they were the ones that opened fire in this village. She was never sick, and was healthier than her older sisters. She was fat too. The bullet hit her at about 5 p.m. I learned about her being shot quite late because we were kept male and female separately [by the soldiers in the village].

When they first opened fire, my husband and I went to the kitchen and we hid there. We stayed in the kitchen for about an hour. Then the soldiers called us to come out. The deacon's wife told me about my daughter. My husband heard about it first and he went to see her. She was taken to the hospital at about 7 p.m. I did not look at her wound. She was still alive when she was given an injection at that time.

When I saw my daughter, she told me that her head was burning hot and requested someone to hold her head. She also asked me to hold her legs. I did not know how to help her and told her to pray to God. She was escorted to the hospital while I stayed at home with my grandchild. My daughter died at about 9 p.m. and I was called for after 9 p.m.

If my daughter had not died, all of the male villagers in Sut Ngai Yang would have been killed. My daughter saved the lives of the villagers. They saw that she was a school girl with a green and white school uniform, so the firing died down when my daughter was hit.

I was nearly paralyzed when I heard that she was wounded. I think she was shot without any fault, because the place where my daughter was hiding was not far from the road and she was wearing her green and white school uniform.

It was an intentional shooting. I did not see the troops exchanging fire with their enemies. They opened fire in front of us. There were no enemies there. They used small weapons and big artillery. They shot randomly. There were about 20 children when they summoned us. I felt bad because my daughter did not die of illness, and it happened under my eyes as she was coming back from school.

Ja Seng Ing's teacher Nang San told me that Ja Seng Ing was hit on her hip. I

replied to her that she could be treated and cured if it was only the wound on the buttocks. At that time, I did not think that she would die. So I told my husband to go along with her to the hospital; and I told her that I would rather be at home with my grandchild. She could only say “all right.” Those were the last words my daughter said to me. After that, we did not see each other again. Then she was dead.

My daughter went to day care when she was 2, and spent 3 years at kindergarten there. She always went to Church without fail. She was not like her older sisters either. I feel so sad and moved whenever I see her friends. I know that she would be about the same as her friends if she did not die and if she were still living now.

I cannot answer people when they ask me about my daughter. I feel sad whenever I talk about her. I was shocked at first when I learned that they were bringing the case against her father after our daughter’s death. I thought all of us family members would be arrested and taken into custody when the brigade commander was the one who sued my husband. We didn’t have any experience with this kind of thing and I did not know what to say. But I do not want to go to any court for the case because I have lost my daughter. I feel very bad and very sad. I do not understand why my husband is being sued now. I never knew that my daughter would be killed and my husband would be sued like this.

What I would like the international community to know is that my daughter was shot dead in front of me and my husband is wrongly being prosecuted.

I. DEACON U LAMAI BRANG AWNG:
owner of home where Ja Seng Ing was treated

[On 13 September 2012], I came back home from the day care center with my son and two other neighborhood children. I stopped my motor-bike and helped the children get off the bike. The second commander of the [Burma Army] front line operation was eating at my home. I asked him if he has leaving. He said he was. He was eating hurriedly while standing. The soldiers were lining up and now I was talking with the second commander.

At that moment we heard a loud explosion outside. Soon the sounds of gun shots, big and small, were heard, and they called all the villagers and made them sit in a position on the road near the bakery house in separate groups of male and female villagers. They then search every house and opened fire everywhere.

At that time, we heard that a school girl was shot. They asked the name of the girl’s father. When they heard that it was U Brang Shawng, they looked for him.

U Brang Shawng was among those who were lined up [by the soldiers]. When U Brang Shawng came, I also came up because [Ja Seng Ing was] in my kitchen. I myself saw her wound. It was on her left buttock. She died of that wound. She shed a lot of blood. It was the only bullet wound they could find when she reached the hospital.

They did not allow her to be taken to the hospital as soon as the bullet hit her. Only after the Burmese soldiers departed did they let her be carried away to the hospital. Then U Brang Shawng requested me to rent the businessman's car and take her to the hospital. Later, we arranged for the vehicle and took her to the hospital after everyone had left. It was quite dark already at that time.

I did not know the name of the second commander, but they told me that he was from Hopin Infantry (389). The infantry battalion was under the Northern Command. The soldiers said that he had been receiving a major's salary but was not yet promoted to that rank. He stayed in our house. His senior commander was staying at 100 household head Tin Tun Awng's house. Their troops had Kachin as well Burmese soldiers. He said he was the second commander.

When we heard the gun shots, [the commander] came and lied down where I and my son were taking shelter. They (Burmese soldiers) were about 80 in number. We were all on the road and Burmese soldiers were also on the road. Some soldiers were standing in front of my house. If the KIOA had opened fire in return, all the wall of my house would be full of bullet holes. Many would have died. I did not see mutual fighting between the Burmese and KIA . We did not know whose bomb it was that exploded.

They just opened fire after the explosion. We were not hit because we were with [the soldiers]. If the KIA had fired at us, we would have been hit too. The explosion was the only sound we heard at first. After the explosion, they opened fire with small and large weapons. They also fired at the foot of the Byuha hill. I would say that everyone would tell you that the Tatmadaw was the only one which opened fire and there was no mutual fighting with the enemy.

J. UNNAMED BUSINESSMAN FROM SUT NGAI YANG

That day, I heard a loud explosion after the soldiers went down from the hill. I did not know whose bomb it was that exploded. I did not know if it was exploded because they got drunk and did it. Since that day, [Burmese soldiers] have been in the whole village.

It was a very long line of soldiers because they were about one brigade. They

opened fire in all directions. It was the time after schools were dismissed and I did not go downstairs at all. I had just come down from the jade mine to take a shower. I was taking off my shirt but could not go downstairs because of the sounds of gun shots.

All kinds of big and small guns were sounding at that time. The soldiers shot in all directions. School girls were crouching downstairs. The soldiers were there too. There was no one else. They also opened fired from Byuha hill and Myauk Hpyu mine area. Their bullets fell and exploded on Maw Wan Church. Yaku was wounded. Hsai Pan was also hit.

A father and his son were wounded. Yaku went to Yangon for treatment and later died in Myitkyina in a motor bike accident. About 7-8 people were injured by the bomb shell that day. [Around that time] I heard people shouting that a school girl was shot. I could not go out but I heard it. Soon, Ja Seng Ing was carried to the deacon's house. Her father was planning to take her to the hospital, but they did not let him go. They allowed him to go only after the troops had left.

She was hit on the left buttock. When the Burmese soldiers left, Ja Seng Ing was taken to the hospital in my car. They did not treat her as soon as she reached the hospital. The doctor went up to the Byuha hill. We did not find the bullet, but we found a bullet hole because the bullet had already entered her bowels.

When I returned home, a company employee called out "help, help". His armpit was bandaged. I took him to the hospital in my car immediately. It was quite dark when I came back. It might have been about 7:00pm when I sent Ja Seng Ing to the hospital. It was raining in Hpakant that night, and there was no electricity in town. We could hear the sounds of the engine from a big truck only. All doors were closed and people stayed indoors because of the sounds of the gun shots. The deacon was with me. Even dogs did not go out. All was silent.

K. U SOE MOE: A witness to the events of September 13

My name is U Soe Moe. I am living at 'Moe Kaungkin' bakery in Sut Ngai Yang. Since I am not a local resident, I do not know the population of Sut Ngai Yang. But it is next to Maw Won Quarter. Many people are living there. I spent the nights most of the time in Hmaw Si Za before this incident. But I came and spent the night here when the Tatmadaw soldiers arrived. I spent about a week at the Kachin man's house because we had many children in our house.

The government Tatmadaw soldiers entered the house at 3:00 a.m. on 13 September 2012. They called out "households there", then I woke up and saw the

Myanmar Tatmadaw soldiers. I told them that we had women only and they slept up stairs while I slept downstairs. The soldiers ordered me to wake up everyone in the household.

The household lady's daughter came downstairs. She saw the soldiers and asked the household's son-in-law to go downstairs. It was raining heavily that morning. They were all wet. Their rain coats were wet. They said that they wanted to drink hot green tea. I looked for hot water. But there was no hot water in three flasks. So I brought them hot water from my house. My house has a bakery and we had water the whole night. I served them green tea. They said they were hungry. So I gave them cakes.

As I had nothing to do or say, I planned to leave. The son-in-law of that household approached me and whispered to me not to leave because I knew how to speak. I talked with them. They said to me teasingly, "Your cake is delicious. We will promote your bakery." I said "Thank you."



U Soe Moe

Soon, I heard someone who might be their officer was scolding and yelling at a soldier. It seemed that something important must have dropped into the stream, based on what he said. He said that he would cut from his salary. At that time, three more soldiers entered the house. There was not enough space for everyone and I got up to give them a seat. There were about seven soldiers in the house that morning.

When the daylight broke that morning every house was occupied by soldiers. As I was planning to leave for Hmaw Si Za that morning, the boy from my house told me not to go, because jade stones would be exposed in the stream because of the torrent. As I went out to the street on my way to the stream, I saw five or six soldiers taking a rest in every house. The villagers were busy with their own daily chores and they seemed not to be scared.

I proceeded to the stream and collected some jade stones. At about 2:00 p.m. I returned and cut the stones without success. So, I then went back to my bakery house to take a nap.

The soldiers were planning to leave. At that time, I saw the boy from our house giving a bottle of liquor to the soldier who had been scolded by his officer. The officer yelled at the soldiers who were dressed all in uniform and three or four soldiers were in a queue about to leave and passing in front of my house.

Right then I heard a loud explosion. As soon as the soldiers heard the explosion, they opened fire. I carried my child and dared not go out through the front door. I told the children to go out through the back window and take shelter in the kitchen.

Right after the explosion, the soldiers started firing. I did not notice fighting between the soldiers and KIA. I did not see KIA soldiers that day. When we were crouching in the kitchen, the boy who had handed liquor to the soldier ran downstairs. A soldier aimed his gun at the boy and I told the soldier not to shoot at him. The soldier told the boy to go back upstairs. They did not shoot him.

I thought it would not be safe for the whole village if the KIA and the [Burma Army] soldiers fight each other. So, I told the children to go down to the ground and I hid myself there. The children also hid themselves elsewhere. About an hour after I had been hiding, the soldiers ordered me to come out. I turned around and saw four Kachin youth crouching next to the earth mound. We thought that it would be no problem and stayed there.

It must have been about 20 feet from my hiding place to the bottom of the hill. I thought it would be safer for me to run down the hill. I was hit by a bullet at

about 4:00 p.m. At that time I was a little too bold. I had no experience of battle and I was gazing at the heavy artillery being fired. At that time, a soldier shouted at me "People over there!" He was aiming at me. I told him not to shoot me, and that I am a Burman man from the bakery. As soon as I had moved two or three steps, he shot me in my left arm. I saw the soldier who shot at me. He was a Burmese soldier. He heard when I shouted. I fell down to the ground when I was hit.

The soldier shot ten or more times but I closed my eyes and remained lying on the ground waiting for my death. A soldier who was carrying a heavy gun shouted, "Earlier I told you men to come out. Now, you remain still." They thought that I was dead.

When they left, I jumped down the cliff and found two boys at the bottom. I requested them to help bandage my hand with my longgyi and send me to the hospital. But they dared not take me to the hospital. They said that the soldiers shot at children too. I decided to go to the hospital alone. When I reached Sut Ngai Yang at the place where caterpillar tractors are parked, I asked people for help. They gave me a longgyi, but they dared not take me to the hospital. Some people closed their doors and stayed indoors. The head of 10 households [low-level government administrator] was willing to take me to the hospital but his wife did not let him go. I told them angrily. "Someday, you people will be in trouble too."

I decided to go to the hospital alone, but there were more shootings by heavy weapons. I thought two or three times whether to proceed or not. After the third thought, I determined to go. I met soldiers again at Maw Won Bridge. They asked me if I was hit and I told them that I was. They carelessly said, "You have to suffer that much in such a battle."

They let me follow the wounded soldiers. They carried wounded soldiers with bamboo poles. I followed them. Then I reached Hpakant Byuha hill. I was bleeding and worried. I asked the officer with a pistol on his waist if they would treat me there. He said that civilians would not be treated there. He asked me where I was from. I told him that I was from the bakery. He said that they had someone from our bakery and called out for my brother-in-law who had two motor bikes and took me to public hospital.

On the way to the hospital, a soldier at the crossroad asked me where I was going. I told him that we were going to the hospital for treatment. He let us go. It was around 7:00 p.m.

When I arrived at the hospital, I did not know what happened between [the

soldiers on] Byuha hill and [those in] Sut Ngai Yang because I was down the cliff at the time of the incident. I did not see any fighting between the KIA and the army at the time I was shot. The government soldiers were shooting to the other side of Myeza Kone. They shot from Byuha hill to the company. A friend of mine from the company was also shot. I met him again at the hospital. I saw only Burmese soldiers shooting.

I spent only one night at the hospital. The senior surgeon said the he had a more serious patient and left to see Ja Seng Ing. I saw Ja Seng Ing on the other side of the room. The surgeon came back and told me that I needed to go to Myitkyina for treatment. I spent two months in Myitkyina hospital. Three steel rods were inserted in my arm. When I was still in Hpakant hospital, there were nine patients there. Seven of them arrived before me, and the ninth patient after me. There were four patients who came down to Myitkyina hospital after me. A few days later a little fat girl from Sut Ngai Yang came for treatment of a shrapnel wound.

Ja Seng Ing died. All the wounded were from Sut Ngai Yang. As for me, I do not care about that wound to my left arm. What hurt me was my experience on the to the hospital in Maw Won. I met the Myanmar Army convoy there. I was taken along with the wounded soldiers. When we passed through Hpakant Police Station, the soldiers ordered the civilians to sit down. They ordered everyone who came on a motor bike to sit with their heads down. My arm hurt and I looked up. A soldier yelled at me. "Hey you, don't hold up your head. There's no one to rescue you here!" His words hurt me worse than my bullet wound. They should not say those kinds of words to the people. Those words are still hurting me inside.

The Hpakant Police Station is located in the middle of the town and [the police officers] ordered all the passersby to sit down on the road with their hands on their heads until the army troops departed. I wondered what that soldier meant by "There's no one to rescue you." Did the Tatmadaw not teach the soldiers at training to respect and protect the civilians? However, that Burmese soldier was saying something about the vulnerability and helplessness of the civilians.

L. U MYINT KYAW: Sut Ngai Yang resident

I was in my home at that time. I heard a loud "bang". I thought it was an artillery explosion. Even the soldiers had not gone down from the hill. Soldiers were still up there by the reservoir. I went down the hill. There was a cliff down there and it was safe for my family, so I ran down towards it. I told four members of my family and our neighbors not to run. I said that there were soldiers everywhere

when I looked around. But I remembered my girls in my house. I wondered if the soldiers were beating them.

As I rushed to my house, a soldier pointed my chest with his gun and ordered me not to run. I told him that I was the owner of the house and went to my home. Ko Soe Moe was trying to take the children and leave. I told him to bring the children and stay there. But he ran downstairs. He met a soldier and told him that he was a Burman. He was shot from downstairs. He was Burmese and about (40) years old. His left arm was hit. The bullet came from about 100 feet away. They could not tell if he was an enemy or not.

The soldiers arrived at about 3:00 p.m. or later. There were over 20 soldiers staying on the hill. The wounded man Ko Soe Moe was the one who served them cake and coffee. But we did not know exactly which soldiers were the ones that fired at him. We did not know who the commander was either. I lied down prostrated when I heard the explosion. After that, the gun shots were heard. I do not think the KIA returned the shots. If the KIA shot back, there would be bullet holes on the wall of my house. But I found no holes there.

The gun shots from this side were deafening. The reply gunshots from the Byuha hill were also very loud. They opened fire and aimed at all directions. They shot with launchers. There were about seven big artillery shots. Small gun shots fired thousands of shots, which could not be counted. They shot from upstairs and even took away my flashlight which I use for searching for jade.

The big bomb explosion occurred at 3:45pm. They opened fire from 4pm to 6pm. Some soldiers on the northern side of Sut Ngai Yang were quite drunk, but others from our side on the southern part of Sut Ngai Yang did not seem drunk. I think they did not drink because the commander himself was among them.

The village men from northern Sut Ngai Yang and the southern part of Sut Ngai Yang were gathered in one place. Healthy and strong men were forced to carry the wounded people and the soldiers' big bullets to Hpakant Byuha hill. The men were over 40 to 50 in number. U Soe Moe, who was hit by a bullet, was not spared and they took him away. They ordered us to walk in front while they followed us. They used us as human cover. They carried nothing but their guns. The civilians carried the accessories for them. Seven civilians were heard to have been wounded during two hours of firing from 4pm to 6pm.

Ja Seng Ing died of a bullet wound. She was very far from bomb explosion. She was hiding on the front side of the house, and a small three-wheeled tractor was there to cover her. It was not possible for her to be hit by a shell from the explosion. The place where the explosion happened on the hill was 400 feet from

her hiding place down below. It was not fair to sue the father after he lost his daughter.

M. UNNAMED SUT NGAI YANG RESIDENT

At about 9 a.m. [on 13 September 2012], my wife came and told me that there were soldiers in the village. I thought this was nothing serious. Around 3 p.m. that afternoon when they left, I heard “BANG!” I was not sure if the explosion was a land mine [the KIA] had installed or not.

At first I thought that it was planted by the KIA and I blamed them, wondering why they had planted the land mine in the village. Later, it seemed that it was only the government side firing. I did not hear anything from the KIA side.

Early on, we were hiding at the back of our house. Then we learned that [the Burma Army] would launch cannons. So we came out. They threatened to shoot a grade 10 school boy, but we apologized and asked them not to. The Army major saw us and told his men not to shoot. There was a drunk corporal among the soldiers. While I was apologizing, he kicked me and hit me with his gun. That soldier was drunk and his kick did not hurt me much. If he were not drunk, I would not be able to get out of bed for a week because of his assault.

Others dared to come out only when they learned that they would not shoot us. We heard gunshots on the side of Army post (Byuha hill). They started to fire continuously soon after we heard the explosion. The soldiers in the village also fired toward the Army post. [The Burma Army soldiers] were unknowingly firing at each other.

I told the army officer that there were government soldiers on the other side too. They were firing cannons from all sides. After I told them so, the officer ordered his men not to fire at the side where the Byuha hill was located.

Later, the gun shots died down when the soldiers were told that a school girl had been shot. They called us out of our homes and told us not to take anything with us. So we brought out nothing. We were relocated to a house where male villagers were kept while they looted our houses.

I had kept valuables in an iron box in case of a bad situation like this. They took away everything, including a jade stone which I had bought for 1,500,000 kyat and other gems and gold items. My cell phone was also taken. My father's phone was kept under his bed. My brother-in-law's cell phone was kept in the tarpaulin. I did not know what happened there.

I have no idea if there were K.I.A soldiers in the area or not.

All of the villagers saw that the government soldiers were beating me and shooting everywhere. I console myself with my faith. I do not keep prejudice inside me. I will have to run away when [Army] comes again next time.

N. UNNAMED SUT NGAI YANG RESIDENT

The bomb exploded on the hill at about 3:45pm. At that time, the soldiers were walking in line on the road. Some soldiers had already gone down the hill. Others were standing in a line with their weapons in hand. Then we heard an explosion and the soldier who were on the hill stood stunned. We did not know whether they would be hit or not. We were watching them from the veranda of our house. After we heard the explosion, we did not care to watch them anymore. At the commander's order to take position, the soldiers crouched on both sides of the road. We were still standing where we had been, without moving anywhere.

After that I heard someone yell, "Fire!" They were shooting and shooting all the time. After 4pm, they collected the females from the village and gathered them in my house. All the males were forced to sit in a line on the hill next to the bakery. They were shooting and firing. There were about 100 males. All of them were called to sit there. After they were gathered, there were no males in any house. They searched in every house. If they found anyone indoors, they would take the out to the line.

They ransacked all the houses when there were no men in them anymore. They took away two radios, one laser torchlight and 40,000 kyat from my trouser pocket. When I went upstairs at about 4:30 p.m., Ja Seng Ing had been brought there already. I even helped them carry her up the hill. When they carried her to the deacon's kitchen, there was no room because it was full of people. So they spread a tarpaulin and laid the girl on it. They ordered me to go away when I tried to help and I went up the hill again.

All men were gathered there. A soldier said that the Kachins had shot a Kachin school girl dead and that they could not trust any Kachin. That soldier said that his wife was also a Kachin but he could not trust her even after 20 years of marriage. They said that Kachins killed the girl. They did not even say that it was KIA. Their words were quite harsh. The soldier who said so was a corporal or a sergeant. He was wearing an army uniform with a longgyi. At that time, most soldiers were wearing full army uniforms. But some were not.

They also asked me who could guide them the shortest way to Byuha hill safely from there. About four to five men stood up and told them that they could guide



Arbitrary shooting by Myanmar Tatmadaw

them to Byuha hill. They called them out and made them go along with them. Those men led us along the way and we followed down the hill. They made us walk in groups of ten or twelve men between each of their platoons.

They used us as human shields. If the enemies fired at them, we would be shot dead. If the KIA fired back, we would be killed and they would say that the KIA did it. Then they would make up a victory. Whether we died because of the KIA or ourselves, they would say that the KIA shot us dead. Their intention was to make us human shields.

We did not know if there were KIA soldiers there or not. But it was clear that there was no return fire from KIA. If we considered about the bomb explosion from all sides, we could not tell where it came from. We could not figure out whether the mine was prepared by the KIA or detonated by the Burmese Army. It might be possible that the KIA had put that mine there. I am just thinking about it from all dimensions. If the Burmese Army made up the battle in this village and reported to their superiors, a soldier or two would be sacrificed. This kind of made up story has happened plenty of times there. As I see it, they had been in the village since that morning. The place of the bomb explosion is less than 100 feet from the front line commander. They should have had full security if the commander was there. If it was the KIA who exploded the mine, the Army's security was very weak. If there had been full security, it would have been they themselves who did it. I think the battle was a made up story. Some army officers did the same thing when they had no fighting after a frontline march. If they did not have a battle with anyone, they quarreled among themselves and created problems. That was for their reports to their superiors.

We can see it both ways. The KIA might have been the one who planted the mine there. We could not tell whether it was the hand-made mine or manufactured mine, because we did not know about landmines. What we could definitely say was that there was not shooting between enemies. From the beginning, we had heard their gunshot sounds only. If the enemies had opened fire, we would have heard different sounds of gunshots. I even ran far way when I heard the gunshots, but came back because I did not heard counter fire from the enemies.

They shouted repeatedly that the Kachins shot a school girl. The word “Kachin” was a big word and I felt very bad. The sounds of the gunshots and bomb explosions were not very annoying. I was angry enough to tell them to take off their army uniforms and fight me one by one. I did not see them as Myanmar government army. They were on one side and the citizens had become the other side. They would accuse the people as Shans if they were in Shan State. Now that they were in Kachin State, they called us Kachins.

It was about 7pm when we reached Byuha hill. They made all of us sit in the football field, and asked us who had shot the girl. They themselves said that it was the Kachins who had shot her. Until that time, they did not say that the girl was wounded by a bomb shell at all. Another soldier said that Karens rose up, the Rakhines rebelled against them, and that they did not trust thee Rakhines or Kachins. One after another said so. We sat there for about an hour. There must have been 70 to 80 soldiers since this frontline group had two majors.

The army brought a lawsuit against Ja Seng Ing’s father. It was very bad before. Now, we see it is better as the doors are opened. There are no forced porters among those soldiers walking by us. The fact that they have sued against a civilian like this means that they are trying to prevent the civilians from rising up and want them to stay calm under their iron rule. A person does not have his proper rights so we cannot reveal the truth.

In my opinion, even animals like dogs and cats run away when they hear the sound of the gun shots. I would rather that Minn Aung Haling’s children be enrolled in Hpakant schools. Their guns have cut off a person’s bright future. I cannot say anything more than this. I want Minn Aung Hlaing’s children to live here with us. I just want them to know how they would feel when they hear the sound of gunshots.

O. UNNAMED LOCAL RESIDENT

That evening, a friend of mine and I visited Ngat Pyaw Taw because there was a flood. Our deacon phoned me and asked me to return home quickly. Upon our arrival, we were just starting to eat dinner and I heard a loud explosion. I

thought that it was quite near. Several gunshot sounds followed. I went out to fetch my son from Maw Wan School (post-kindergarten).

At that time, all the people from our church had left. I tried to cross to the other side, when a man told me not to go there because the soldiers were shooting there. There were explosions in the lane between the church and Maw Wan School. The wounded were groaning. I did not go further away.

Later, I heard La Bu and his child, who were staying at our IDP camp, call out for help. The girl and her father were taken to the clinic at the IDP camp. I took shelter crouching and stayed one hour there. After about an hour, the sounds of the gunshots died down and I returned home. Again, we heard the sound of gunshots.

As far as I remember, the gunshot sounds started right after the first explosion. Then, another explosion was heard at about 4pm. People were injured when they came to fetch their children from the schools. The mortar bombs were launched out from the Sut Ngai Yang side. A bomb exploded over there. Another bomb dropped near the boarding school. The other three also flew over us. They were six of them who were wounded in that area. Four of them were seriously wounded. They were La Bu La (35 years old), his daughter (8 years old), Seng Pan (15 years old) and Yaku. The other two were Ja Ring (15 years) and Seng Pan's mother.

P. UNNAMED LOCAL RESIDENT

On 11 November 2012, after Ja Seng Ing's death, all of us went to the Church prayer mountain. We cleaned the prayer mountain top. There were soldiers on that prayer mountain. A soldier who looked to be 50 years old asked me to lend him my cell phone because he wanted to call Mandalay. I allowed him to use my cell-phone. I asked him if he would call his wife, but he said he would call his child.

After he had phoned his daughter, he return the phone to me and asked me whether the school girl died of gunshot wound or bombshells. I told him that it was not an artillery shell but a small gun shot. He asked me again whether it was the artillery shell or the small gun shot that killed the girl. I repeated that it was not artillery shell but the small gun. Then he said, "Ah I was ready to confess and go to jail if it had been the artillery that I fired. Now, I know that it was the small weapon. I have sympathy for the daughter."

He was a soldier from Major Lwan Moe Aung's troops. He was thin and not very

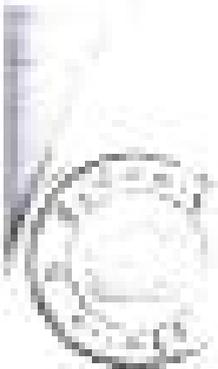
tall. He carried a big weapon. They opened fired from the Sut Ngai Yang side. He said that they did not know if anyone had been killed. They did not know which side people were staying on. They were also heavily drunk.

They drank a lot even when they were staying on the Church hill. I think the brigade commander Zaw Min checked on all of them on the Church hill. He even told me that it was hard to control his men in the army. He said he had broken his hand because he had been slapping them all the time. I did not want to say that he said the wrong things.

The soldier acted very rude on the battle fronts, the soldier said. There were about 8 people who went there at that time, he said in front of us. The artillery which was launched at Sut Ngai Yang from Byuha hill might have been fired at about 6 p.m. in the evening. They shot six times probably at Maw Mau Bum hill.

(8) Appendix





Հայաստանի Հանրապետության
Կրթության և գիտության նախարարություն

Գրականության ակադեմիա

Մենք հավատարմորեն պահպանում ենք ձեր գրքերը և հարգում ենք ձեր գրական արժեքները: Եթե ձեր գրքերը կորցվել են կամ վնասվել են, մենք կհատուկ կերպով օգնենք ձեզ: Դիմում ենք ձեր գրքերի վերականգնման համար:



Գրականության ակադեմիա

Իմ գրքերը կորցվել են:

Գրքերը վնասվել են:

Գրքերը կորցվել են և վնասվել են:



Մանկապատճեն
Պատճենագրության կենտրոն

