

BURMA

The 42nd CEDAW Session, 27 October 2008

Oral Statement by the Women of Burma to the CEDAW Committee

Madame Chair,

My colleague and I speak on behalf of the CEDAW Shadow Report Process of Burma, composed of 44 women's and community-based organizations around Burma's borders, where there is a genuine space to undertake such a process.

Madame Chair,

I. Militarization reinforces patriarchy

Burma is ruled by a military junta, an illegitimate government, which has refused to honour the results of the 1990 election until now. Despite the rhetoric of the junta, that *Myanmar women enjoy their rights even before they are born*, the military regime, the State Peace and Development Council (SPDC), is made up entirely of men who are promoting patriarchy through militarization and committing various forms of violence against women throughout the country.

The face of public life in Burma is male, because the culture of Burma today is profoundly militarized. The military presence pervades every village, town and city, every branch and level of its administration, and every situation involving power and status. The regime's new constitution not only fails to effectively promote gender equality, but guarantees that the armed forces, an almost exclusively male institution, will control 25 % of seats in the legislature. As boldly indicated in its new constitution section 8, "nothing in this section shall prevent appointment of men to the positions that are naturally suitable for men." They are thus perpetuating the traditional stereotype of women.

The education and health sectors have been seriously neglected by the state, with only 1.3% of GDP spent on education and only 3% of the national budget spent on health, while more than 40% of the national budget has been spent on defense, and systematic expansion of the military.

Moreover, the regime has been building up its proxy organizations, thus reinforcing the existing patriarchal system, which is the root cause of gender inequality. The national women's machinery set up by the junta is merely for show, as their women's organizations are led by wives of the Generals and officers at different levels. They have been manipulated as the mouthpiece of the junta. Not only do they promote the regime's policies, but also abuse their power at every level. Hence, under the regime, there is no space to develop independently and genuinely work for gender equality and women's human rights.

II. State violence

Women human rights defenders who have dared to speak out have been physically assaulted, arrested and detained indefinitely. I would like to draw your attention to the following.

i) Saffron Revolution

During the Saffron Revolution in September 2007, the military authorities assaulted and killed peacefully protesting monks. The junta's proxy organization, the Union Solidarity and Development Association, and 'special riot police' were authorized to commit gender-based violence against women protestors and harass them with impunity during demonstrations in Rangoon. Women peacefully marching were severely beaten, punched, slapped, verbally abused and had their clothes torn, and their sarongs were violently and deliberately pulled off. When the regime cracked down on the protests, at least 19 women disappeared, and 131 women protestors, including 6 nuns were arrested and prominent women activists went into hiding.

ii) Cyclone Nargis

Madame Chair,

The military regime only cares about staying on in power at any cost. On the 2nd and 3rd of May, the deadly cyclone Nargis hit five divisions of Burma, killing over 130,000 and affecting nearly two and a half million people. The regime not only blocked international and local donors from giving aid, but also arrested local people for leading local aid efforts and speaking out about the aid blockage. This is not to mention the failure to incorporate women's specific needs in the disaster relief efforts, including those of the approximately 35,000 pregnant women at extreme risk due to poor nutrition and lack of safe delivery options. More than 100 women in the affected areas are giving birth every day.

Instead of making every effort to assist the victims of Nargis, the regime went ahead with their plans for their sham referendum on May the 10th, forcing people to endorse their own constitution.

I will now hand over to my colleague. She will highlight ongoing sexual violence against women inside Burma.

iii) Systematic sexual violence

Madame Chair,

Rape and sexual violence committed by state actors – the regime's armed forces and authorities - are occurring throughout Burma. The majority of incidents take place in the ethnic states, which have been most impacted by the regime's policies of military expansion. Sexual violence is being used by the regime as an integral part of its strategy to subjugate the ethnic peoples, and establish control over their lands and resources.

Women's groups and human rights groups from Burma have been continuously documenting and exposing the regime's sexual violence against women and girls from Shan, Kachin, Chin, Karen, Mon, Karenni and Arakan States through a number of reports, particularly since 2002. The number of documented cases is at least 875 as of 2006, which is just the tip of the iceberg.

The reports corroborate that sexual violence is not being committed by rogue elements within the military but is central to the modus operandi of SPDC, and is therefore systematic and structural in nature.

This is illustrated by a very recent case of sexual violence which took place on the 5th of September. A military officer of the regime attempted to rape a female doctor who was on a trip to the delta to provide medical treatment to cyclone victims. The doctor was among 30 medical staff on board a ship travelling in the affected area.

The ship docked at the town of Laputta for the night, and at around 10.30 pm, SPDC Captain Kyaw San Win boarded and went into the cabin of a 40-year-old pediatrician, on the pretext of checking her "guest registration". When he began to assault her, the doctor shouted for help and other doctors and medical staff nearby came to her rescue. They tried to detain the officer but he managed to escape. Ten minutes later, he came back with about a dozen of his soldiers, shouting abuse and threatening to shoot and sink the ship. The doctors had to call for the help of local township authorities to protect themselves.

Therefore, it is clear that under the military regime, which is holding absolute power with no rule of law, no women or girls – young or old, laypersons or nuns - are safe, whether in war zones, ceasefire or non-conflict areas, in isolated mountainous areas or in plain regions. Nearly all military rapists - whatever their rank - go unpunished, fostering the climate of impunity and escalating violence.

Madame Chair,

The regime's decades of economic mismanagement, failed policies and systematic human rights abuses, have reduced many of Burma's people to extreme poverty. This has driven women and girls to migrate to find jobs and earn money for their own and their family's survival. In the course of migration, women and girls become vulnerable to trafficking, due to a number of factors, including lack of information about their destination and survival skills.

We, women of Burma, therefore reiterate that there can be no advancement of the lives of women and girls in Burma, and no protection and promotion of their rights while the military and its proxy organizations remain in power. There is an urgent need for genuine political change to put an end to the militarized culture in Burma.

We would like to recommend to the state party:

- *To stop expanding and deploying their army in the ethnic areas and to immediately withdraw all their troops from the ethnic states in order to end systematic human rights violations and violence against women, including all forms of sexual violence*
- *To reduce military spending drastically, so that at least 10% of the national budget can be spent on education; 15% on health and at least 15 % on rural development; and to make all national budget figures publicly available.*
- *To develop effective programs giving education and information about the issues of trafficking, HIV/AIDS, reproductive health, and women's human rights; and in particular to disseminate and publicize the CEDAW principles*
- *To institute affirmative action programs guaranteeing women a minimum of 30% of positions in all levels of government, and promulgate laws prohibiting gender discrimination and penalizing gender-based violence, in particular, military rape and domestic violence*
- *To rescind laws restricting formation and operation of women's organizations, so that an effective and independent women's machinery can be established to work for the advancement of the status of women*

Thank you Madame Chair.