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The Burmese military government, the State Peace and Development Council (SPDC), rules the country with an iron fist, suppressing all forms of dissent and treating anyone who opposes its regime with great brutality.

It denies women from all cultural, religious and ethnic backgrounds their fundamental human rights. Women living in war-affected areas and female refugees are particularly vulnerable to state-sanctioned violence.

Although excluded from power and denied the chance to represent themselves under the present military regime, women have played an important role in Burma's politics since the struggle for independence. Today, the high profile of democratic leader and Nobel peace laureate, Daw Aung San Suu Kyi, embodies the role that women play in Burma's struggle for democracy.

This *Briefing* examines women's role in Burmese social and political life, and suggests how governments and international civil society can support the efforts of Burmese women working to bring peace and democracy to their country.

briefing

Burma's Excluded Majority

Women, dictatorship and the democracy movement



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*Women, dictatorship and the
democracy movement*

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Traditionally, Burmese Women Are Thought To Be . . .

polite, good house-keepers, respectful, quiet,
non-political and non-social, good business
people, caring, restrained in their manner,
emotional, over-sensitive, gossips, unable to keep
a promise, unintelligent, incapable,
untrustworthy and weak,

But A Woman From Burma Is, Actually . . .

Physically and emotionally strong, brave, bright,
outspoken, politically and socially concerned,
caring, an active participant, capable,
trustworthy, reasonable, understanding,
self-confident and a good communicator.

*from a grassroots women's leadership training
organised by the Burmese Women's Union on the
Thai-Burma border, December 1997*

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Acronyms

ABSDF	All Burma Students' Democratic Front	MNWCWA	Myanmar National Working Committee for Women's Affairs
AFPFL	Anti-Fascist People's Freedom League	NCUB	National Council of the Union of Burma
ALTSEAN-BURMA	Alternative ASEAN Network on Burma	NCGUB	National Coalition Government of the Union of Burma
ASEAN	Association of South East Asian Nations	NGO	Non-governmental organisation
BSPP	Burma Socialist Programme Party	NLD	National League for Democracy
BWU	Burmese Women's Union	NLM	New Light of Myanmar
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women	SLORC/SPDC	State Law and Order Restoration Council/State Peace and Development Council
CRPP	Committee Representing the People's Parliament	STD	Sexually transmitted disease
EIU	Economist Intelligence Unit	UNCTAD	United Nations Conference on Trade and Development
GONGO	Government-organised non-governmental organisation	UNICEF	United Nations Children's Fund
HRW	Human Rights Watch	UNDP	United Nations Development Programme
ILO	International Labour Organisation	UNGA	United Nations General Assembly
IMF	International Monetary Fund	UNHCR	United Nations High Commission for Refugees
KNU	Karen National Union	UNCHR	United Nations Commission on Human Rights
LDC	Least developed country	USDA	Union Solidarity and Development Association
MMCWA	Myanmar Maternal and Child Welfare Association		
MNAPAW	Myanmar National Action Plan for the Advancement of Women		

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Executive summary

In July 1997 the Burmese military government, the State Peace and Development Council (SPDC), signed the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). This, the government claimed, demonstrated its commitment to women's rights.

The accession to CEDAW is a positive step, but it has done little to change the harsh reality of most women's lives. The SPDC rules the country with an iron fist, suppressing all forms of dissent and treating anyone who opposes its regime with great brutality. There are at least 100 female political prisoners in Burma today; one is 80 years old.

The military government denies women from all cultural, religious and ethnic backgrounds their fundamental human rights. Non-governmental organisations (NGOs), human rights groups and the United Nations have all documented state-sanctioned abuse of women. Arbitrary arrest and detention, rape and other forms of torture, forced labour, forced portering, forced relocation and, on occasion, extrajudicial execution are among the abuses known to have been committed by the Burmese military, the *Tatmadaw*. Women living in war-affected areas and female refugees are particularly vulnerable to violence.

As in many countries, gender and ethnic discrimination have also had a great impact on women. Among Buddhists in Burma the belief in the superiority of the male informs many social practices which are seen by some young women as discriminatory. But it is the military's unwillingness to accept Burma's religious and cultural diversity that is the basis of much state-sanctioned abuse. Abuse of women along religious and ethnic lines is all too common.

The government's claims to be responding to the needs of Burmese women are without basis. It has set up a number of committees and organisations. But these GONGOS (Government-Organised NGOs) are usually tightly controlled by the military and have done little to address the needs of ordinary women. Indeed, in some areas women's circumstances have deteriorated even further in the two years since CEDAW was signed: a government campaign against the ethnic Shan population caused many to flee to neighbouring Thailand and a September 1999 report describes consistent atrocities against the Karen, including rape and arbitrary executions by the Burmese military.

While women in Burma have a relatively high social status compared with women in other Asian countries, they have been almost entirely excluded from the

corridors of political power. The SPDC, like its predecessor the State Law and Order Restoration Council (SLORC), is conservative, male-dominated and nationalistic. Burma is one of only a handful of countries without a single woman in senior government.

The few women who do exert any political influence are typically the wives of SPDC officials. Burma's most prominent woman, the democracy leader Daw Aung San Suu Kyi, is denied any role in government and is persistently harassed by the SPDC. The opposition movement emphasises the need to include women in the political process.

Since the struggle for independence, women have played an important role in Burma's politics. The period from 1948 until the military coup in 1962 saw the biggest representation of women in politics. Under military rule women are denied the chance to represent themselves in the country's politics. There is also a reluctance, some women claim, to tackle taboo issues such as domestic violence or to recognise the constraints on women inherent in Burmese society and culture. It is often women in exile who take the lead in ensuring that the issue of Burmese women's rights remains on the international political agenda.

The international community's continued encouragement and support of Burmese women, both within the country and outside it, is vital if women are to take their rightful role in the rebuilding of a peaceful, equitable and democratic society.

Recommendations

Recommendations to the SLORC/SPDC

1. As a signatory to the Convention on the Elimination of All Forms of Discrimination Against Women, recognise the fundamental and universal nature of women's rights and guarantee to uphold the principles of CEDAW.
2. Allow the creation of women's organisations which are independent of any form of government intervention or control and are thus able genuinely to represent the interests of all Burmese women.
3. Ensure that legal action is taken against members of the *Tatmadaw* who are guilty of sexual abuse and other forms of violence against women.
4. Take steps to eliminate the barriers that prevent women from reaching positions of seniority in all aspects of public life.
5. Promote the participation of women in government at village, township, district, state/division and national levels.
6. Ensure that the legal system protects and promotes women's rights and take steps to implement educational programmes informing women of their rights under both national and international law.
7. Encourage the government to uphold the principles by which it is bound under the Convention for the Suppression of Traffic in Persons and the Exploitation of the Prostitution of Others, and eliminate the trafficking of women into neighbouring countries.
8. Put pressure on the government to stop using forced labour and forcibly relocating people.

Recommendations to international NGOs

1. Ensure that all projects help to empower women and improve their lives.
2. All proposed projects should be discussed with the NLD, and its views should be carefully considered before projects are implemented.
3. Avoid working with Government-organised NGOs (GONGOs) as this may serve to strengthen existing state structures, by giving credibility and legitimacy to GONGOs, and undermine the efforts to promote freedom of expression and association.
4. Ensure that all projects are transparent and are undertaken and implemented in a consultative manner.
5. Ensure that women's active participation in all areas of public life is encouraged and supported and that every opportunity is taken to inform women of their rights under national and international law.

Recommendations to the European Union and member states

1. Continue to press the government of Burma to implement the resolutions passed by consensus at the UN General Assembly and UN Commission on Human Rights, especially those sections which apply specifically to women. Normal diplomatic relations with Burma must not be renewed until there is verifiable evidence that the human rights situation is improving.
2. Continue to fund humanitarian projects in Burma and among Burmese refugees.
3. Discourage businesses from investing in Burma until such time as there is acceptable and verifiable progress towards the restoration of human rights and democracy.
4. Put pressure on the government to release all political prisoners and permit citizens to engage in political activity without fear of intimidation or arrest.
5. Encourage the government to give the UN Special Rapporteur access to Burma and, in particular, to the country's political prisoners.
6. Encourage the government to initiate a substantive political dialogue with the opposition forces, including the National League for Democracy (NLD) and representatives of the ethnic nationality parties.

Part 1

Introduction

There is surprisingly little information readily available about the lives of Burmese women, despite a wealth of information on the impact of military rule on the general population. The high profile of democratic leader and Nobel peace laureate, Daw Aung San Suu Kyi, has drawn attention to the role that women play in Burma's struggle for democracy, but outside Burma there is little understanding of the specific issues facing women. This is largely because it is difficult to obtain accurate information from Burma. But what analysis there is tends to be limited to the impact of military rule, ethnic division and opposition politics on women. Although such analyses are vital to understanding the challenges confronting women, it is also important to consider the complex social and cultural norms that help shape women's lives.

This paper is intended to contribute to a greater understanding of the lives of Burmese women and of their role in challenging the *status quo* in Burma. It examines women's 'traditional' and actual role in Burmese society, and assesses the part they play in public and political life. The paper also aims to ensure that the efforts of Burmese women working towards a peaceful and democratic Burma are recognised and supported. It is hoped that the paper will be useful for non-governmental organisations and others concerned with human rights — especially women's rights — development and democratisation in Burma.

Women in Burma have a relatively high social status compared to women in other countries in South East Asia. There has never been what Western feminists would regard as a women's movement in Burma, as few Burmese women have ever deemed such a movement necessary.¹ However, Burmese opposition groups, women's groups and NGOs — though not the government — assert that there is increasing discrimination against women.² As in many countries, social practices and gender roles tend to perpetuate discriminatory beliefs. Young Burmese women have commented on the importance of understanding such beliefs as 'traditions' which, in some cases, should be challenged.³

Yet while social expectations do prevent women from reaching positions of influence and authority in the political realm, it is the government's intolerance and punishment of 'difference' that prevents women — or indeed any marginalised group or minority, be it ethnic or religious — from gaining any significant role in government.

Under the present military government it appears highly unlikely that women will ever play a significant role in

government. Hopefully, democratisation in the future will lead to greater participation of women in the national decision-making bodies. It is vital to consider ways in which women in the opposition movement can ensure that their rights are promoted and protected within a future democratic Burma. 'Unless women can fully participate in political and other decision-making, democracy cannot be achieved or effectively maintained.'⁴

Part 1 of this paper provides a general background on Burma, particularly the political upheaval and resulting conflict that has plagued Burma since its first years of independence. **Part 2** examines the role of women in Burmese society and looks at the cultural and traditional constraints that prevent women realising their full potential. **Part 3** details the impact of military rule on women's lives. Under the present regime women suffer not only the myriad human rights abuses that all Burmese people experience, but are also subjected to gender-specific abuse, including sexual torture. **Part 4** gives a brief history of women's involvement in national politics, and examines the factors that prevent women from having any form of political participation or representation in the governance of the country. This section also examines the important role that women have played, and continue to play, within the opposition movement. **Part 5** presents conclusions.

Background

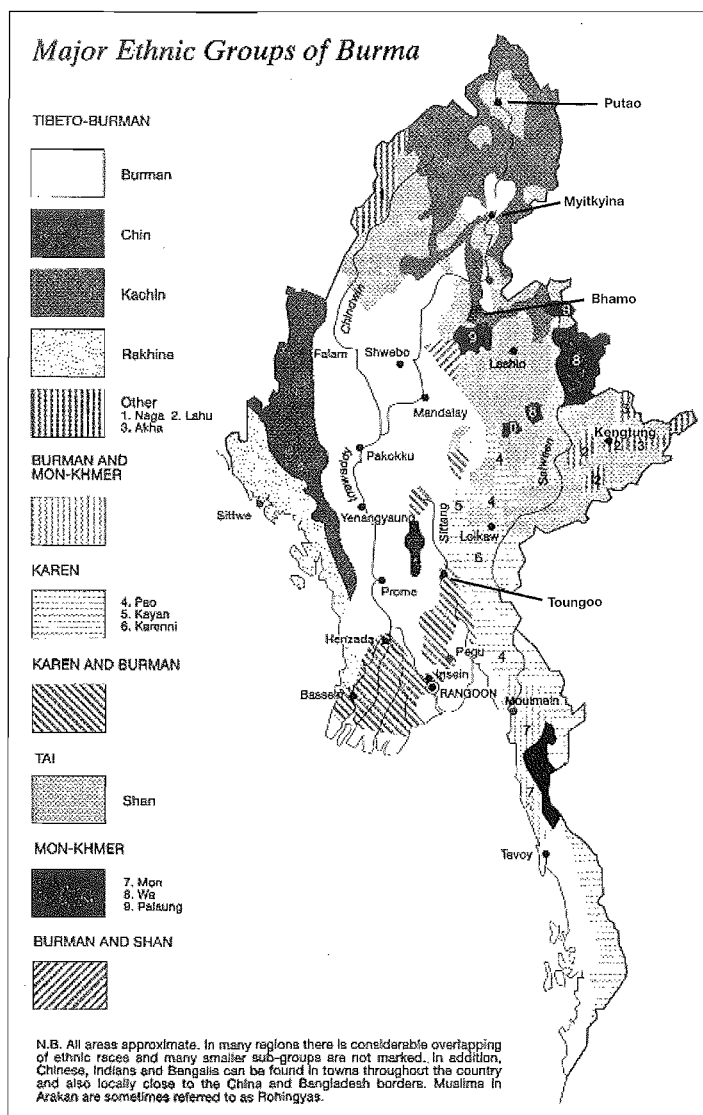
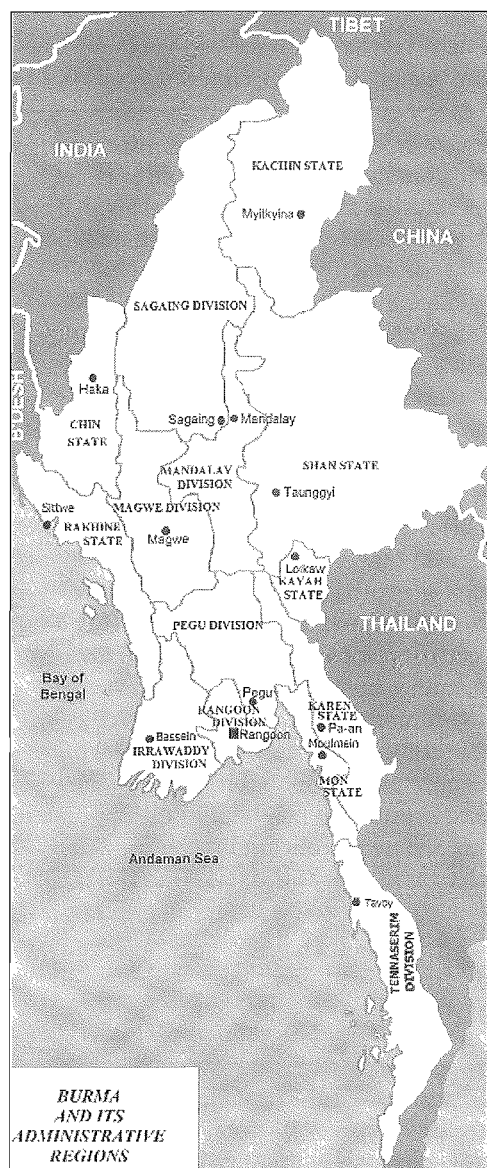
Geography

Burma or Myanmar?

In 1989 Burma was re-named 'Myanmar' by the ruling military junta, known then as the State Law and Order Restoration Council (SLORC). Many observers saw the move as an attempt by the junta to distance itself from the bloody massacres of 1988 when at least 3,000 people were killed by the army.

The opposition in Burma has refused to accept the change on the grounds that 'Myanmar' — the Burman name for the country — does not acknowledge Burma's ethnic diversity and the fact that Burmese is only one of many languages in a multi-lingual, multi-ethnic state. The word 'Burmese' is inclusive of all ethnic groups in Burma: a Karen or Shan person for example is still referred to as Burmese — or a citizen of Burma. The word 'Burman' refers to the majority Burman ethnic group.

The change has not gained international acceptance, in part because the government is widely perceived as illegitimate.



Source: Martin Smith, *Burma: Insurgency and the Politics of Ethnicity*, Zed Books, London and New Jersey, 1993

Burma is rich in ethnic and geographical diversity. At the crossroads of East and South Asia, it shares borders with Thailand, Laos, China, Tibet, India and Bangladesh. The country is divided into 14 administrative regions: seven states with a majority non-Burman population and seven divisions with a majority Burman population. These states and divisions are further divided into districts, townships, village-tracts and wards. Some 135 nationalities are officially recognised by the Burmese government and at least 100 languages have been identified. The seven major ethnic groups, each with their own state, are the Chin, Kachin, Mon, Shan, Rakhine, Karen and Karenni.⁵ The dominant religion in Burma is Theravada Buddhism, practised by the Burman population but also by the Mon, Shan, Rakhine and many Karen. Other religions include Christianity, Islam, Hinduism and Animism.

The majority of Burma's 48 million people live in rural areas and depend on agriculture for their living. Most farming still uses labour-intensive methods. Once known as 'the rice bowl of Asia', Burma has been in economic decline for some years as a result of decades of mismanagement by successive military governments. Although the government has recently tried to stimulate new areas of economic growth, such as tourism, the economy remains 90 per cent agricultural. The country is well endowed with natural resources including rubber, minerals, oil, timber, fibres and precious stones. These resources are being plundered at an alarming rate.

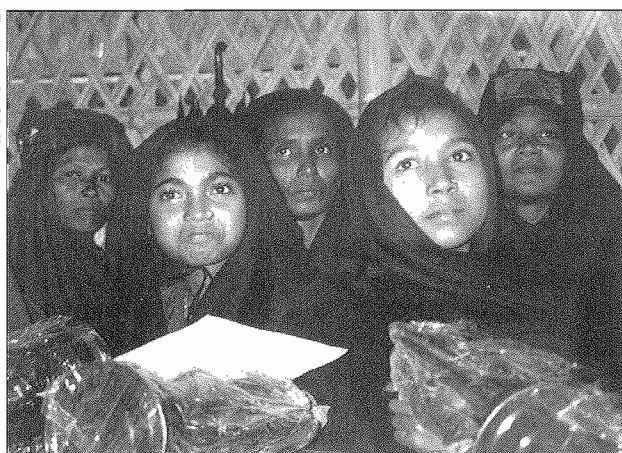
Religion

Despite Burma's many cultures, the government recognises only one – that which is male, Burman and

Buddhist. The SLORC/SPDC has often been accused of instigating and exacerbating tensions between various religious groups in the country, particularly between Muslims and Buddhists within central Burma.⁶ The preoccupation with homogeneity and abuse of those who are 'different' has consistently undermined Burma's religious, ethnic and cultural diversity.

Even Buddhist monks have not been spared persecution.⁷ More often than not, religious persecution and ethnic persecution go hand in hand. For example, religious persecution has had a devastating impact on the Muslim population in Burma and contributed to the mass exodus of Rohingya Muslims from Burma to Bangladesh. In 1998, Human Rights Watch reported that several Muslim mosques and schools had been burned, houses and shops destroyed and Muslims 'ordered to convert to Buddhism or leave the country'.⁸ The ILO also noted that the forced labour demands on Rohingyas were particularly heavy and the military's treatment of Rohingyas was particularly brutal.⁹ These incidents make a mockery of the Burmese government statement to the United Nations in 1997: 'by tradition and also by practice the people and the Government of Myanmar are tolerant and supportive of all religious faiths'.¹⁰

Zunetta Liddell



Rohingya refugee women. Rohingyas face particularly severe cultural and religious discrimination by the Burmese authorities and by 1992 there were 250,000 Rohingya refugees in neighbouring Bangladesh.

Buddhists make up some 85 per cent of the population in Burma while Muslims and Christians account for 4 per cent each. Animists account for a further 5 per cent and Hindus for around 1.5 per cent.¹¹ Unfortunately Burma has not been spared the problems that go with religious difference. Buddhists in Christian areas, Christians in Buddhist areas and Muslims everywhere have all, on occasion, experienced religious discrimination. Religious intolerance has been cited as one of the main reasons

behind the formation of the Democratic Kayin Buddhist Army (DKBA) which split from the Karen National Union (KNU) in 1994. The DKBA claimed that the Christian-dominated KNU leadership discriminated against and oppressed Buddhist members. The SLORC/SPDC provided the DKBA with weapons, supplies and troops for use against the KNU. Karen villagers were again caught in the middle and, as is so often the case, women bore the brunt of the ensuing attacks.

History

Conflict in Burma is nothing new. Nor is the resolve of Burma's people to fight for a peaceful and democratic nation. The struggle for independence from British colonial rule was led by General Aung San, the father of Daw Aung San Suu Kyi. He was assassinated along with six of his cabinet members in 1947, only months before Burma gained independence.¹² The course of Burmese political history might have been different had General Aung San lived to steer the country through the first difficult years of independence.

Fourteen years of parliamentary rule followed independence, disrupted by both Communist and ethnic insurgency as well as factional fighting within the government. Ethnic minority groups in Burma comprise an estimated one-third of the population. Their discontent is rooted in the failure of successive governments to cede any real power to the states or to recognise the rights that the 1947 constitution grants to them.¹³ The failure to resolve the tensions between ethnic groups and the problems arising from the country's ethnic and religious diversity continue to be a major factor inhibiting the country's development. Armed conflict between government troops and armed ethnic opposition groups is widespread. The result has been an outpouring of refugees into Thailand, Bangladesh and India. Since 1989, ceasefire agreements have been negotiated between the government and some 15 armed ethnic opposition groups; some armed opposition groups believe the success of these negotiations could form the basis of a more lasting peace.¹⁴

Between 1958 and 1960 Burma was administered by the armed forces, or *Tatmadaw*, under the military caretaker government of General Ne Win. Elections in 1960 restored Prime Minister U Nu to power, but Burma's brief period of parliamentary democracy came to a sudden end when Ne Win orchestrated a military coup in March 1962. This was the beginning of the period of military rule and repression that persists today.

On 4 July 1962 Ne Win dissolved the 1947 constitution and formed a government administered by the Burma



Karen women perform a traditional dance. Like all ethnic minority groups, the Karen must fight hard to retain their traditional culture.

Socialist Programme Party (BSPP) which was composed of retired military officers. In response, university students in Rangoon immediately staged protests and many occupied the student union building of Rangoon University. The military responded by demolishing the building, killing students who were still inside. The government further demonstrated its intolerance of dissent by nationalising all newspapers and radio and television stations and imposing strict controls on publishing. The military took over the economy. Private enterprises were nationalised and the creation of new private industries was banned.¹⁵ These measures were all part of Ne Win's idiosyncratic 'Burmese Way to Socialism', which sought to combine Buddhist, nationalist and Marxist beliefs.¹⁶ As the state sector expanded, corruption became widespread and an extensive black market developed, thriving on trade with Thailand and China.

In 1974, after 12 years of rule by decree, the BSPP finally promulgated a new constitution. This remained in place until it was abolished by the military in 1988. From 1974

to 1988 economic hardship fuelled continued political unrest. Protests met an increasingly repressive response from the government and mass arrests and detentions became commonplace. Meanwhile, ethnic and communist insurgencies continued in rural areas. By 1987, after years of economic mismanagement by the BSPP, the United Nations classified Burma as a Least Developed Country (LDC).

In 1988, after more than 20 years of economic decline and political repression, nation-wide popular protest erupted. The first wave of dissent spread through the streets of Rangoon in March 1988 after riot police shot and killed a student. Thousands of students, including women, were arrested and beaten when police broke up the ensuing protest. Some female students later reported being raped during their interrogation.¹⁷ Mass demonstrations in August 1988 were met with the biggest military crackdown in recent history: hundreds of people were arrested, and an estimated 3,000 killed. Some 10,000 fled to the border areas. Immediately after the crackdown, visas for tourists and foreign journalists ceased to be issued and Burmese were prohibited from leaving the country. News from inside Burma virtually dried up, and journalists had to rely on news from those who had fled. There were stories of widespread arrests, torture and summary executions.

On 18 September 1988 the BSPP was replaced by the State Law and Order Restoration Council (SLORC). International condemnation of the Burmese military's actions was severe. Most Western governments immediately suspended development aid and loans, and made the resumption of aid conditional on improvements in human rights.¹⁸ However, a number of countries in the region, including Thailand, Singapore and China, soon normalised trade relations with the new military leadership. Several member-states of the Association of South East Asian Nations (ASEAN) advocated a policy of 'constructive engagement', arguing that isolating Burma would be unlikely to make the SLORC change.

The SLORC promised free and fair parliamentary elections in May 1990. By 1989 more than 100 political parties had registered, including an all-women's party. The largest was the National League for Democracy (NLD), of which Daw Aung San Suu Kyi was general-secretary. Suu Kyi, who had become recognised as the leader of the democratic movement, was placed under house arrest in July 1989. Despite the fear generated by her arrest, and concerns that the elections would be rigged, the NLD won 82 per cent of the seats. The government failed to hand over power. The SLORC announced that power would not be



Burmese housewives demonstrating against the government during the 1988 pro-democracy uprisings.

transferred while there was no constitution, and later claimed that the election process had not been to initiate a transfer of power but to elect a body to draft the new constitution. When the elected parliamentarians attempted to meet in late 1990, the SLORC, fearing the formation of a parallel government, responded by arresting elected parliamentarians, NLD members and hundreds of supporters. A dozen of the elected members escaped to border areas under the control of armed ethnic groups where they formed the National Coalition Government of the Union of Burma (NCGUB).

It was not until January 1993 that the SLORC set up a 702-member National Convention, charged with drafting a new constitution. Only 106 delegates were elected representatives; the rest were chosen by the SLORC. Delegates opposing the SLORC's pre-set framework, which included 'establishing a leading role for the military in politics and government' were subject to intimidation and arrest.¹⁹ The NLD was expelled from the Convention in 1995 for boycotting a session where its request for a review of the Convention's working procedures was refused. The junta has promised that new elections will be held once the National Convention has completed its work.²⁰ But six years on, the constitution remains unfinished. Meanwhile the SLORC's successor, the State

Peace and Development Council (SPDC) which was formed in November 1997, is taking steps to ensure the military's continuing dominance in politics. The armed forces (*Tatmadaw*) are guaranteed 25 per cent of the seats in both houses of parliament, and the right to appoint ministers to key government posts.

Observers conclude that it will take a lot more than cosmetic change to convince the international community of the government's sincerity.²¹ The refusal to transfer power to the NLD is a major stumbling block to relations with many Western governments.

Some 200 NLD members who won seats in the 1990 elections were arrested in September 1998, after they attempted to form a 'people's parliament'. The NLD then formed a 10-person Committee Representing the People's Parliament (CRPP) to 'perform the duties of the parliament' elected in 1990. The CRPP was recently endorsed by the International Parliamentary Union (IPU).²² The SLORC/SPDC has said that the 200 arrested MPs will be detained until either the individual MPs or the NLD leadership renounce the People's Parliament.²³

In July 1997 Burma was granted full membership of ASEAN. The government saw this as an important

recognition of its regional status. However, relations with some ASEAN members are strained because Burma's admission has at times affected ASEAN's relations with the rest of the international community. In November 1997, for example, ASEAN-EU talks were cancelled when the European Union refused to allow Burma to attend. The United States continues to block loans to the regime from the International Monetary Fund (IMF), the World Bank and the Asian Development Bank.²⁴

Burmese government of pursuing a nation-wide policy of forced labour in violation of the Forced Labour Convention 1930 (No.29) which Burma had ratified.³⁰ The Commission of Inquiry subsequently found 'abundant evidence [...] showing the pervasive use of forced labour imposed on the civilian population throughout Myanmar by the authorities and the military'.³¹

Human rights

The human rights situation in Burma has been discussed frequently at the UN General Assembly (UNGA) and the UN Commission on Human Rights (UNCHR). In 1991 the UNCHR appointed a special rapporteur to monitor and report on the situation in Burma. The following year, the special rapporteur's mandate was renewed and made public. It has been renewed every year since then. Reports have identified a number of serious human rights violations including:

the practice of torture, summary and arbitrary executions, forced labour, including forced portering for the military, abuse of women, politically motivated arrests and detention, forced displacement, serious restrictions on the freedom of expression and association, and the imposition of oppressive measures directed, in particular, at ethnic and religious minority groups.²⁵

The SLORC/SPDC rejects all allegations of human rights abuse and refuses to engage in dialogue with the United Nations about them.²⁶ Instead, it issues statements which make no mention of specific allegations, and refers to laws protecting the rights of its citizens. It argues that 'cultural differences' must be taken into account.

In a 1997 statement to the UNGA the government of Burma asserted that 'Myanmar does not condone human rights violations as it is committed to the principles enshrined in the United Nations Charter and the Universal Declaration of Human Rights'.²⁷ The SLORC/SPDC considers the UN human rights reports an interference in Burma's internal affairs and a challenge to its sovereignty. The 1998 US Department of State human rights report was dismissed as 'nothing more than a politically motivated document aimed at interfering in the internal affairs of Myanmar'.²⁸ In 1997, the SLORC dismissed the Commission of Inquiry into Forced Labour in Burma, established by the International Labour Organisation (ILO), as an 'infringement of sovereignty'.²⁹ This Inquiry was set up when the International Confederation of Free Trades Unions (ICFTU) accused the

Burma: Basic data

Demographics

Population ⁱ	48.3 million	1997/98
Women ^a	23.4 million	1997/98
Men ^a	23.0 million	1997/98
Crude birth rate per 1,000 ^c	28	1996
Crude death rate per 1,000 ^c	10	1996
Population growth rate ^g	1.8%	1997/98
Average life expectancy at birth ^e	58.9 years	1996
Population density ^c	68/km ²	1996
Urban population ^g	27 million	1997/98
Women aged 15-59 ^f	13.85 million	1997/98
Contraceptive prevalence rate ^e	17%	1995

Health, nutrition and sanitation indicators

Population with access to clean water (rural) ^c	50%	1996
Population with access to clean water (urban) ^c	78%	1995
Population with access to sanitation ^e	43%	1996
Rural access to sanitation ^c	36%	1995
Urban access to sanitation ^c	56%	1995
Doctors per 100,000 people ^e	28	1993
Daily calorie supply per capita ^e	86%	1995
Infant mortality rate ^c	105/1000	1996
Low birth weight infants ^c	16%	1994
Underweight children under 5 ^e	31%	1997

Indicators on the status of women

Ratio of girls to boys in education ^c		
Primary	97:100	1995
Secondary	103:100	1995
Primary drop-out rate(m/f) ^a	65-70%	1997/98
Female tertiary students ^c	715/100,000	1995
Literacy rate, female ^e	77.7%	1995
Literacy rate, male ^c	89%	1995
Women in government		
Ministerial level ^h	0%	1997
Sub-ministerial level ^e	0%	1995
Women in the workforce ^c	43%	1996
Share of earned income ^d	30%	1994
Fertility rate, births per woman ^c	3	1996
Maternal mortality rate ^c	580/100,000	1996
Percentage of births attended by trained health staff ^e	57%	1996

Economic data

GDP per capita ^g	US\$406	1997/98
(weighted exchange rate)		
GDP annual growth rate ^g	4.0%	1997/98
Inflation rate ^b	29.7%	1997/98
Health expenditure ^g	0.3% of GDP	1997/98
Education expenditure ^g	1.2% of GDP	1997/98
Military expenditure ^e	7.6% of GDP	1996
Total external debt ^e	US\$5.8 billion	1995
Overseas Development Assistance ^c	US\$45 million	1997 ⁱ

Sources

- a. *Myanmar (Burma) Country Profile, Quarterly Report 1997-98*, Economist Intelligence Unit.
- b. *Myanmar (Burma) Country Report 1998/99*, Economist Intelligence Unit.
- c. *The Least Developed Countries 1998 Report*, United Nations Conference on Trade and Development.
- d. *Human Development Report 1995*, United Nations Development Programme.
- e. *Human Development Report 1998*, United Nations Development Programme.
- f. *Human Development in Myanmar 1998*, United Nations Working Group.
- g. *Myanmar: Recent Economic Developments and Selected Issues, 1998*, International Monetary Fund.
- h. *The State Peace and Development Council Notification No.1/97*.
- i. *Human Rights Yearbook 1997-98*, NCGUB.
- j. *Human Development Report 1999*, United Nations Development Programme.

Problems with data

Owing to the difficulty of collecting primary data in Burma, statistics on health, education and literacy tend to vary widely. Those presented here are mainly from the United Nations, although other sources, including the Economist Intelligence Unit (EIU) and the IMF, are also used. As a general rule, statistics about Burma should be viewed with caution. Unofficial sources put military expenditure as high as 40-50 per cent of the annual budget.

Part 2

Women in Burmese society

Introduction: Women's 'traditional' role

Making generalisations about the lives of women in any country is problematic. Burma's religious and ethnic diversity makes generalisation even more difficult. The traditional role of women in Burmese society can best be understood by examining the political and economic factors that have shaped modern Burma, as well as the specific cultural factors that influence how social roles are prescribed. Much literature on the role and status of Burmese women looks only at the experience of urban middle-class women. Yet women's traditional role varies according to geographical location, level of urbanisation, ethnicity and religion. Rural and urban women, Burman and non-Burman women, and women living in war-affected areas and those living elsewhere all have different and distinct experiences. It is also important to note that in many rural areas traditional ways of life have been disrupted by a combination of forced labour, heavy taxation and, in areas of insurgency, the civil war. This has dramatically altered the traditional division of labour and the gender roles that once prevailed.

Yet, regardless of ethnic, religious and geographical disparities, women's primary role is in the household. Women are responsible for managing the welfare of the family. They take control of the family finances and most women also work to supplement their husband's income.³² Activities vary from selling snacks or vegetables in the local bazaar to rolling cheroots in a factory or working as a day-labourer on a construction site. Economic decline in recent years has meant that many families could not survive without the income of women and children: 'In a five-member family in Burma today, all five have to work for their daily survival.'³³

Although women's domestic role may be respected, there are strong indications that they face discrimination in several areas of their lives. A 1995 report by the Burmese Women's Union found that Burmese society discourages women from pursuing higher learning and that men's education is given priority because of their role as primary earners.³⁴ The 1994 NCGUB Human Rights report alleges that 'Burmese women have never had equal rights with men [and] society and tradition in Burma tend to denigrate the role of women'³⁵ Others have commented that the 'concept of male dominance is still accepted and often even eagerly embraced by women'.³⁶

Historically, some women have enjoyed a degree of family, social and economic freedom and have been active in many areas of public life. Women wielded considerable power in the Burmese monarchy as ruling queens or consorts, and also had considerable influence in administrative affairs. In modern Burma women have continued to make significant contributions to literature, education, health, law and commerce. This range of achievement is often linked to the comparatively high social status enjoyed by Burmese women and the limited social impediments they have faced. Yet this picture is not true for all women. 'We have found that this idea about women's equality and participation in economic affairs only applies to urban middle-class girls and is far from being true for girls in rural and ethnic communities.'³⁷

Gender relations

There is a clear distinction between the public and private roles of women in Burma. Women control all domestic, family and financial matters, yet in public it is important that they defer to their husbands.³⁸ Some Burmese women writers, such as Daw Mi Mi Khaing, feel that this arrangement suits women as it is so ingrained that 'to do the opposite would entail a wrench'.³⁹ Others believe it represents a strand of male chauvinism that is as 'damaging to women as much as any written law'.⁴⁰ Contemporary scholar Maureen Aung-Thwin suggests that there is a general ambivalence towards women in Burmese society which makes it difficult for them to reach positions of authority, and stresses the importance of women's empowerment in enabling gender stereotypes to be broken down and women to realise their full potential.⁴¹

Many writers comment on the high degree of equality between men and women in Burmese society, particularly in comparison with other Asian societies, and Western societies prior to emancipation. Discriminatory practices such as widow immolation, genital mutilation, foot-binding and female infanticide, for example, are not apparent in Burma, except in some ethnic minority areas, or in rare and special situations.⁴² Purdah is observed by Rohingya Muslim women in Rakhine State, although it is not apparent in Muslim communities elsewhere. Some Buddhist traditions, however, do discriminate against women: 'Women in Burma are taught by their parents to behave femininely and respect men as their superiors, based on the religion and tradition. A woman has to respect "son as Master and husband as God" in order to be called a "good woman"'.⁴³

The concept of *hpon*, which orders various social practices and beliefs, is integral to Burmese Buddhist society.⁴⁴ *Hpon*

denotes spiritual power/glory or spiritual prestige. Men are deemed to be spiritually superior to women, and various customs reflect this. For example, as the *hpon* is located in the right side of males, Burmese Buddhist women always sleep on the left of their partner so as not to 'pollute' the *hpon*.⁴⁵ Women cannot go to the highest places in Buddhist pagodas, and during menstruation are discouraged from going to the monastery at all. Such practices are accepted by most Buddhist women and are not seen as discriminatory.

However, some young women are beginning to question the traditional belief that males are innately superior: 'Many older women really believe in and perpetuate this idea of the "ideal Burmese woman". Within Buddhism there is still this idea that women are so inferior to men and so impure. It's really hard to change many of these unwritten rules'.⁴⁶

Contemporary life

After 50 years of civil war and economic decline, most women's lives are characterised by instability and extreme poverty. The current government violates the fundamental rights of all women and subjects many to gender-specific abuses. Women's specific experiences differ, however, along ethnic and geographical lines.

Some 75-80 per cent of Burma's women live in rural areas which are characterised by high levels of poverty and poorly-developed infrastructure. Rural women often have only limited access to education and formal health care.⁴⁷ National literacy rates are lowest amongst rural women and maternal mortality rates are highest. Few rural women have access to basic amenities including potable water, electricity and sanitation. Limited educational opportunities have resulted in low levels of political awareness and participation among rural women. Further, women in rural areas have borne the brunt of the SLORC/SPDC's forced labour policies. The ILO Commission of Inquiry found that 'there was significantly more forced labour in rural areas' of Burma.⁴⁸

In urban areas women usually have better access to basic amenities and facilities. However, there are still differences according to income. Even if clinics are accessible, the cost of medicine may be prohibitively expensive. The rise in urban poverty, while not on the scale of rural poverty, has been noted by the UN Development Programme (UNDP), the UN Children's Fund (UNICEF) and NGOs working in urban areas. Of particular concern is the situation of women who have been forcibly relocated from urban areas to shanty towns on the urban periphery, where living conditions are appalling.



Zunetta Liddell

A mother bathes her child in a Karen refugee camp

Ethnic minority women and women in insurgency areas

Women living in areas of insurgency, or war-affected areas, suffer the brutality of civil war at every level. The majority of women living in areas of armed conflict are from ethnic minority groups. The SLORC/SPDC's antipathy to Burma's diversity means that these women are particularly vulnerable to discrimination. Further, ethnic minority women constitute the largest percentage of all refugees from Burma and have suffered some of the worst violations committed by the *Tatmadaw*. As well as being subject to human rights abuse, these women suffer the worst poverty in Burma. Many in insurgency areas have died and countless others have lost male relatives during armed conflict. As a result, the number of female-headed households in these areas is disproportionately high.

Forced labour is endemic in insurgency areas. The military frequently forces villagers to work on cultivation projects without remuneration, often on land which the military has seized.⁴⁹ Some families are forced to hand over their produce to the military. Women and girls in war-affected areas are also forced to serve as porters for the *Tatmadaw*. While both men and women are required to serve as porters for the *Tatmadaw*, girls and women are sometimes specifically targeted as they are used by soldiers for 'entertainment' in the evenings. Rape of female porters is believed to be common,⁵⁰ although it is impossible to provide accurate figures and may be under-reported. The UN special rapporteur on Burma has pointed out that often, 'victims, if they are still alive, are ashamed, afraid or choose to obliterate the memory'.⁵¹

Porters are frequently required to walk ahead of soldiers through minefields and to act as human shields. Many have been killed or maimed by landmines or caught in crossfire.⁵² (Other abuses associated with forced portering and forced labour are discussed in more detail in Part 3.)

Economy

Burmese women have long played a significant role in commerce and trade.⁵³ Today women still have a prominent role in many economic activities including agriculture-related industries, construction, the production of consumer goods, textiles, trade and the service industries, particularly domestic work. Figures from 1953/54 indicate that a high proportion of women worked in commerce and finance as well as manufacturing.⁵⁴ In 1975 many women were still employed in commerce and finance, but their participation in manufacturing had declined.⁵⁵ They also played a significant role in agriculture.

Economic decline and inflation have forced many women to engage in economic activity in addition to their primary work of childcare, cooking, cleaning and, for rural women, raising livestock or other agricultural pursuits. As in many countries throughout the world, women's expertise as producers and providers of food and as primary carers for children and the elderly is often undervalued and unrecognised.⁵⁶ In some rural areas, women's contribution to the family in terms of income and food is greater than that of their male relatives.

Working conditions and rates of pay vary markedly between industries and between the private and state sectors. Theoretically, women workers are protected by the law. The Social Security Act of 1954 included special provisions for working mothers including free medical treatment during pregnancy.⁵⁷ Women are supposed to enjoy equal pay with their male colleagues. However, a survey of average salaries and wages across industries in 1961 indicated that women received lower rates of pay in all industries.⁵⁸ More recent information suggests that women still do not consistently receive equal pay for equal work.⁵⁹

At present, a large percentage of the women who work do so in the informal sector. The informal sector provides women with an important source of income when salaried employment is unavailable, but it is usually characterised by low pay and insecurity. Informal sector trade, which accounts for the majority of Burma's trade, is usually small scale. It often requires long journeys to neighbouring Thailand or China. Although the trade is tolerated by the government, women remain vulnerable to arrest and demands for bribes.

Many women must migrate to find work.⁶⁰ Many, particularly from rural areas, seek to earn a living in neighbouring Thailand as domestic workers, sex workers or traders.

Burma's economic decline has resulted in an increased workload for the entire family. It is usually girls and women who collect water and firewood, labour-intensive tasks that have become increasingly difficult as Burma's natural resources are depleted by environmental degradation. Over-fishing, deforestation, mining, dam-building and hydro-electric projects and gas pipelines are just some of the potential environmental problems in Burma.⁶¹ People in rural areas are the first to suffer from problems such as flooding, drought, decline in crop output, soil erosion and land salination, that can occur as a direct result of environmental degradation.

In 1995 the government formed the Myanmar Women's Enterprises Association (MWEA), whose aim is to 'raise the socio-economic life of Myanmar women'.⁶² In February 1996 the MWEA held a seminar on 'Micro-Credit Systems — Women's Banking'. Like most government organisations, however, the MWEA is viewed as largely ineffective, urban, elitist and of no relevance to most women.

Women in the workforce

Women in Burma have long made up a large percentage of the workforce.⁶³ The Second World War accelerated the acceptance, or at least tolerance, of women working outside the home. This trend helped foster more positive attitudes towards working women. Daw Khin Myo Chit writes that women, due to their prominence in trade, often earned more than their husbands. 'The man of the family goes to the office to earn, not money, but the neighbour's respect', was a common expression.⁶⁴

The Buddhist cultural values of Burmese society have had a significant impact on the value attached to women's work. Buddhism holds that those involved in commerce and trade are more concerned with profit than the spirit.⁶⁵ As men are deemed spiritually superior, they are more likely to take on the politico-bureaucratic professions, while women assume economic-entrepreneurial roles.⁶⁶ Since 1988, when the government began to move towards a more capitalist economy, attitudes towards money and consumerism have begun to change.⁶⁷ This is likely to change the value placed on entrepreneurial activities.

Burmese women are well-represented in many professions including law, education, medicine, literature, economics and nursing, but few women have risen to the top in their field.⁶⁸ There is also some discrimination against women pursuing certain careers such as engineering, agriculture and veterinary science.⁶⁹ Information on women in administrative and managerial positions is limited.⁷⁰

As all salaried work is poorly paid, (doctors in the public health system earn as little as US\$6 per month⁷¹), even professional women have to work in commerce to support their families. One female university professor is reported to sell snacks in the market before beginning a full day's work. She also teaches private students in order to supplement her income.⁷²

Women and education

The education and empowerment of women cannot fail to result in a more caring, tolerant, just and peaceful life for all.⁷³

Traditionally, education was closely tied to religion, with instruction given in local monasteries. Consequently, opportunities for girls to study were limited. However, references to girls attending Buddhist monastery schools date back to the 7th century. Western missionaries, who arrived in Burma around 1885, also offered education to girls. In many communities small lay schools provided education for girls; and between 1900 and 1940 the number of girls attending primary school increased six-fold from 36,000 to 220,000.⁷⁴ It is likely that this increase outstripped the population growth.

At independence, girls were given a right to education. However, access to education varies markedly according to geographical location and income. In the ethnic minority areas girls' education has been hampered by poverty, isolation and armed conflict.⁷⁵ Combined with inadequate funding, the result has been lower attendance rates among rural and ethnic minority girls than among girls in urban areas. Many villages have no high school. If poor families cannot afford to send all their children to school, it is usually girls who forfeit their education. However, girls are well represented at tertiary level. In 1991-92, for example, there were 15,000 more female than male students at universities.⁷⁶ Even so, quotas restrict the number of girls able to study technical subjects, and girls are excluded from some subjects such as mining. As in other professions, female graduates have 'consistently failed to reach senior positions in the academic hierarchy'.⁷⁷

Prior to the imposition of military rule Burma enjoyed one of the highest literacy rates in South East Asia. In the 1960s the number of schools and students rose dramatically. By 1970 the literacy rate was 71 per cent, higher than in Malaysia.⁷⁸ By 1987, when Burma qualified for LDC status, government figures reported a literacy rate at just 18 per cent. This figure must be treated with caution as the government lowered the literacy rate in order to gain LDC status (because of the benefits that come with LDC status, such as access to loans, debt relief, etc). UNICEF figures for 1995 suggest a growing gender gap in literacy rates: only 71 per cent of women are literate compared with 82 per cent of men. Community leaders in some border regions of Burma report that as many as 80 per cent of women are illiterate.⁷⁹ Figures on the number of girls at school are difficult to obtain, although in November 1998 UNICEF reported that less

than one-third of all children now complete primary education.

In general, the standard of education at all levels is poor. This is because of cuts in education spending and the closure of many educational institutions. After the 1988 military coup schools and universities were closed, and since then have opened only intermittently. Some universities re-opened in May 1991 but closed again in December that year after a series of student protests. They re-opened in 1992 for a second time, but again closed in December 1996 and remained so at the time of writing. By April 1992, 7,000 teachers had been dismissed and those who remained were ordered to attend re-training courses.⁸⁰

There has been a steady decline in public expenditure on education since 1992: only 1.1 per cent⁸¹ of the national budget was allocated to education in 1995/96 and 1.2 per cent in 1996/97.⁸²

Women and warfare

Many of the ethnic minority armies include female combatants. For example, the founder of the Shan State Army was Sao Nang Hearn Kham (Mahadevi), the wife of Burma's first president. She was also elected to parliament in 1956, during the administration of the democratically-elected prime minister, U Nu. In 1963, after the death of her husband in custody, Sao Nang Hearn began the armed struggle against the *Tatmadaw*.⁸³

Girls as young as 15 years have joined ethnic minority armies, and some have fought in battle. Armed opposition groups, such as the New Mon State Party, Kachin Independence Organisation and the Karen National Union, have women's units. Relatives of women soldiers are frequently interrogated by SLORC/SPDC soldiers.⁸⁴

Part 3

The impact of military rule on women

When armies take political power, this often means that all groups which work differently or have different values are seen as a threat. In Burma, this includes women, ethnic and religious minorities and all foreigners.⁸⁵

Military rule affects all aspects of life in Burma. This section examines the ways in which military rule affects women. It looks at government policy, the denial of human rights, internal displacement, refugees, and portering and forced labour. Because of their 'traditional role', women are placed under growing pressure to ensure the family's survival in times of economic decline. Falling standards of health, rising poverty and forced labour, have reduced many women's lives to absolute misery.

The high mortality rate in war-affected areas has made many women widows and thus *de facto* household heads. Female refugees in Thailand and Bangladesh live in conditions of insecurity and poverty and are vulnerable to intimidation and abuse by security officials and camp authorities.⁸⁶ Women involved in opposition politics face harassment and prolonged periods of detention.

Government policy on women's issues

Burmese laws are often vague and inaccessible. Burma is still effectively a military dictatorship and the law is used selectively. Thus information on the government policy on women is extremely limited. Aside from the Myanmar National Action Plan for the Advancement of Women (MNAPAW) there are only a handful of documents on the subject. The MNAPAW is revealing. It suggests that the SLORC/SPDC is taking its lead from the Beijing Women's Conference and lists the following areas for government policy:

- **Education and training of women** — illiteracy among women will be addressed by functional literacy programmes, improved access to vocational training and steps towards universal access to primary education.
- **Women and health** — the focus is on increasing access to quality health care and information, strengthening preventative programmes that promote women's health, promoting research and

dissemination of health-related information, and undertaking 'gender-sensitive initiatives' to address sexually transmitted diseases (STDs), HIV/AIDS and other reproductive health issues.

- **Violence against women** — proposals include measures to prevent and reduce violence against women, research on the causes and consequences of violence and the effectiveness of preventative measures, reduction of trafficking and assistance to victims of violence relating to prostitution and/or trafficking.
- **Women and the economy** — access to employment and flexible working structures are suggested, along with measures to facilitate women's access to resources, employment, markets and trade, and promotion of savings and credit schemes.
- **The girl child and women and culture** — the government has pledged to work towards the elimination of negative cultural attitudes and practices against girls, increase awareness of the needs and potential of girls, and promote awareness of the girl-child in social, economic and political life.

These areas were identified by the government's women's affairs working committee (see below). There is no mention of women in politics or the legal promotion and protection of women's rights.

A year after the Beijing Women's Conference, the government set up a women's affairs committee. The Myanmar National Committee for Women's Affairs (MNCWA) was formed in July 1996 'to implement the Beijing Platform for Action and future programmes for women's advancement',⁸⁷ and the Myanmar National Working Committee for Women's Affairs was set up in October of the same year. According to the government, both committees 'comprise high-level personnel from government and NGOs responsible for women's advancement as well as influential and dedicated women leaders'.⁸⁸ As government-supported NGOs in Burma are not autonomous, the majority of these 'influential' women have close connections with SLORC/SPDC officials. At least six of the women holding senior positions in these committees are married to high-ranking SPDC members. While their contribution should not be dismissed outright, input from these privileged women is unlikely to reflect the views of the majority of Burma's women.

The SLORC/SPDC is well aware of the political value of promoting 'women's issues'. In its intervention at the 54th Session of the UN Commission on Human Rights, the government expressed dissatisfaction that its accession to CEDAW had not been internationally recognised.⁸⁹



Burma Campaign

A mobile medical team at the Thai/Burmese border. Such teams work under extremely difficult conditions, often without proper training and with inadequate medical supplies and facilities.

In March 1999 the Burmese government produced its first report to CEDAW which details the legal provisions for the protection of women and measures taken by the government for the advancement of women. It also gives a historical overview of women's supposedly esteemed position in Burma. The report fails to take into account the suffering of women as a result of the civil war and at the hands of the Burmese government and concludes that Burmese women and girls, protected by the law, 'are fully enjoying their inalienable rights'.

Restrictions on civil society

Civil society in Burma faces severe restrictions. All forms of political expression are tightly constrained and the fundamental freedoms set out in the Universal Declaration of Human Rights (UDHR) and International Covenant on Civil and Political Rights are uniformly denied.⁹⁰ There has been no free press since 1964, when the BSPP nationalised all national newspapers and assumed control of all published materials.⁹¹ Many leading authors and journalists have been imprisoned,

including female writers Ma Theingyi, Ma Thida, Ma San San Nwe, Daw San San and Myat Moe Moe Tun. Since 1988 the government has passed laws further restricting access to information.⁹² Government-controlled newspapers promote SPDC propaganda and attack opposition figures, in particular, Daw Aung San Suu Kyi.

Freedom of association is also denied. The government prohibits independent organisations of any kind, including women's organisations, and frequently invokes the Unlawful Associations Act of 1908 to detain anyone suspected of involvement with an unlawful organisation. Independent trades unions are outlawed and civil servants (who make up a large sector of the workforce) are banned from engaging in any form of political activity. Restrictions on the formation of new organisations are severe.⁹³ As a result almost all new organisations, including NGOs, are government-sponsored, and there is little room for independent activity.⁹⁴ The Directorate of Defence Services Intelligence (DDSI), and its extensive network of uniformed officers and paid informers, monitors the entire civilian population.⁹⁵

The socio-political landscape in many ethnic minority regions has changed as a result of cease-fire agreements between the government and 15 armed ethnic opposition groups. Some areas such as Kachin state have begun to establish new health, education and skills-training programmes.⁹⁶ Community leaders hope that, if the cease-fires remain in place, civil society structures may develop. However, while the cease-fires are paramount to lasting peace and the re-emergence of civil society, they are only one part of a complex national peace process that is still to be negotiated.

Not all the cease-fires have had a positive result. For example, since the 1995 Mon cease-fire, some communities have reported continuing intimidation by the Burmese armed forces and demands for forced labour.⁹⁷ Basic education has also been affected, as some schools where the Mon language used to be taught have been either closed or absorbed into the Burman-dominated education system.⁹⁸ Two organisations in Shan State and Karenni State have become so disillusioned with the cease-fire agreements that they have resumed armed struggle against the government.

The UNCHR has repeatedly requested that the Burmese government establish an enabling environment for civil society. The UNCHR's 1999 statement deplores the government's lack of progress and points to:

the severe restrictions on freedoms of opinion, expression, assembly and association, the restrictions on citizens' access to information, including censorship controls on all forms of domestic media and many international publications, and the restrictions imposed on citizens wishing to travel within the country and abroad, including the denial of passports on political grounds; and gross interference in private life, family, home or correspondence.⁹⁹

Human rights

The 1995 Beijing Women's Forum was a landmark for international recognition of women's rights. This was a conference dealing with empowerment of women, to which the Burmese government sent a male-headed delegation.

Exiled Burmese women's groups, however, made sure the voices of Burmese women were heard at the conference. Daw Aung San Suu Kyi, who had been released from house arrest only six months earlier, gave a keynote address to the NGO forum on video, presenting a very different picture of women's lives in Burma from the one

painted by the government delegation. Although released from house arrest, Suu Kyi was unable to leave the country for fear of being prevented from re-entering. The leader of the SLORC/SPDC delegation, Major-General Soe Myint, insisted that women in Burma were happy and prosperous. Indeed, the SLORC/SPDC's rationale for sending a delegation to Beijing was to 'explain that women are enjoying their rights fully, bestowed upon by the state constitutions as well as the Myanmar Customary Law'.¹⁰⁰

In contrast, the Burmese Women's Union outlined abuses and inequalities suffered by Burmese women. These included: poverty, unequal access to education, health care and economic opportunities, lack of female representation in national decision-making bodies as well as grave human rights abuses.¹⁰¹ In her video address, Daw Aung San Suu Kyi spoke of women being denied political participation and representation as well as their fundamental rights of free expression, association and the security of life. She pointed to the need for 'mutual respect and understanding between men and women, instead of patriarchal domination and degradation, which are expressions of violence and engender counter-violence'.¹⁰²

Despite widespread human rights violations, the 1997 report of the Myanmar National Working Committee for Women's Affairs (MNWCWA) stated that 'Violence against women is not a major issue in Myanmar'.¹⁰³ This statement is contradicted by a large body of compelling evidence amassed by international human rights organisations and UN bodies¹⁰⁴, which document: torture, summary and arbitrary execution, forced labour, forced portering, politically motivated arrests and detention, sexual assault and other torture whilst in detention,¹⁰⁵ forced displacement and serious restrictions on freedom of expression, assembly and association. Ethnic minority women and women from religious minorities are at risk of rape and other forms of sexual torture. When communities believed to be hiding insurgents are attacked by the government, all women suffer, regardless of race or religion.

Women seeking justice for crimes committed against them by Burmese soldiers are punished. In one case a 14-year-old girl who had criticised the army was forced to watch as her parents were beaten.¹⁰⁶ The ILO reports that fear of reprisal prevents village heads from taking up cases of reported rape with the authorities. Several SLORC/SPDC defectors recently interviewed by Images Asia all reported that rape by soldiers and officers did occur. All said most people were afraid to criticise the military, but added that rape victims were sometimes paid compensation if news of a rape became public. These

defectors also claimed that soldiers have been jailed for committing rape.¹⁰⁷

The violence that women experience and witness is both physically and psychologically damaging. Women from Karen state who have seen their husbands' dismembered bodies hung from trees have spoken of the agony of not being able to bury them.¹⁰⁸ A submission to the 19th Session of the UN Committee of CEDAW in 1998 noted the importance of addressing the psychological impact of war.¹⁰⁹ Burmese women attending the 55th Session of the Commission on Human Rights in April 1999 also raised the issue. The UN special rapporteur mentioned it in his 1999 report to the UNGA:

The Special Rapporteur has noted the serious psychological problems facing women and children ... abuses against women, especially in the course of violent events, which reportedly ranged from having seen their children or husband killed to being raped and losing their home and means of subsistence.¹¹⁰

This report also details allegations of continued forced labour, the rape and gang rape of women by government troops in insurgency areas, continued restrictions on freedom of movement, association and speech, arbitrary arrests and extrajudicial killings. The UNGA resolution on Myanmar (Burma) of 12 November 1999 'deplores the continuing violations of the human rights of women, especially women who are refugees, internally displaced or belong to ethnic minorities or the political opposition, in particular forced labour, sexual violence and exploitation, including rape,' as reported by the special rapporteur.

Burma is obliged to comply with international law regarding the protection of human rights and the application of human rights standards. The most fundamental of these standards is the Universal Declaration of Human Rights. Burma has persistently violated nearly all of the declaration's 21 articles and many of those in the accompanying Covenant on Civil and Political Rights and the Covenant on Economic and Social Rights.¹¹¹ Burma has also signed and/or ratified a number of international conventions, including:

- Convention on the Rights of the Child (1990) ratified in 1991
- Convention on the Political Rights of Women (1952)
- Convention on the Prevention and Punishment of the Crime of Genocide (1949), ratified by Burma in 1956
- Convention on the Elimination of All Forms of Discrimination Against Women (1979), ratified in 1997

- ILO Forced Labour Convention of 1930 (No.29), ratified in 1956
- Convention for the Suppression of Traffic in Persons and of the Exploitation of the Prostitution of Others (1949), signed in 1956 but not ratified.

Despite direct evidence of its involvement in the abuse of women, the SLORC/SPDC insists that the promotion of women's rights is a priority. In July 1997 the SLORC/SPDC referred to its ratification of CEDAW as 'testament to the great importance we accord to the promotion and protection of women's rights in our country'.¹¹² Further, according to the MNAPAW, Burmese women 'enjoy their rights on equal terms with men'.¹¹³ The government's ratification of CEDAW is welcome, but worthless while evidence of the systematic violation of women's rights goes unacknowledged.

Women and the law

The SLORC/SPDC's record on international law is matched by its practice regarding domestic law. The first problem is that the law is unclear.¹¹⁴ For example, it is not uncommon for laws to be invoked that are said to have been repealed.

The 1974 constitution guaranteed women equal political, economic, social and cultural rights. Article 154, sub-section (b) of the 1974 constitution makes special mention of the rights of mothers and expectant mothers while sub-section (d) guarantees women freedoms and rights regarding marriage, divorce, partition of property, succession and custody of their children.¹¹⁵ However, the 1974 constitution and the state's administrative and legislative organs were abolished in 1988.¹¹⁶ Thus, references to the equality of women 'under the law' mean very little.

In response to queries from international organisations about the status of Burmese women, the SLORC/SPDC often refers to four specific laws relating to women's well-being: the 1954 Buddhist Women's Special Marriage and Inheritance Act, the 1949 Suppression of Prostitution Act, the Myanmar Maternal and Child Welfare Law, and the Nursing and Midwifery Law.¹¹⁷ However, these laws — designed to protect women — have little impact. Daw Aung San Suu Kyi recently stated: 'It is a little unrealistic to talk about laws in this country, where there is no rule of law. Some of the laws look very beautiful on paper but they don't apply to the ordinary people in the country.'¹¹⁸

Customary law, which is provided for in the 1974 constitution, is practised in all ethnic minority states. Not all customary laws are favourable to women. Indeed, some contravene international standards.¹¹⁹

Since 1988 the government has introduced a number of new laws and issued orders, warnings and declarations that have further restricted the rights of Burma's citizens.¹²⁰ Most of these new laws are published in the country's newspapers or broadcast on national television. In 1991 the Laws Central Scrutiny Body was formed, charged with updating Burma's laws. Reports of its activities are occasionally published in the state-controlled New Light of Myanmar newspaper. These *ad hoc* declarations make upholding justice even more difficult. A recent report on the state of the law in Burma claims that:

Successive governments have, since 1962, systematically run down the country's legal system to the point where the independence and integrity of both the Bar and the Bench have been all but destroyed and the entire justice system has [...] become dysfunctional.¹²¹

Poverty and health

Living conditions in Burma have deteriorated inexorably since the military first seized power in 1962. In 1987 Burma joined the ranks of the LDCs and today remains one of the poorest countries in Asia with an estimated 30-40 per cent of the population living in poverty.¹²² Women bear the brunt of poverty, often foregoing food and health care in favour of their children and husbands. Rural women have particularly restricted access to health care. Lack of access to knowledge about reproductive health, poorly funded state health services and, in the rural areas, inadequate health care provision, have all had a serious impact on the health of Burmese women. The government has set up various committees and organisations such as the Myanmar Maternal and Child Welfare Association (MMCWA) and the Myanmar Medical Association, but these have done little to improve the situation.

The health system is chronically under-funded: spending on health was just 0.3 per cent of Gross Domestic Product (GDP) in 1997/98.¹²³ In theory health care is free, but corruption in the public sector is rife and, as well as having to pay for medicines, patients often need to pay a bribe to get a hospital bed.¹²⁴ New hospital buildings or clinics often go unused for several years for lack of funding for staff.¹²⁵ Burmese health officials admitted in 1995 that 500 government health posts were vacant. Many doctors do not want postings in rural areas, but lack of funding is also an issue.¹²⁶ The situation is worst in ethnic minority areas. In 1995 at least one-third of doctors' posts in Rakhine State were vacant.¹²⁷ One Burmese doctor recently described Burma's health system as 'urban biased and elitist', and suggested that the health system was controlled by people with no experience or

knowledge of health issues, that is, the military.¹²⁸

There is a paucity of information on women's health. The Economist Intelligence Unit, UNICEF and the UNDP have all referred to the difficulties of obtaining accurate data. Data from Burma's Central Statistical Organisation (CSO) are generally considered to be incomplete and inaccurate. As a result there are often discrepancies between government data and independently researched data, and between information from different government departments.¹²⁹ For example in 1994 the maternal mortality rate reported by the CSO was 100 per 100,000 live births¹³⁰ for urban women and 180 per 100,000 for rural women. But the maternal mortality survey (1994) undertaken by the Department of Health Planning reported a figure of 232 per 100,000 live births,¹³¹ while the United Nations puts the figure at 580 per 100,000 live births. This figure is less than the average for LDCs, but is still remarkably high. The infant mortality rate is also extremely high at 105 per 1,000 live births. It is important to note that there 'is no reliable data on maternal mortality within the home, where an estimated 80 per cent of all births take place'.¹³²

Approximately half of all maternal deaths occur during attempted abortion which is usually carried out clandestinely and in unsanitary conditions.¹³³ Evidence suggests that many women use abortion as a form of contraception. Few women are aware of modern contraception methods and those who are often cannot afford them. Condoms were illegal in Burma until 1993 and are still thought to be used by only 1 per cent of the population. This is partly a result of the prohibitive cost and the fact that until 1993, they were virtually unknown in Burma.¹³⁴ An estimated one-third of all people living with HIV/AIDS in Burma are women (see 'Prostitution and trafficking of women', page 24).

The UN Working Group did report a 'sharp increase' in access to information about reproductive health between 1991 and 1997, but more education is imperative if the number of maternal deaths is to be reduced.¹³⁵

Other factors contributing to the high maternal mortality rate include poor nutrition, an inadequate referral system and poor access to health workers during birth. Although some effort is made to provide ante-natal care in urban areas, the *UN Least Developed Country Report* estimates that only 57 per cent of births are attended by trained personnel. Local midwives continue to play a vital role in the provision of health care but there are too few of them.¹³⁶ Some midwives cover up to 100 miles in a few days, travelling on bicycles.¹³⁷ Many areas in the border regions become inaccessible in the rainy periods.

Military rule has a grave impact on women's health. Detention, forced re-location, forced portering and forced labour often lead to illness and death. Women in detention face highly unsanitary conditions, where diseases such as malaria, intestinal parasitic diseases and hepatitis are prevalent. Physical and psychological abuse are also common in detention. The UN special rapporteur has noted the 'critical' state of sanitation in Burma's prisons as well as the prevalence of 'torture and ill-treatment' and a lack of medical attention for prisoners.¹³⁸ Many women have given birth in prison in unhygienic conditions and without medical assistance.

Landmines pose another significant threat to the health of women living in Burma's border regions. (The extent of these problems is discussed in detail in 'Portering and forced labour', page 28.)

Poor nutrition, poor sanitation and a lack of safe drinking water all lead to a high incidence of preventable illness. Approximately 51 per cent of Burma's population do not have access to clean drinking water¹³⁹ and only about 40 per cent have access to sanitation. Poor nutrition has resulted in a high incidence of malnutrition, and iron-, iodine- and vitamin A-deficiency. Maternal malnutrition results in low birth weights in children.¹⁴⁰

Prostitution and trafficking of women

As prostitution is illegal, it is difficult to obtain exact figures on the number of women engaged in sex work. However, evidence suggests that the number has increased significantly over the past decade, particularly in urban areas.¹⁴¹ The rise is mainly attributable to increased poverty, lack of access to education and employment, growing drug addiction and, to some extent, the rise in tourism. Most sex workers know little about STDs and HIV/AIDS. A survey of former prostitutes at a government 'training centre' revealed that 98 per cent had no knowledge of HIV/AIDS or its prevention. A researcher who conducted a similar study among Burmese prostitutes in Thailand found that 'the overwhelming view towards AIDS was one of confusion'.¹⁴²

An increase in the number of night-clubs and restaurants, many of which double as brothels, has facilitated the rise in prostitution. There are reports that foreign businessmen staying in luxury hotels in Rangoon and Mandalay are offered catalogues of young Burmese women. In some of the mining towns of north east Burma small brothels exist openly.¹⁴³ However, the sex trade has been described as 'extremely shadowy and

mobile, with many young women (some as young as 12) frequently moving house or being brought to clients at night while under the control of different madams and pimps'.¹⁴⁴

It is widely believed that the military is involved in the trafficking of Burmese girls and women. Trafficking is highly organised and operates on a large scale. Given the high concentration of Burmese and Thai military along the trafficking routes, it is unlikely that it could continue without the active consent and cooperation of security forces on both sides. The SLORC/SPDC denies any complicity in trafficking, and claims that it is working towards preventing the trade. However, the government's measures are reactive rather than proactive. For example, single women under the age of 25 are sometimes prevented from travelling alone.¹⁴⁵ One positive step the government could take is to ratify the Convention for the Suppression of the Traffic in Persons and the Exploitation of the Prostitution of Others. This would at least invoke supervisory mechanisms, including reporting requirements to the United Nations.

Figures on the number of sex workers in Thailand are more easily available. Recent estimates indicate that some 50,000 Burmese girls and women are engaged in prostitution in Thailand at any one time.¹⁴⁶ There may be as many as 10,000 new recruits each year. Grinding poverty and political repression are the main reasons that girls leave Burma to work in Thailand. Some of these women choose sex work but the majority have been forced into sexual slavery.¹⁴⁷ Agents recruiting young girls target the poorest families, offering parents money in exchange for the services of their daughter for a few months. Others promise longer-term domestic employment. Some parents are aware of the dangers, but feel that their daughters will be safer and better off in Thailand.

Once sold to brothels in Thailand, girls from Burma are vulnerable to repeated abuse. They are expected to work between 10 and 18 hours each day, serving between five and 15 clients.¹⁴⁸ They live and work in the same small room, often in buildings surrounded by barbed wire. Days off are rare and pregnant women are forced to continue working.¹⁴⁹

Many are coerced into having illegal abortions and are expected to return to work almost immediately. Girls 'rescued' from brothels by the police are usually arrested for illegal entry to Thailand, and detained or deported. Women handed over to the SLORC/SPDC have reportedly received sentences of five years for prostitution and illegal emigration.¹⁵⁰