**Case description: arbitrary arrest and disappearance of Sumlut Roi Ja**

**Personal details of victim:**

Name: Sumlut Roi Ja

Age: 28

Sex: Female

Ethnicity: Kachin

Religion: Christian

Parents’ names: Mr. Sumlut La + Mrs. Maran Hpang Myaw

Occupation Farmer

Child: Lum Naw (14 months old, girl)

Husband: Dau Lum (aged 31)

Father-in-law: Ze Dau (aged 70)

Place of residence: Hkai Bang village, Moemauk township, Kachin State

**Perpetrator:**

Soldiers of Light Infantry Battalion (LIB) 321, based at Mu Bum, Shwe Nyawng Pin village area

**Details of incident**

On 28 October, 2011, at 3:00 pm, while Sumlut Roi Ja, her husband and her father-in-law were working in their corn farm near Hkai Bang, three armed Burmese soldiers from the Mu Bum base arrived at their farm.

The soldiers pointed their guns at them and said “Answer only the questions we ask and don’t talk.” The soldiers then seized 30 kgs of corn and ordered the couple to carry it to their military camp at Mu Bum. The old man was ordered to accompany them, but was not forced to carry anything.

The three villagers were too afraid to refuse, as they were being threatened with guns.

As they were walking, Roi Ja suggested to her husband that they should try and run away, but at first there was no chance for this. After a while, they came upon three other Burmese soldiers in a place where there was a hide-out in the ground. The soldiers then accused Dau Lum, the husband, of being a KIA soldier and deliberately leading them to the hide-out. He protested that he was not a soldier, and knew nothing about the hide-out.

The soldiers then tied up Dau Lum and his father with the strings of their Kachin basket. Then, they made Dau Lum and his father walk in front tied together, while Roi Ja walked behind them.

The strings tying up Dau Lum came loose as they walked, and he realized he could run away. He told his father he was escaping, and then ran off. His father also ran after him. The soldiers shot twice after them. Some KIA soldiers in the area heard the gunshots, and then also started shooting. This caused the Burmese soldiers to stop shooting after Dau Lum and his father.

Only when Dau Lum and his father had got away, did they realize that Roi Ja had not been able to run after them. She had been left carrying the corn for the Burmese soldiers.

When the soldiers had taken the corn, they had said they would pay for it. However, they did not come back to pay for the corn, and there was no sign of Roi Ja. Dau Lum was left to take care of their young breast-feeding daughter.

Three days after Sumlut Roi Ja was arrested, on October 31, a human rights documenter on a nearby hilltop in Kachin-controlled territory reported seeing her through a zoom lens at the Mu Bum camp. She saw two soldiers take her out of a building in the sunlight; the two soldiers were touching her in turn. The next day, on November 1, the same documenter again saw a woman being dragged by four soldiers into a bunker at the camp; the woman was dressed in a soldier’s uniform. After that, the documenter did not see any women at the camp.

On November 1, Sumlut Roi Ja’s family members met with Lt. Col. Zaw Myo Htut, the Burma Army commander at the nearby LIB 321 military base at Loi Je, on the China-Kachin border, and begged for her release. He told them that she would be released on November 2, but they waited the whole day at the foot of Mu Bum mountain and she did not appear.

On November 4, Sumrut Roi Ja’s father-in-law sent a letter to the Kachin State Chief Minister, copied to the Northern Military Office and the Minister for Security and Border Area Department, Kachin State, (Bhamo District governor and to the Burma Army 321 battalion base at Loi Je), appealing for her release.

In the second week of November, two porters who had run away from the Mu Bum military base to the China border told human rights documenters that they had seen four women being held at the camp. One was Kachin; three others were Shan and Palaung. These women had been raped by soldiers at night.

**Taking the case to court**

Roi Ja’s husband, Dau Lum, took the case of his wife to Supreme court in Nay Pyi Daw on January 27, 2012, that the case would be heard by the Naypyidaw Supreme Court on 23 February 2012.

Dau Lum attended the court hearing, but was not allowed to give evidence during the trial. Only a Burma Army lieutenant from Battalion 321 was allowed to testify. He simply stated “We have no-one of that name and no woman” at the Mubum Camp. The decision of the jury was the final verdict would be reached two weeks after the hearing. Two weeks later, Roi Ja’s husband received official notification that the case had been dismissed.

The family members of Roi Ja are not satisfied with the judicial system, and want to continue to fight for justice. Dau Lum is currently living in one of the IDP camps on the border, and the young daughter is living with her grandparents on the border, on the China side.