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## **I. EXECUTIVE SUMMARY**

Five indigenous women's organizations from Burma working on the Thai/Burma border produced this Shadow Report, with support from exiled women's organizations located in India and Bangladesh, and from the Burmese government-in-exile. The report focuses on education, health, State-perpetrated violence against women, and poverty, particularly as these issues relate to women in Burma's rural conflict areas.

Burma's ruling military regime, the State Peace and Development Council (SPDC), in its various incarnations, has controlled the country since 1962. One of the SPDC's chief preoccupations since it seized power has been to maintain "national unity and solidarity," which it has attempted to accomplish through force. In the absence of a popular mandate, the SPDC has had to sink disproportionate amounts of scarce cash into its swelling military in order to maintain control. This budgetary misappropriation, coupled with the long-term civil war, has resulted in a grossly inadequate public infrastructure with sub-standard health care and education systems and widespread poverty. Furthermore, the highly militarized nature of Burmese society has exacerbated the deeply ingrained gender stereotypes about women's subordinate status, and the SPDC has failed to provide leadership to reverse such attitudes.

### **Health**

The armed conflict in Burma elevates military matters while it renders insignificant the concerns of vulnerable civilian populations, particularly women. The general and reproductive health status of women suffers accordingly. Chronic healthcare under-funding over decades has resulted in too few trained health professionals, insufficient public health facilities, inadequate rural services, and meager health education programs.

Women greatly affected are those forcibly displaced by the SPDC to relocation areas with no sanitation, inadequate clean water supplies, food scarcity, and virtually no access to medical facilities. In addition, internally displaced women have no opportunity to obtain health care. As a consequence, maternal mortality is extremely high, illegal abortion is widespread and deadly, family planning is essentially nonexistent, and HIV/AIDS infection rates occur in crisis proportions. Finally, the most obvious effect of the armed conflict is landmines, which when not the cause of death or injury to women, increase women's burdens through widowhood and additional caretaker responsibilities.

### **Education**

In Burma, education is beyond the reach of many girls. While the government insists on its commitment to "Education for All", the paucity of government spending and the chronic closure of universities suggests otherwise. Furthermore, the fact that the SPDC cannot supply accurate and updated information about the educational status of girls points to their indifference to this critical issue. Anecdotal evidence indicates that armed conflict and poverty are the two primary causes of Burma's poor state of education. An emphasis on military spending has produced an atrophied educational system lacking in schools, trained teachers, supplies, and funds. In ethnic conflict areas, "Burmanization" policies dictate that ethnic schools close. Even if the schools were open, girls could not travel to school outside their villages because SPDC troops, feared for their propensity to rape, amass in conflict areas. The war has impoverished vast populations, particularly in ethnic minority regions, which prevents many girls from attending school because

they simply cannot afford the costs. Traditional gender stereotypes, which the State does little to eliminate, further hinder girls as there is little perceived social value in educating them beyond bare literacy.

### **Violence Against Women**

While violence against women exists at all levels of society in Burma, this report focuses on two aspects: rape as directly perpetrated by the SPDC army and the trafficking of women. Both are made possible by the impoverished and militarized character of modern Burmese society.

SPDC officers and troops frequently rape ethnic women in conflict areas with impunity. Rape is used as a tool to demoralize and destroy ethnic communities, and serves as a continuation of civil warfare off the battlefield. Attempts to seek justice by the survivors and their communities are either ignored or retaliated against, which heightens the terror induced by the crimes. The trafficking of women is also exacerbated by civil war. The SPDC's fiscal policy, to expand the army at the cost of the development, has led to widespread poverty. Women and girls, left with few employment opportunities, are either desperate to work or become commodities who will bring much-needed cash to their families or brokers.

### **Poverty**

While recognizing that the chief practices leading to food scarcity, particularly State-sponsored forced relocation, land confiscation, extortion and forced labor, do not target women specifically because of their gender, the consequences of these SPDC practices to women clearly are widespread and serious. Further issues of women's equality cannot be addressed until food security is established.

Forced relocation to further the "Four Cuts" military strategy or to obtain land for military or "development" projects leads to food scarcity, which in turn leads to chronic malnutrition, starvation, and illness. Women, a majority of the displaced transient population, try to survive in relocation sites and villages burdened by SPDC demands for forced labor and extorted food, crops, and cash. In an effort to remain close to their food sources, many women and their families hide in deep forests in "black zones," where they can be shot on sight by SPDC troops. Young, old, sick, and pregnant women are coerced to provide labor, which both prevents them from securing their own food and subjects them to rape by SPDC troops. Food scarcity also causes women to turn to begging or performing dangerous work for little pay. They often resort to or are coerced into sex work, which further disintegrates their traditional family and support structures.

### **Conclusion**

The barriers to women's equality in Burma are directly linked to the ongoing civil war and the allocation of national resources predominantly to military interests. The State must demonstrate a commitment to fundamental human rights for women before women can hope to advance. Effective work towards the genuine empowerment of women is not possible under the current political conditions in Burma. Therefore, the SPDC must cease armed conflict and engage in tripartite dialogue with the legitimately elected government and the ethnic groups in preparation for the transfer of political power. Until such time, appropriate measures to address women's fundamental health, educational, and economic needs will be empty gestures.

## **I. INTRODUCTION**

### **Overview**

This report was prepared and written by the Women's Organizations of Burma's Shadow Report Writing Committee. This Committee is comprised of representatives of five women's organizations based along the Thai/Burma border: the Karen Women's Organization, the Karenni Women's Organization, the Shan Women's Action Network, the Burmese Women's Union, and the Tavoyan Women's Union. The report was written with the participation of the National Coalition Government of the Union of Burma (NCGUB) Women's Affairs Department and with the support of the Women's Rights and Welfare Association of Burma (WRWAB) and the Rakhine Women's Union. All representatives of this Committee are themselves refugee women from Burma who have fled the persecution and oppression they experienced in their country

The Shadow Report Writing Committee is the product of a decision made at a conference of women's organizations of Burma in September 1999 to work together to present a Shadow Report to the CEDAW Committee. It marks the first project of an inter-ethnic cooperative nature. Situated in different places along the Thai-Burma border, the authors worked to compile this report under difficult and dangerous conditions, including severe travel and communications restrictions. This same Shadow Report Writing Committee also intends to submit a report through the Asia Pacific Development Center for the Beijing +5 Review in June 2000.

The report focuses on State-perpetrated violations of women's rights, and particularly women in rural, conflict regions, in the areas of health, education, violence against women, and poverty. The relevant CEDAW articles are:

Health	Article 12
Education	Article 10
Violence Against Women	Article 1
Poverty	Articles 1 and 14

As the report concentrates on rural areas and the country's humanitarian crisis, the issues are addressed in the context of Article 14, Rural Women and Article 3, which highlights the inalienability of women's rights to basic human rights.

The authors wish to highlight two significant issues concerning the SPDC's report to the CEDAW Committee. First, the SPDC fails to acknowledge the continuing civil war between the military junta and ethnic nationalities fighting for their rights to autonomy, democracy, and human rights. Ethnic strife is central to the country's political deadlock and is a major impediment to democratic change. As long as the SPDC refuses to acknowledge the civil war and the rights of ethnic nationalities, the situation for women throughout Burma will continue to deteriorate. Second, the SPDC demonstrates its misinterpretation of the principles of the CEDAW through its claim that women are entirely equal in Burmese society, a claim that is significantly at odds with the experience of most women in Burma. The first step in eliminating discrimination against women is acknowledging that such discrimination exists. Until the SPDC recognizes that traditional stereotypes, institutions, policies, and practices work to subordinate women in Burma, the situation of women will not improve.

## **Information and Methodology**

Evidence used to write this report was derived from interviews conducted by the Shadow Report Committee members and their organizational colleagues, the *New Light of Myanmar* (government-run national newspaper), human rights documentation groups, field experts, statistical information collected by NGOs, the internet and BurmaNet news service, well-known medical and legal experts, and the Committee members' own personal experiences in Burma.

The authors were unable to locate information released by the SPDC on the status of women specifically in the border and non-Burman ethnic areas. Information available from United Nations agencies such as UNDP, UNFP, UNICEF, UNAIDS, UNFPA, and UNESCO, while very useful, does not include data specifically from conflict areas.

Evidence and interviews for the report were collected over a two-month period. In mid-November, all members of the Shadow Report Committee met for a period of three weeks to discuss and write the report.

## **Demographics**

Burma's multiethnic population is estimated at approximately 47 million people, of which ethnic Burmans are considered to comprise of two-thirds.<sup>1</sup> There are an estimated 135 national groups: Karen and Shan groups are considered to comprise about 10% of the population while Akha, Chin, Chinese, Danu, Indian, Kachin, Karenni, Kayan, Kokang, Lahu, Mon, Naga, Palaung, Rakhine, Rohingya, Tavoyan, and Wa peoples each constitute 5 % or less of the population.<sup>2</sup> There are over 100 ethnic linguistic groups and sub-groups. The majority of the population is Buddhist, with Christian, Muslim, Hindu and Animist minorities.<sup>3</sup> It is estimated that between 1.5 to 2 million people from various ethnic groups currently live as refugees outside Burmese borders in Thailand, China, Bangladesh and India.

Burma's diverse and resource-rich terrain covers approximately 676,000 square kilometers and is bordered by India and Bangladesh to the west, China to the north, and Laos and Thailand to the east. Politically, Burma is divided into 7 states, 7 divisions, 52 districts, 320 townships, 22,190 wards, and 13, 756 village tracts.

In 1998, Burma was declared a least developed nation in light of its chronic state of underdevelopment and in 1999, Burma ranked 128 out of 174 in the UNDP Human Development Index.<sup>4</sup> Life expectancy at birth is 62.6 years for women and 59.1 years for men.

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<sup>1</sup> The last national census was conducted in 1983. Data from this census is still used as the basis for calculating many basic statistics. Given the degree of civil war and underdevelopment at that time, these figures may not be representative of the situation of women in ethnic rural and remote areas.

<sup>2</sup> Open Society Institute, "Burma: Country in Crisis, Ethnic Groups", <[www.soros.org/burma/CRISIS/ethnic.html](http://www.soros.org/burma/CRISIS/ethnic.html)>, 12/12/99.

<sup>3</sup> Ministry of Health, Union of Myanmar, and United Nations Development Programme/UNFPA/WHO/World Bank Special Program of Research Development and Research Training in Human Reproduction, "Assessment of the Contraceptive Mix in Myanmar" (Geneva: WHO, 1997), p. 23.

<sup>4</sup> 1999 United Nations Development Programme Human Development Report (New York: United Nations, 1999), p. 166. Although from 1998 to 1999, Myanmar moved up to a country of medium human development, from 131 to 128 out of 174 countries, this change can be attributed not to improved life in

The average age for women to marry in largely urban areas is mid-to-early 20's, and married women are thought to comprise approximately 13% of the population. The legal age for marriage for women under Burmese customary law is 16 years with and 18 years without parental consent. According to the 1983 census, the rural/urban breakdown is 25% urban to 75% rural, and although it is difficult to ascertain these percentages today, Burma remains a predominantly agricultural nation with a high percentage of subsistence farmers.

### **Historical Overview**

The area known today as Burma has a long history of rich and sophisticated civilizations, migration, and conflict among various ethnic groups. The lowland Burman civilization held the dominant tributary position for centuries leading up to colonization. In the 1820's, Burma's arbitrarily demarcated national borders became defined during the process of British colonization when diverse peoples far from Rangoon came under nominal central British administration.<sup>5</sup> British rule continued until 1948, during which time the colonial powers played on historic ethnic rivalries in divide-and-rule tactics to maintain control. These antagonistic ethnic relations, characterized by deep mutual mistrust, fundamentally inform Burma's modern political landscape.

Burma became independent in 1948 after extensive negotiations led by General Aung San, Burma's national hero and father of opposition leader Daw Aung San Suu Kyi. General Aung San gained the trust and confidence of most ethnic minority groups, notably through the February 1947 Panglong Agreement, which paved the way for the Union of Burma under a federal constitution and gave the Karenni and the Shan groups the option to secede after a decade of independence. Tragically, five months later, General Aung San and many of his ministers were massacred during a cabinet meeting on 19 July 1947 immediately prior to independence, creating a vacuum of competent and trusted leadership. The constitutional guarantees of the ethnic minorities were never properly respected and almost immediately, ethnic civil wars commenced.<sup>6</sup>

A decade of unstable democratic rule ended with the 1962 military coup installing General Ne Win as dictator, a position he officially held until 1988. Ne Win's primary concern was to prevent the disintegration of the Union of Burma and national resources were redirected to support military institutions to this end. He introduced isolationist economic policies, abolished the old constitution, and eradicated all traces of democracy. Under the "Burmese Way to Socialism" all parties were outlawed except Ne Win's own Burma Socialist Programme Party. During this 26-year period, the military grew to control every aspect of Burmese life including the economy and the press. The army grew from 40,000 troops to 200,000 in 1988, an enormous black market developed, and opium production increased 8000% to 250,000 tons. Meanwhile, Ne Win reduced budget allocations to health care and education, and ignored the development of human resources.

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Myanmar, but to statistical changes in the treatment of income in computing the Human Development Index for 1999. See Human Development Report, Technical Note, p. 160.

<sup>5</sup> Open Society Institute, "Burma: Country in Crisis, Ethnic Groups", <[www.soros.org/burma/CRISIS/ethnic.html](http://www.soros.org/burma/CRISIS/ethnic.html)>, 12/12/99.

<sup>6</sup> *Ibid*

Gross economic mismanagement prevented Burma's development apace with its regional neighbors. In August 1988, a series of widespread, student-led, non-violent demonstrations broke out in mostly urban areas protesting against oppressive socialist military rule and calling for democratic reforms. Ne Win's army crushed the protests through crowd massacres, extrajudicial killings, and a crackdown on civil and political rights. An estimated 3,000 – 10,000 demonstrators were murdered and another estimated 10,000 students fled to border areas to take up armed struggle alongside ethnic armies.

In September 1988, the government reconfigured itself as the State Law and Order Restoration Council (SLORC) and in an unequivocal act of ownership, renamed the country to Myanmar in 1989.<sup>7</sup> SLORC introduced partial open market reforms and under international pressure, held multi-party elections on 27 May, 1990. Over 90 parties formed in response to the elections, which the National League for Democracy (NLD) won in a landslide, led by Nobel Peace laureate Daw Aung San Suu Kyi. (Daw Suu was to remain incarcerated under house arrest for six years by the SLORC). Rather than cede power, the SLORC launched an intensive campaign of political repression, forcing thousands to flee the country and the elected government to form in exile.

In 1993, the National Convention was established, charged with drafting a new constitution. The NLD withdrew from the drafting process when it refused to support a constitution solidifying military power through disproportionately high military representation in the lower House of Representatives and upper House of Nationalities.

Throughout the mid-to-late 1990's, political repression and armed warfare against ethnic insurgent groups intensified. Student demonstrations and political activities in 1996 resulted in severe crackdowns. Forced relocation programs increased as did the number of refugees in neighboring countries. In 1997, SLORC renamed itself SPDC in an effort to reinvigorate its central committee, improve its international image, and distance itself from the human rights atrocities of the past decade. In that same year, Burma was admitted into ASEAN and began to increase its presence at the international level. To this day, however, the SPDC resists domestic and international pressure to start tripartite dialogue about long-standing issues that continue to drive the civil war and prevent the transition to democracy.

### **Current Major Influences**

Today, the illegitimate military dictatorship, the SPDC, continues to hold central political power. The impasse of the last decade persists as the political opposition continues to be harassed and arrested. Daw Aung San Suu Kyi remains under *de facto* house arrest. A ban on international aid, withdrawn after the 1988 uprisings, remains in place.

The SPDC army has an estimated 450,000 troops despite the absence of an external military threat. The nature of army training varies: in cities, armies are known for their discipline, while in conflict areas, soldiers are often young and uncontrolled—uneducated, under-fed, partially paid, and themselves subject to human rights abuses.

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<sup>7</sup> The unconstitutional and highly controversial manner in which the SLORC renamed Burma instantly polarizes people into supporters and opponents of the military junta based on which name they chose to call the country.



The SPDC is the legislature of Burma and rules by decree. There is no operating constitution, no independent judiciary system or police force, no due process. Lawyers working outside Burma do not have access to Burmese case law, therefore it is difficult to assess the current status of actual court practice. However the impunity under which SPDC troops and officers commit crimes and blatant human rights violations makes an obvious case as to why people, particularly women, do not attempt to turn to the law for recourse.

The SPDC maintains tight control over the media, as all publications and broadcasts must pass the censor's approval. These restrictions are an extension of the constraints on the individual's freedom of speech and association. Images of women portrayed in the media are confusing and conflicting. Some commercial advertisements use female sexual appeal beyond what is traditionally acceptable, while the ideal Burmese woman remains subservient and somewhat ornamental.

### **Government and the Status of Women**

Women do not hold any positions of political or economic influence in Burma. There has been a noticeable decline in the number of women reaching medium to high positions in their various careers after 1962. This makes sense, as the government is a military junta; women are not permitted to be a part of the military, and are therefore effectively blocked from all positions of leadership or power in the country.

As an indication of the government's level of interest in women, very little data exists on the health, educational, economic, political or social status of women, particularly women in ethnic rural and conflict areas. The little available information is often generalized by the government to reflect the situation throughout the country, thus giving a misleading picture of the true situation of rural women in Burma. Information collected by non-governmental organizations that operate inside Burma is restricted from being published under conditions signed in Memoranda of Understanding.

The creation of the Myanmar National Committee for Women's Affairs, a committee comprised largely of military men, and the non-independent, non-governmental Myanmar Maternal and Child Welfare Association, have both acted as vehicles for the promotion of national patriotic values rather than the empowerment of women. Programs created to provide services and information to women are afflicted by the same difficulties as other institutions, namely, lack of funding, training, freedom of information, and corruption. No government body or committee specifically dedicated to achieving gender equality exists in Burma.

The factors that most threaten women's status and undermine opportunities for their development today include HIV/AIDS, civil war, and gender discrimination at the family, community and state levels. The SPDC's standard response to each of these circumstances is to either deny their existence or minimize the problem. The seriousness of these situations becomes amplified by the fact that no independent women's organizations are permitted to form inside Burma or conduct research into women's conditions in Burma.

## Conditions of Civil War

This report refers to a range of situations commonly considered to be conditions of conflict. Women face different sets of problems depending on the circumstances in which they find themselves. The term “civil war zone” alone encompasses a great diversity of situations. Urban townships, villages, remote villages, rural highlands, and lowlands experience civil war. Political and military control over these areas by SPDC or armed opposition groups is uncertain or unstable. Front lines change monthly and sometimes weekly. Guerrilla warfare tactics make the time and form of conflict uncertain.

Cease-fire zones are non-Burman ethnic areas with a history of conflict where, in recent years, the SPDC and the local ethnic army have signed a cease-fire treaty. The conditions of cease-fires vary markedly from treaty to treaty. Who politically controls a particular cease-fire area is often uncertain: the local insurgency group, the SPDC, or degrees of both. In some areas, treaties remain solid, while in others, the situation is on the verge of dissolution. In many cases, the cease-fire agreements have broken down and fighting resumed even though the government publicly claims cease-fire conditions are maintained. This is the case with the Karenni National Progressive Party (KNPP) in Karenni State, and the Shan State Army in central Shan State.

Forced Relocation Zones are large tracts of land within ethnic civil war zones where the SPDC employs counterinsurgency tactics designed to separate insurgency groups from their civilian base. Known as the "Four Cuts" Strategy, the SPDC aims to cut insurgents off from their supplies of (1) food, (2) funds, (3) intelligence, and (4) recruits by forcibly relocating entire tracts of villagers into army designated relocation sites. Many internally displaced people (IDPs) remain hiding in the jungles rather than move to relocation sites, often for months at a time or sometimes permanently.

In “black areas,” people seen by patrolling SPDC troops can be shot on sight. On several occasions in Shan State during 1997, SPDC troops massacred large groups of people including women attempting to return to their original villages.<sup>8</sup> When enforcing the relocation program, the SPDC violates "The Guiding Principles Of Internal Displacement" drawn up by the Representative of the UN Secretary General on Internally Displaced Persons.<sup>9</sup>

It is very difficult to ascertain the numbers of people affected by armed conflict in Burma today, although it is undoubtedly in the several millions. Despite the alarming scale of displacement, little reliable information exists. Nevertheless, the Burma Border Consortium estimated in February 1999 that there may be as many as one million internally displaced people (IDPs) in border areas in Burma.<sup>10</sup> Along the eastern side of Burma, there are an estimated 100,000-200,000 IDP's throughout Karen State. This figure, combined with the number of Karen in refugee camps in Thailand, means an estimated 30% of the rural Karen population are

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<sup>8</sup> Shan Human Rights Foundation, “Displacement in Shan State” (Thailand: Shan Human Rights Foundation, April 1999) p. 5.

<sup>9</sup> *Ibid*, p.1.

<sup>10</sup> Norwegian Refugee Council, "IDP's in Myanmar (Burma)", <[tornado.jstechno.ch/sites/idpsurvey.nsf/wChapterCountry/Myanmar+\(Burma\)Population+Profile+and+Figures](http://tornado.jstechno.ch/sites/idpsurvey.nsf/wChapterCountry/Myanmar+(Burma)Population+Profile+and+Figures)>, 12 December 1999.

displaced.<sup>11</sup> In 1999 in Karenni State, there are an estimated 70,000 IDPs. Of the approximately 300,000 people displaced from central Shan State, it is further estimated that 104,000 have fled to Thailand, 100,000 moved to relocation sites, and 50,000 have hid in “black area” forests.

In Arakan State, on the western border, between December 1991 and March 1992 an estimated 250,000 Rohingya left and fled to Bangladesh because of rapes, killings, forced labor, other human rights abuses, religious persecution and confiscation of Muslim-owned land by members of the SPDC army. The situation in Chin and Kachin States is not well-known. The Chin National Front report 40–50,000 displaced people, many of whom have fled to Mizoram State, India, while in Kachin State, around 67,000 people alone were said to be displaced in 1994. Despite a cease-fire agreement between the Kachin Independence Organization and the Government of Burma, there continue to be problems of land confiscation and displacement.<sup>12</sup>

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<sup>11</sup> Burma Ethnic Research Group, "Internal Displacement in Myanmar" (Thailand: Burma Ethnic Research Group, July 1999).

<sup>12</sup> *Ibid.*

### III. HEALTH

#### Introduction

It is impossible to underestimate the impact of armed conflict on every sector of Burmese society. What is essentially a civil war between the military regime and the country's ethnic groups has affected civilians'—and in particular, women's—ability to receive rudimentary human services. Health care is arguably the most important of these, for without basic health care provision, women cannot survive, much less thrive and reach full equality.

The armed conflict in Burma affects the health of women in two primary ways: it renders health, and in particular, the reproductive health concerns of women, subservient to the requirements of a militarized state; and it creates myriad new health problems for women. Because the SPDC delegates massive resources to what it describes as the maintenance of civil order, military expenditures necessarily trump health care costs. The result is a national health infrastructure with too little funding, too few trained health professionals, insufficient public health facilities, inadequate rural services, and deficient health education programs.

Furthermore, the armed conflict in Burma, at best, exacerbates the health problems women experience in a developing nation, and at worst, gives rise to a host of fresh medical troubles that women might not otherwise suffer in peacetime. Such problems include insufficient access to family planning and prenatal care, inadequate nutrition, increased maternal morbidity and mortality, ineffective AIDS education, and the medical crises suffered by landmines victims.

To their credit, the SPDC has recently recognized the importance of women's health issues, as evidenced by the creation of a health sub-committee of the Myanmar National Committee for Women's Affairs. These structures, however, are ineffective because they do not function independently from the SPDC: the leaders of this Committee and sub-committee are SPDC officials and their wives. Furthermore, decades of civil war have caused a crisis in the national health care system, particularly in areas populated by ethnic minority groups. Consequently, an improvement in Burma's health care emergency will require a far greater effort and commitment than the SPDC has demonstrated thus far: independent leadership and accountability, significant funding, strong and concerted action, and an enhanced political will.

#### Government Expenditures

That no comprehensive survey of the health sector in Burma exists is eloquent testimony to the SPDC's insufficient attention to health concerns.<sup>13</sup> In the 1995 financial year, the SPDC spent 0.5% of GDP on health.<sup>14</sup> In contrast, military expenditures totaled 7.6% of the GDP, and represented 222% of all combined health and education outlays.<sup>15</sup>

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<sup>13</sup> Ministry of Health, Union of Myanmar and United Nations Population Fund, "A Reproductive Health Needs Assessment in Myanmar" (Yangon: Ministry of Health, 1999), p. 10.

<sup>14</sup> UN Working Group, Human Development in Myanmar (New York: United Nations Development Programme, 1998), p. 30.

<sup>15</sup> 1998 United Nations Development Programme Human Development Report (New York: United Nations Development Programme, 1998).

While the SPDC is to be commended for its goal of spending 5% share of its GDP on health by the year 2000, such goal is likely to remain unmet.<sup>16</sup> According to the World Health Organization (WHO), the Government of Burma is estimated to spend US\$9 per person per year on all health care, while the basic minimum health care system requires expenditures of US\$12 per person.<sup>17</sup> By choosing to allocate resources to bombs and not beds in hospitals, missiles and not medicines, the SPDC is waging a war against women as well as men on the battlefield of health care.

### **A Healthcare System in Crisis: Access to Health Care Facilities**

The SPDC fails to meet CEDAW's requirement that States Parties ensure women access to health care services. This failure takes a particularly heavy toll on women living in rural and conflict areas because they are unable to maintain their roles as primary care givers without the assurance of good health. In areas of armed conflict, where men are either absent or frequently injured and killed, food sources are destroyed, and education is limited, the lack of accessible health services is often the final straw that renders women incapable of living productive lives.

In Burma's many conflict areas, insuperable barriers prevent women's access to basic health care services for themselves and their families, including: actual and threatened armed warfare, an inadequate health care infrastructure, impassible or nonexistent roads, few communication structures, and the prohibitive cost of health care, where actually available. There are few medical facilities staffed by sufficiently trained health care personnel, and in fact, it is estimated that only 60% of the population in Burma has access to hospitals or clinics.<sup>18</sup> Cost is yet another impediment to women's access to health care. While, in theory, health care in public hospitals is free, patients are often required to purchase medicines and medical supplies, as well as pay the bribes necessary to receive care in a corrupt system.<sup>19</sup>

Forced relocation is a common consequence of the armed conflict in Burma. This relocation means that women are displaced from their villages and forced to live in SPDC-designated relocation sites without sanitation, with little or no convenient access to safe water supplies, and little access to adequate food. Prior to their arrival at the camps, many women and their families suffered malnutrition and anemia. These factors lead to poor health status and diminished resistance to the illnesses rampant in relocation camps.

There are no regular medical facilities available for the women and children in most of the relocation sites.<sup>20</sup> Frequently, only one clinic serves a cluster of 7 to 8 villages, and no extra health care facilities are established in or near the sites. Existing clinics do not often have trained

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<sup>16</sup> Ministry of Health, Union of Myanmar and United Nations Population Fund, "A Reproductive Health Needs Assessment in Myanmar" (Yangon: Ministry of Health, 1999), p. 5.

<sup>17</sup> Ministry of Health, Union of Myanmar and United Nations Population Fund, "A Reproductive Health Needs Assessment in Myanmar" (Yangon: Ministry of Health, 1999), p. 10.

<sup>18</sup> International Planned Parenthood Federation Country Profile, 1998, <[www.ippf.org/regions/countries/mmr/index.htm](http://www.ippf.org/regions/countries/mmr/index.htm)>.

<sup>19</sup> Martin Smith, *Fatal Silence: Freedom of Expression and the Right to Health in Burma* (London: Article 19, July 1996), pp. 21-22.

<sup>20</sup> Karen Human Rights Group, "False Peace: Increasing SPDC Military Repression on Toungoo District of Northern Karen State" (Thailand: Karen Human Rights Group, March 1999) and Shan Human Rights Foundation, "Displacement in Shan State" (Thailand: Shan Human Rights Foundation, April 1999).

medical personnel or sufficient facilities to meet the special problems of relocated villagers, which include malaria, anemia, Hepatitis B, respiratory failures, and dysentery. Seriously ill people are forced to travel to hospitals in nearby towns. Where barriers including poor roads, nonexistent communications, and difficult transport can be overcome, they will be lucky to find a qualified medical professional, since there is only one doctor per 12,500 people.<sup>21</sup> The following description is all too common:

When we first arrived at the relocation site they opened a clinic that provided medicine but it was only open for ten days. They pretended to take care of us but they didn't really...In our area people suffer from fever, coughing and diarrhea. The water there is not clear. They made a pump well for us but the water from that well makes your teeth and gums turn green if you drink it before purifying it. We dug our own well and it gives water that doesn't need to be purified before using it, but that well only has water in it during the rainy season. Most of the time we have to use water from their pump well and purify it in two steps, using sand pots, to make it clear. Fifty percent of the people there, including me, had goitres because of the water. People there are not healthy. They suffer from fatigue and dizziness but they have to stay that way because they have no way to solve the problem. There are no healthy looking people there, only skinny people.<sup>22</sup>

For internally displaced women hiding in free-fire areas, there is simply no access to health care services. Women living in the jungle have no choice but to rely on their own knowledge of traditional medicines.

### **Women and Family Planning**

CEDAW also requires access to family planning services, a requirement unmet by the SPDC's current programs. Since family planning education programs, to the extent they exist in Burma, have had a negligible impact on more sophisticated urban populations, it is reasonable to conclude that their effect on rural women and women in conflict areas is even less significant.<sup>23</sup> Further confirming this proposition are interviews conducted by this report's authors, in which it was found that most women interviewed had little or no knowledge of family planning and no access to family planning methods.

Traditional beliefs concerning childbearing are widespread, leading many women to reject contraception or family planning of any kind as unnatural. At most, traditional herbal medicines are used occasionally by those who feel they have had too many children and wish to prevent more.<sup>24</sup> Particularly rural women and women in conflict areas trust information passed down through generations over new information from outsiders who come and go. Many of these women believe that nature decrees the number and spacing of children, and that their responsibility is simply to feed them as they come.<sup>25</sup>

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<sup>21</sup> International Planned Parenthood Federation Country Profile, 1998: Myanmar, [www.ippf.org/regions/countries/mmr/index.htm](http://www.ippf.org/regions/countries/mmr/index.htm).

<sup>22</sup> Death Squads and Displacement (Thailand: Karen Human Rights Group, 1999), p. 37.

<sup>23</sup> Interviews # 7-127.

<sup>24</sup> Interview # 4.

<sup>25</sup> *Ibid.*

## Maternal Health

The consequences of no widespread family planning programs are dire for women: in many cases, complications at birth due to repeated pregnancy are a major cause of maternal mortality.<sup>26</sup> Estimated maternal mortality rates for Burma reach approximately 517 per 100,000 live births, compared with 80 in Malaysia and 10 in Singapore.<sup>27</sup> Due to the lack of health care facilities, the poor health and nutritional status of women, and the presence of civil war, maternal mortality and morbidity is expected to be much higher for women in rural conflict areas. High maternal mortality rates indicate a plethora of unmet reproductive health needs throughout the country.

According to interviews, prenatal care for women in rural and conflict areas is rare. Because prenatal care is often not provided as part of a traditional approach to childbirth, women in rural and conflict areas frequently go without it.<sup>28</sup> Consequently, the early detection of potential problems often fails to occur.

Nationally, around 80% of births occur in the home, and only 32% of these occur in the presence of trained health practitioners. However, anecdotal evidence from interviews conducted by the authors of this report suggests that nearly all women in rural and conflict areas give birth at home with the assistance of TBA's. Although the Department of Health does provide some training to TBA's, the UNFP study found that it was unclear to what extent, how recently, or how comprehensively they had been trained.<sup>29</sup> For example, a medic from Karen State interviewed in Mae Sot told how she received government midwife training in her township in 1998. She had to pay 3000 kyat per month for 6 months plus expenses. Afterwards, she was awarded a certificate and sent to engage in field work without medicine or medical supplies. It was not until she started training as a medic at the Mae Tao Clinic in Thailand that she was surprised to find how much she did not know.<sup>30</sup>

In the experience of medics working on both sides of the Thai Burma border, anemia caused by poor prenatal nutrition is one of the leading causes of complications at birth.<sup>31</sup> At least 23% of all babies born alive weigh 2,500 grams or less and around 2.5% of babies are born pre-term (37 weeks or less) in rural areas.<sup>32</sup> These statistics are likely to be much worse for women and children living in conflict areas, as they are subject to long-term food insecurity.

Access to emergency obstetric services is also very limited in many parts of rural Burma for a variety of reasons, including: cost, late referrals, poor roads which are often impassible in the rainy season (June-November), difficulty in accessing vehicles, and excessive distances. In the words of one woman from a conflict area in Burma:

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<sup>26</sup> Interview # 3.

<sup>27</sup> International Planned Parenthood Federation Country Profile, 1998, <[www.ippf.org/regions/countries/mmr/index.htm](http://www.ippf.org/regions/countries/mmr/index.htm)>.

<sup>28</sup> Interview # 4.

<sup>29</sup> Ministry of Health, Union of Myanmar and United Nations Population Fund, "A Reproductive Health Needs Assessment in Myanmar" (Yangon: Ministry of Health, 1999), p. 18.

<sup>30</sup> Interview # 6.

<sup>31</sup> *Ibid.*

<sup>32</sup> International Planned Parenthood Federation Country Profile, 1998, <[www.ippf.org/regions/countries/mmr/index.htm](http://www.ippf.org/regions/countries/mmr/index.htm)>.

We lived in a remote village far from township medical units. Mostly women seek assistance from local midwives. In (my) sister's case, she needed to go to the township hospital because her pregnancy was overdue. The journey was long and they arrived at the hospital very late. .... Despite her condition, she was refused treatment and the doctors and nurses turned her away [saying] that it is too late to save her. She died on her way back to her village.<sup>33</sup>

## **Abortion**

According to Burmese Penal Codes S312 and S315, induced abortion is illegal in Burma and can incur imprisonment terms of up to 7 or 10 years and/or fines, depending on the time of termination.

Research indicates that these Penal Code sections are widely ignored. Studies of government hospitals have shown that abortion is a major cause of maternal deaths, accounting for between one-third and one-half of all maternal deaths.<sup>34</sup> UNICEF also estimated that 58 women per week died due to illegal abortion and that fifty percent of all maternal deaths result from illegal abortion.<sup>35</sup> Finally, according to hospital studies conducted in urban and semi-urban areas, up to one-third to one-half of maternal deaths in Burma are caused by induced abortions, largely conducted under unsanitary conditions.<sup>36</sup>

It took 12 weeks for me to decide on whether or not to have the child. Finally, given the economic hardship we face today, I decided to do abortion. I went to a woman who claimed to be an "expert." It was a painful experience. She put her finger through me [cervix and to uterus] and took out the embryo. I was very sick the next day. At that time, I did not realize that I could die from abortion...If I have had a decent income, I would have kept the baby. I did not believe that the baby would want to come out and join me in this situation. I felt like the baby's hands grabbed my heart. It was not that I did not have a mother's heart. This baby was my blood. There is a saying in Burmese that in time of chaos or when the whole world is on fire, there is no relation between even mother and son.<sup>37</sup>

The various aforementioned studies indicate that illegal abortion is both widespread and deadly. Most available data collected on abortion has been derived from hospital records.<sup>38</sup> Because abortion is both illegal and largely inaccessible to women through basic health facilities, however, most women requiring abortions or suffering from complications from botched abortions do not present themselves to hospitals. Furthermore, strong social stigma inhibits

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<sup>33</sup> Interview # 7.

<sup>34</sup> Ministry of Health, Union of Myanmar and United Nations Population Fund, "A Reproductive Health Needs Assessment in Myanmar" (Yangon: Ministry of Health, 1999), p. 10.

<sup>35</sup> UNICEF, *Possibilities for a United Nations Peace and Development Initiative for Myanmar* (Draft for Consultation) (New York: UNICEF, March 16, 1992).

<sup>36</sup> Ministry of Health, Union of Myanmar and United Nations Population Fund, "A Reproductive Health Needs Assessment in Myanmar" (Yangon: Ministry of Health, 1999), p. 11.

<sup>37</sup> Katherine Ba-Thike, "Abortion: A Public Health Problem in Myanmar," in *Reproductive Health Matters*, No. 9, (May 1997), p. 98.

<sup>38</sup> Ministry of Health, Union of Myanmar and United Nations Population Fund, "A Reproductive Health Needs Assessment in Myanmar" (Yangon: Ministry of Health, 1999), p. 4-5.



many women from revealing their experiences of abortion. Therefore, the official estimates of abortion rates and resulting maternal deaths are likely underreported.

### **Women and HIV/AIDS**

Through its inconsistency, at best, and its policy of denial, at worse, the SPDC refuses to confront one of the country's greatest health crises to affect women in Burma: HIV and AIDS. This failure continues the SPDC's woeful record of providing adequate, accessible, and equal health care to women. For example, in July 1999, the Minister of Health, General Kat Sein acknowledged that the problem of AIDS has become serious in Burma. However, the Secretary 1 of the SPDC, General Khin Nyunt, one of the SPDC's most powerful leaders, told the *Sunday Times* newspaper in September 1999 that the problem of HIV/AIDS does not yet constitute a serious health threat in Burma.<sup>39</sup>

Such denials fly in the face of credible evidence. UN AIDS director Peter Piot confirmed at the South East Asia AIDS/HIV meeting in April 1999 that 440,000 out of Burma's total population of 47 million are infected with HIV. In his opinion, the main problem in preventing the spread of the virus is the lack of government recognition.<sup>40</sup> This assessment that AIDS is a health emergency is not new: in 1996, it was estimated that in Burma, approximately 175,000, or one-third of all people diagnosed with HIV are women.<sup>41</sup>

Rates of horizontal (partner-to-partner) HIV/AIDS transmission continue to escalate while women remain inadequately informed of its risks and lack the social support to prevent the disease through condom use. This has become apparent in the rising trend of vertical (mother-to-child) transmissions. Government efforts to disseminate information concerning awareness of HIV/AIDS have been ineffective, particularly in ethnic and conflict areas. Such halfhearted initiatives suggest a lack of commitment toward eradicating this health scourge. First, government announcements and publications are in the Burmese language rather than local ethnic languages, and therefore are largely limited to individuals who can read. Second, many people in ethnic conflict areas do not possess radios or television through which the information is broadcast. Finally, the public education campaigns are often both coercive and misdirected. According to one 24-year-old Shan woman:

The local authorities organized a video show to teach HIV/AIDS education to the local community. The documentary was in Burmese. Most Shan people in my village do not understand Burmese, and there was no translator at all. But they forced us to see the movie anyway, because we had to pay either 500 Kyats or work as forced laborers if we failed to see the film. They called one member from every household to see the movie but no one had time to go, so we sent our grandfather. Of course he would not talk about what was in the movie ... I only learned about HIV/AIDS when I came out

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<sup>39</sup> Khin Nyunt's Speech on AIDS at the World Health Organization's regional health minister's meeting in Rangoon, 12-14 October 1999, *New Light of Myanmar*, 13 October 1999.

<sup>40</sup> Caser Chelala and Chris Beyrer, "Drug Use and HIV/AIDS in Burma", *The Lancet*, 25 September 1999, <[www.burmafund.org/Research\\_Library/Drug%20unse%20in%20Burma.htm](http://www.burmafund.org/Research_Library/Drug%20unse%20in%20Burma.htm)>, 20 November, 1999.

<sup>41</sup> Martin Smith, *Fatal Silence: Freedom of Expression and the Right to Health in Burma* (London: Article 19, July 1996), p. 108.

to Thailand, I read it in a pamphlet produced by an NGO. Before that I thought you could catch it from sharing the same bowl or from the toilet."<sup>42</sup>

By failing to attack this epidemic through effective, widespread, and expeditious public education and health initiatives, the SPDC is once again misplacing its priorities. Were the regime not so preoccupied with military matters, it might have the time and resources to attack the real health threats to its population.

### **Women and Landmines**

While landmines do not discriminate between men and women when they detonate, women suffer their consequences in some ways that are different from the experience of men. Landmines' most visible impact occurs when women die and become disabled as their result, which is happening more and more frequently. But in addition, women are affected when their male relatives are injured or killed by landmines. In these cases, the women are typically left to shoulder the burden of caring for their families alone, a burden that is often increased by the addition of a landmine-disabled relative.

The SPDC has not signed the Landmine Treaty of December 1997, and abstained from the December 1997 and 1998 pro-ban U. N. General Assembly resolutions. Nor has the SPDC signed the Convention on Conventional Weapons or its Landmine Protocol.<sup>43</sup> Such inaction indicates that the SPDC does not perceive landmine elimination to be a priority, an attitude that has a fatal effect on the women and men of Burma.

In the areas of conflict between armed ethnic minority groups and the government military, landmines are used increasingly by both sides.<sup>44</sup> Areas known to be heavily mined are the Bangladesh/Burma and Thai/Burma border passes, the ethnic Karen, Karenni, Shan, Kachin, Arakan, Mon and Chin states, and the Tenassarim Division.<sup>45</sup> Landmine Monitor researchers found evidence that the SPDC uses landmines directed against the civilian, non-combatant populations, "notably in the mining of villages to prevent resettlement and mining of border areas to prevent refugee flows."<sup>46</sup>

Women suffer the consequences of landmines under a number of different circumstances: while they are forced to act as minesweepers for the SPDC as the army passes through conflict areas; while they are engaged in forced portering for SPDC troops; and while they are working in forests or in transit to and from their fields.<sup>47</sup> In the worst cases, women are doubly victimized

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<sup>42</sup> Interview # 2.

<sup>43</sup> Landmine Monitor, "Landmine Monitor Report 1999, Burma (Myanmar), <[www.igc.org/nonviolence/burmamines/immrpt.html](http://www.igc.org/nonviolence/burmamines/immrpt.html)>, 3 December 1999.

<sup>44</sup> While it is true that both sides - the government's troops and the armed ethnic resistance groups - use landmines, it is also notable that the ethnic resistance troops try to inform the nearby villagers of the landmines and clean the areas first. However, this does not excuse any party from causing the casualties or deaths of innocent villagers.

<sup>45</sup> Landmine Monitor, "Landmine Monitor Report 1999, Burma (Myanmar), <[www.igc.org/nonviolence/burmamines/immrpt.html](http://www.igc.org/nonviolence/burmamines/immrpt.html)>, 3 December 1999.

<sup>46</sup> Landmine Monitor, "Landmine Monitor Report 1999, Burma (Myanmar), <[www.igc.org/nonviolence/burmamines/immrpt.html](http://www.igc.org/nonviolence/burmamines/immrpt.html)>, 3 December 1999.

<sup>47</sup> Karen Information Center, Newsletter No. 7, May 1999.

by landmines: they are themselves disabled, and they are forced to care for their families alone because their husbands have also been injured or killed. Superimposed upon this scenario is a health care system unable to properly treat landmines victims. Landmine injuries and deaths are the clearest examples that the armed conflict in Burma is dangerous for civilian women as well as for soldiers.

### **Conclusion**

Burma has paid a high cost for its decades-long armed conflict between the governing regime and the opposition. While all citizens, civilians and soldiers alike, are harmed by the civil war, women often experience particular hardship because of their role as caretakers and family providers. Their hardships are sometimes obvious, but are more often invisible. Such is the case with health care; it is not immediately apparent that the health care system of Burma is a casualty of war, but upon close examination of women's health status, it becomes clear. A militarized State that dedicates the bulk of its resources to the war machine almost invariably ignores those institutions and services that are necessary to sustain its civilian population. In the case of Burma, women's health needs are expendable as compared to "national security" concerns. The price of such indifference is paid largely by women, in the form of poor health status, few effective family planning programs, increased maternal morbidity and mortality, illegal and deadly abortions, increased incidence of HIV and AIDS, and injuries and deaths due to landmines. These are the direct causes; the indirect consequences are that women's burden of caretaking is made heavier by their instability, their lack of food security, and their disrupted family structures. The SPDC must recognize the real cost of war to women's health, and reallocate its resources and priorities to acknowledge this reality.

### **Recommendations**

The SPDC should:

1. Increase the national budget for health care;
2. Provide reasonable salaries to health professionals so as to recruit and retain qualified individuals;
3. Provide comprehensive training to more health professionals, particularly doctors, nurses, and traditional birth attendants;
4. Open more well-equipped public health facilities, particularly in rural and conflict areas;
5. Ensure that access to free public health facilities is available to people in need;
6. Develop and implement an effective national family planning education program, including contraceptives, that takes the traditions and physical barriers of women in rural and conflict areas into consideration;
7. Make pre-natal care, at no cost, if necessary, available to all women, but especially to those in rural and conflict areas;

8. Provide free maternal and post-natal care to all women in need, but especially to women in rural and conflict areas;
9. Legalize abortion;
10. Develop and implement an effective national AIDS education program;
11. Ratify the Landmines Treaty;
12. Cease to use landmines and undertake a campaign to clean up existing mines.

## IV. EDUCATION

### Introduction

For most girls in Burma, a good education is a remote fantasy. In fact, the state of education throughout Burma is so catastrophic that fewer than *one-third* of all girls who enroll make it through primary school.<sup>48</sup> Though education for girls in most of Burma's sub-cultures is highly valued, securing adequate food—the first priority—is so time-consuming that it takes girls out of the classroom. Girls suffer this fate more frequently than boys since it is girls' perceived role to help with the family duties. Consequently, education for large numbers of girls is simply not an available choice.

At every level of governmental decision-making, education is given short shrift. The SPDC spends less than 1.1 % of GDP on education. The SPDC's indifference to the importance of education is illustrated by the fact that most universities have been shut down since the 1988 student-led civil uprising. Specifically, with the exception of military universities, the universities in Burma have been open for only three out of the past 11 years, and many four-year curricula have been reduced to two-to-three month courses. The government's refusal to reopen the schools on the pretext that they must maintain "political stability"<sup>49</sup> calls strongly into question their commitment to education.

Given the dire state of the Burmese economy, many families are forced to trade their daughters' long-term educational future for short-term daily survival. Girls are forced to work or help scavenge for basic necessities. In rural and conflict areas, basic education is difficult and, in many cases, impossible. In border regions, where most conflict occurs, girls face a multitude of educational barriers: lack of educational infrastructure; too few teachers; physical dangers which render travel to school impossible; constant transience due to forced relocations; and Burmanization policies that force the closure of non-Burman schools in ethnic areas.

The dearth of accurate information makes the poor state of education for girls virtually invisible. To the extent information does exist, it is overly general, outdated, incomplete, and conflicting. That the government of Burma still references 1983 literacy rates as definitive is case in point. Information collection on the situation of women's education, independent from the State, is not possible under the present political conditions. Therefore, the silence surrounding girls' lack of education is unlikely to change until the SPDC changes its style of governance dramatically.

### Government Expenditure

The SPDC claims a strong commitment to developing human resources as they prepare to integrate into the global economy, a commitment that will be difficult to meet under the present spending limitations. The gap between SPDC spending on defense as compared to education is enormous by Asian standards.<sup>50</sup> While the UNDP states that education spending rose from 1.4% of GDP in 1986-87 to 2.6% in 1991-92, it has been in steady decline since then, to just 1.1% in

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<sup>48</sup>UN Working Group, Human Development in Myanmar (Yangon: United Nations Development Programme, 1998), p. 7.

<sup>49</sup> US Embassy, Rangoon, "Foreign Economic Trends Report, 1997", <[www.burmafund.org/Research\\_Library/foreign\\_economic\\_trends\\_report.htm](http://www.burmafund.org/Research_Library/foreign_economic_trends_report.htm)>, 26 November, 1999.

<sup>50</sup> UN Working Group, Human Development in Myanmar (Yangon: UNDP, 1998), pp. 31-33.

1995-96. Data about government spending on education in rural and urban conflict areas, and more specifically, on women and girl's education in conflict areas, is simply not available.

### Barriers to Access in Urban Areas

Notwithstanding the lack of hard data, anecdotal evidence indicates that girls' and women's access to education is restricted in many ways. Access to schools is highest in urban areas where more schools, more teachers, and less threat of violent conflict exist. In the urban context, the most important barrier to enrolling and remaining in schools is poverty: families cannot afford the formal and informal costs of keeping girls in school, and families need girls to contribute to the family income.

### School Costs

Cuts in government spending for education have translated into increased costs to families in the form of a series of taxes and donations paid to the education department, the school, and teachers. As a result of these cost increases, primary school enrollment has declined so much that an estimated two-thirds to three-quarters of children in Burma drop out of school before fifth grade.<sup>51</sup> The Table below enumerates the prohibitive school fees incurred by the family of a student in Tavoy, and demonstrates why families simply cannot afford to educate their children.<sup>52</sup>

<b>Estimated Costs per Student for Year 10 Tavoy No. 3 State School in Tavoy in 1997</b>	
Entrance fee for school	<b>700</b>
Materials, chair table	<b>300</b>
Association of parents and teachers	<b>3-400</b>
Donation to school (reason unspecified)	<b>1000</b>
Monthly money (reason unspecified)	<b>135</b>
Physical education per month	<b>240</b>
Broom, water container,curtain in classroom	<b>135</b>
Donations for funerals of students' family members	<b>135</b>
Photocopying	<b>200</b>
Text books	<b>5000</b>
Praying to teacher	<b>300</b>
Traditional religious festivals	<b>90</b>
Uniform per set	<b>1500</b>
Entrance to examination, 3 times	<b>90</b>
<b>Total</b>	<b>10 225 K</b>

In Burma, some traditional cultural beliefs still hold that girls do not need to be educated beyond basic reading and writing. This is particularly true for girls from poor families, where immediate financial pressures compete with—and prevail over—the long-term value of education.

<sup>51</sup> US Embassy, Rangoon, "Foreign Economic Trends Report, 1997", <[www.burmafund.org/Research\\_Library/foreign\\_economic\\_trends\\_report.htm](http://www.burmafund.org/Research_Library/foreign_economic_trends_report.htm)>, 26 November, 1999.

<sup>52</sup> Interview #1.

Alternative educational opportunities traditionally provided by religious institutions such as Buddhist monasteries or Islamic mosques are available only to boys. Girls, therefore, have few avenues for pursuing education outside the State education system. The constant official reinforcement of women's stereotyped responsibilities—for home duties, but not public decision-making—undermines the perceived social value of educating girls. The manner in which the government of Burma advocates its ideas about women's roles not only indicates its lack of political will to work towards women's equality through education, but also demonstrates a clear lack of understanding of what gender equality for women in Burma means.

### **Education of Women in Conflict Areas**

All the problems described above are exacerbated by warfare for girls living in conflict areas. Where there is extreme poverty caused by that conflict, which is almost universally true in these areas, education is deferred to physical survival and the struggle for food security. The government of Burma not only fails to ensure girl's access to education, but also fails to respect basic rights through its policies and practices of forced relocation, rape, extortion, forced labor, and warfare against ethnic minorities. These hardships disrupt schools and cause a climate of instability and fear severely detrimental to the educational process.

### **Civil War Zones**

Every aspect of human existence for civilians is rendered more difficult in Burma's conflict zones. Education for girls is no exception.

At best, some schools manage to function in these conflict areas: either schools run by the SPDC, with government-sanctioned teachers seeking to inculcate "Burman" values in their students; or local community schools which must rely on self-help measures to survive. At worst, there are no schools whatsoever.

The SPDC frequently uses education as a tool of Burmanization in conflict areas.<sup>53</sup> In these cases, non-Burman schools (that is, where school is conducted in an ethnic language other than Burmese) are forced to close while only schools employing state-sanctioned teachers are allowed to remain open. The practice of Burmanization through the education system is evident in many cease-fire zones, where some primary schools have been allowed to open under the joint guardianship of the government authority and local ethnic party. For example, following the cease-fire agreement in Mon State, the government shut down Mon language schools. As many as 6000 Mon students lost their opportunities to learn their native languages and literature as a result. Likewise, it has been reported that in Shan State, Buddhist temple schools have been ordered to close and forced to remain so through enforcement of the State security act that forbids more than five people from gathering without government permission.<sup>54</sup> This cynical misuse of education is an effort not to produce a well-prepared generation of future leaders, but a blatant attempt to neutralize the so-called ethnic threat through cultural assimilation.

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<sup>53</sup> In accordance with recent strong SPDC rhetorical campaigns, the term "Myanmarization" could be substituted for Burmanization as the SPDC attempts to impose its idea of a single nation by re-labeling all languages, cultures, and traditions in Burma as "Myanmese." Nonetheless, this report shall continue to use the term "Burmanization" to denote this campaign of homogenization.

<sup>54</sup> Interview # 5.

While government schools are, at best, a mixed blessing, at least they provide an opportunity for students to learn. In the absence of government schools, the demand for self-help schools is enormous. Supported by ethnic communities and teaching in ethnic languages, self-help schools operate wherever possible under extremely difficult conditions. For example, in September 1999, in Waing Wae Township, Karen State, there were 19 villages with 19 self-help schools and a collective total of 34 teachers for 1549 students. These schools experience chronic resources shortages. Teachers often have 4th or 6th standard qualifications, restricting many schools to the 2nd or 3rd standard.<sup>55</sup> Furthermore, in rural conflict areas, higher levels of primary school and secondary schools only exist in larger villages and town, to which most girls have no access. Unaccompanied travel for young girls is generally considered unsafe, under the well-founded fear that girls are vulnerable to rape or attack. The ubiquitous presence of SPDC troops in conflict areas transforms this threat into reality, making travel to school impossible for many girls.

The lack of full technical and financial support by the government results in acute shortages of trained teachers and teaching materials as well as increased educational costs. Under the extreme conditions imposed by long-term conflict, generations of girls have lost their chance to be educated. By denying girls the education they deserve now, the SPDC is stealing their future from them.

### **Education and Forced Relocation**

Educational opportunities for girls in relocated sites are extremely limited, as the SPDC rarely offers government schools in relocation camps. On the rare occasions when government teachers are sent to relocation camps, the camp residents are required to provide the building materials for the school, build the school, pay the teacher, and buy teaching supplies.

Similarly, education for the huge numbers of internally displaced (IDP's) and transient peoples is almost impossible. Because internally displaced people are focused on survival, and because they have to change their location so frequently, they simply cannot dedicate themselves to education, as one IDP describes:

My children couldn't go to school because we had to relocate from place to place like that. All my children finished Grade 1, and my third son finished Grade 2. That's all, because we had to live like wild animals. Now my children are trying to teach themselves to read and write in Sunday school.<sup>56</sup>

### **Conclusion**

The state of education in Burma is dire for all children, but poses particular hardships for girls in conflict areas. Their opportunities for schooling are constantly undermined by civil strife and the attendant poverty created by years of internal warfare. Traditional attitudes about girls' appropriate role in the home impose further barriers, paving the way for a generation of uneducated girls. The consequences of this failure to educate cannot be exaggerated: women's

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<sup>55</sup> Interview # 4.

<sup>56</sup> Karen Human Rights Group, "False Peace: Increasing SPDC Military Repression on Toungoo District of Northern Karen State" (Thailand: Karen Human Rights Group, March 1999), p. 23.



and girls' health and reproductive status is affected negatively; they experience limited job opportunities; and their chances to participate in their communities as leaders are reduced.

These factors work inextricably to keep women in Burma entrapped within their cocoon of second-class citizenship. The government of Burma must recognize that the barriers to education for women and girls are inevitably related to Burma's civil war. The internal conflict creates an atmosphere of danger in which it is both physically and emotionally impossible to learn. Furthermore, the highly militarized culture reinforces traditional gender stereotypes that decree that education is less important for girls than for boys, and that girls' education should be sacrificed more readily than boys' in times of economic hardship. Until the conflict in Burma ends, girls and women are unlikely to have any consistent access, let alone equal access, to education.

### **Recommendations**

The SPDC should:

1. Conduct comprehensive nationwide research on women's educational status including a focus on non-Burmese speaking women's literacy rates, education, and performance in schools;
2. Allocate sufficient funds to education throughout the country, including towards schools in rural, ethnic areas. Make budget figures publicly available;
3. Increase teachers' salaries to be CPI-adjusted;
4. Open all universities, colleges and schools immediately;
5. Immediately lift all international travel restrictions on women preventing the pursuit of educational opportunities not available in Burma;
6. Introduce educational reforms and programs to eliminate cultural, political, and economic barriers in education for women;
7. Address the issue of poor teaching, learning, and assessment methods through adequately funding and upgrading teacher-training colleges. Ensure that gender sensitivity training is included;
8. Research and introduce special action plans to close the gap between rich and poor women's access to education;
9. Introduce women's studies programs in colleges and universities;
10. Pass legislation to protect and promote women's right to education;
11. Incorporate ethnic languages in standard curricula in public schools;

12. Research, design, and implement special action plans and projects to eliminate illiteracy among girls and women in disadvantaged areas, particularly conflict zones;
13. Research, design, and implement public outreach and advocacy campaigns to promote women's higher education and professional achievement in non-traditional careers.

## IV. VIOLENCE AGAINST WOMEN

### Introduction

While the subject of violence against women is not addressed by name in a specific article of CEDAW, it has been recognized as a significant impediment to women's full equality under Article 1. In Burma, violence against women unfortunately is present in all three realms of human society: the family, the community, and the State. It is exacerbated by the highly militarized nature of Burmese society and the ongoing civil war. In this report, we choose to focus on one direct and one indirect result of the armed conflict in the context of gender violence. In the case of the former, rape perpetrated by the military is an obvious consequence of warfare. As for the latter, the internal conflict in Burma has led to a devastated economic environment, creating fertile conditions for the trafficking of women on a widespread basis.

By focusing on State-sponsored violence in the forms of rape and trafficking, this report's authors do not mean to suggest that domestic violence and other types of violence against women do not exist in communities throughout Burma. Rather, we feel that State-sponsored violence requires the focused attention of this CEDAW Committee because it is inextricably linked to the SPDC's policy of maintaining "civil order" through armed conflict. As such, until the civil war ceases, it is unlikely that this important barrier to women's equality will be eradicated.

### Rape

Hundreds if not thousands of individual incidents of rape have been documented by SPDC soldiers against ethnic women in particular.<sup>57</sup> The rape is perpetrated by both officers and rank-and-file soldiers, all of whom commit these crimes with impunity. While the rape targets women from the ethnic nationalities at war with the SPDC, including the Karen, Karenni, and Shan, it clearly demonstrates a lack of respect for all women. The rape is purposeful in many cases: it is intended to send a signal to the communities that the women inhabit, and that signal is that the SPDC is more powerful than the ethnic peoples. It is also intended to demoralize ethnic communities by terrifying the potential victims, and by leaving the entire communities to feel powerless in their ability to "protect" the women and girls.

In their ongoing war against those ethnic communities that refuse to capitulate and "enter the fold," the SPDC army frequently resorts to brutal, impermissible attacks on civilian populations. A popular weapon in these violent encounters is rape against ethnic women. Through the numerous documented instances of rape, the SPDC soldiers seek to establish their dominance over all facets of the ethnic population, not just the men serving in the ethnic armies.

The frequency of the rapes against ethnic women suggests that these rapes must be perceived as more than random acts perpetrated by rogue soldiers. By committing such acts regularly, the SPDC army instills fear not only in the villages where women are actually raped, but also in all ethnic communities where women *might* be raped. This is particularly true because women are

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<sup>57</sup> School for Rape: The Burmese Military and Sexual Violence (Thailand: EarthRights International, 1998), pp. 34-41.

raped during their normal, daily activities. The message sent is that all ethnic women are at risk every day, and that it is impossible to avoid the circumstances under which the rape might occur.

On 10 April, 1999, Maj. Khin Maung Lay and troops of Company no. 1 of LIB 422 raped and killed a mother and daughter, Naang Thuay, 37, and Naang Awng, 19, near Kung Nyawng village, 3 miles north of Kun Mong in Central Shan State. They were going to work at their field when they met the troops who searched their bags, found their lunch rice and accused them of taking food to feed Shan State Army troops.<sup>58</sup>

Furthermore, multiple women are often raped at one time, confirming the theory that these crimes are not single, random acts committed against unlucky individuals.

On 1 January 1999, 6 women from Nawng Kaw township in Central State and tract were carrying rice from their farms back to their villages when they met a patrol of soldiers from Infantry Brigade no. 66. After accusing the women of supplying food to the Shan State Army, the unit commander took Nang Lang Sa, aged 15, aside, raped her, then shot her. When he had done, he announced that the patrol would rest for an hour and that they could do what they liked with the other women, except kill them. It is reported that Nang Ser, 22, Nang Peng, 27, Nang Ing, 30, and Mang Lu, 31, were raped repeatedly before the troops left and it was some time before the women could stand up and return to the village.<sup>59</sup>

Not infrequently, the rapes involve physical mutilation, with the brutality directed toward the gender of the victims. This leads to a pervasive fear among women that the soldiers' attention will be focused on them. The following are two examples that these crimes are specifically directed against women because of their gender:

On July 20, 1998, Aung Myint Sein from the LIB 230, Platoon 3, had reportedly raped Naw Paw Lulu, 16 years old, from Tapaw village in Belin Township, Mon State. And then, they shot her right into her vagina so that the bullet came right out of her head and she died.<sup>60</sup>

And

In 1998, the Shan Human Rights Foundation recorded the arbitrary execution of 76 women in forced relocation areas in central Shan State. Of these 76 women, 25 had been raped. In a case on May, 1998, 4 women were raped and killed by troops of SPDC LIB 225 and had their nipples sliced off.<sup>61</sup>

The frequent rape of girls and young women is particularly demoralizing to ethnic communities, as it conveys the notion that the community is unable to protect even its most vulnerable members:

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<sup>58</sup> Shan Human Rights Foundation Report (Thailand: Shan Human Rights Foundation, April 1999), p.1.

<sup>59</sup> The Shan Herald Agency for News, Vol. 16, No. 2, March 1999, p. 51.

<sup>60</sup> Karen Information Centre, Press Statement 19/98, July 26, 1998.

<sup>61</sup> Shan Human Rights Foundation, "Displacement in Shan State" (Thailand: Shan Human Rights Foundation, April 1999), p. 17.

On July 26, 1999, Lieutenant Colonel Soe Win from LIB 100 and his troops reportedly raped Naw Dah Eh, 8 years old, and Naw Neh Naw, 19 years old, from Pway P'law and K'weh villages in Tanintharyi Township in Tanesserim Division, and they beat the two girls with bamboo to death. Similarly, Moe Kyaw, Kan Htay, and 41 other soldiers from Platoon 4 of the same LIB had also ganged raped Naw Pweh Say, 16 years, and Naw Thoo, 9 years old, and killed both girls.<sup>62</sup>

Another practice many villagers believe is intended to obliterate their ethnic minority societies is “Burmanization.” In the view of ethnic villagers, Burmanization is principally achieved through rape and forced marriage. Under this theory, SPDC soldiers intentionally try to get ethnic women pregnant so they will bear “Burman babies” as a means of increasing the Burman majority population and preventing the women from bearing children whose parents are both from ethnic minority groups.<sup>63</sup>

### **Impunity for the Rapists**

That soldiers who rape are infrequently punished sends a further signal that the SPDC is indifferent to the problem of State-sponsored violence against women. Attempts by rape survivors, their families, and communities to seek justice from the SPDC army are generally ignored, at best, or met with retaliation, at worse. It is common for officers or commanders to claim either that their men have not committed a crime, or that their men cannot be controlled:

On March 11, 1999, SPDC official San Kyaw Oo and his troops from the Light Infantry Battalion. 54, Platoon 2, gang-raped Naw Lah Lah, 23 years old, and Naw Paw Wah, 25 years old, from Lo Kah village. Upon receiving several complaints, Battalion Commander Aung Myint Win told the villagers that his army has no law to punish the soldiers for such social problems and that rape was a social problem that could happen anywhere. He also said that soldiers were the sons of many mothers and it was not easy for him to control them at all. He also told the villagers not to come again with complaints and that they would be punished instead if they came back.<sup>64</sup>

Repeated threats of retaliation by the army have rendered villagers afraid to report rape to SPDC officials:

On 4 April 1999, Lt Kyaw Soe from SPDC LIB 314 raped Nang Ae La, aged 19 in a forest near Wan Ten village, Muarng Laang tract, Kaeng-Tung township. As soon as Kyaw Soe left the site, she ran back to the village and told her parents, and her parents complained to the village headman. But there was no one in the village who dared to press the case further against the SPDC soldier.<sup>65</sup>

If villagers fail to believe that authorities will punish the wrongdoers, and therefore refuse to report these crimes, the effect is to grant impunity to the rapists. If there is no legal deterrent to such action, soldiers are free to engage in repeated acts of violence against women without repercussion. It is the responsibility of the State both to prevent those acts that cause

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<sup>62</sup> Karen Information Centre, Press Statement 38/99 August 13, 1999.

<sup>63</sup> School for Rape: The Burmese Military and Sexual Violence (Thailand: EarthRights International, 1998), pp. 44-45.

<sup>64</sup> KNWO Newsletter (Thailand: KNOW, May 1999).

<sup>65</sup> Shan Human Rights Foundation Report (Thailand: Shan Human Rights Foundation, April 1999), p. 2.

discrimination against women, and to punish those acts when they nonetheless happen. The SPDC is failing in both ways to treat violence against women, and is therefore sending a tacit signal to its soldiers and its civilian population that women deserve the treatment they receive.

### **Trafficking of Women**

CEDAW Article 6 obligates the SPDC to “take all appropriate measures, including legislation, to suppress all forms of traffic in women....” While legislation does exist in Burma aimed at suppressing trafficking of women, including *The Suppression of Prostitution Act, 1949*, *The Law Amending the Suppression of Prostitution Act, 1949*, *The Child Law, 1993*, and *The Penal Code, 1860*, these laws are flawed for two reasons: they too frequently are directed toward those who are victimized by trafficking, and they are ineffective to stop the burgeoning sex industry in Burma. Furthermore, the laws may be overly restrictive; for example, unless immediate relatives sponsor the visits, young women are not allowed to travel outside the country. A young single woman reportedly under thirty years of age is not allowed to travel abroad with the purpose of getting employment. Studying abroad was not allowed until 1996. While these laws are intended, in theory, to curtail the trafficking trade, they instead impinge upon women’s right to travel.

The phenomenon of trafficking, common to many developing countries where economic development is uneven, is intensified in Burma by civil war. Attempts to introduce liberalizing, open-market policies by the government of Burma in 1988 have been counteracted by the SPDC’s action to nearly double the size of the armed forces over the past decade. The resulting economic crisis, in combination with the halt of international aid since the 1988 civil rights massacre and diversion of state funds away from the development of a social infrastructure, has forced the majority of the population to fend for themselves in whatever way they can. A thriving sex industry both in Burma and across the border in Thailand has presented many women with their only option for employment.

While it is impossible to calculate the number of women from Burma engaged in the sex industry, it is estimated as many as 40,000 are working as prostitutes in Thailand alone.<sup>66</sup> In some cases, women and girls know they will be working in the sex industry, but have little understanding of the consequences in terms of personal and social self worth, the physical conditions in which they will be working, or the health risks of STD's including HIV/AIDS. Pressure to provide for the family's financial well being and a dearth of alternative employment opportunities overrides many women's strongly socialised tendency to protect her virginity from violation outside marriage.

In other cases, family members knowingly sell girls to trafficking agents for money. Doctors at Mae Tao clinic in the Mae Sot area, Thailand have noticed a change in this trend. The increased demand for virgin girls in Thai brothels has led to an increased number of young girls sold into these brothels by families for short periods of time for considerable amounts of money, until the

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<sup>66</sup> Open Society Institute, "Burma: Country in Crisis, Women", <[www.soros.org/burma/CRISIS/women..html](http://www.soros.org/burma/CRISIS/women..html)>, 11/1/00.

“value of their virginity” has expired. After this time, the girls are often returned to their families in Burma.<sup>67</sup>

### **Recommendations**

Violence against the women of Burma in the form of military rape and trafficking has reached epidemic proportions. This violence will not abate until the conditions enabling it, namely, the high degree of militarization in Burmese society, change significantly. To that end, the SPDC should:

1. Establish and enforce strict legislation criminalizing rape in every context, including by the military;
2. Offer training to military officers and rank-and-file soldiers on the issue of violence against women;
3. Punish severely any SPDC military officer who himself fails to punish known instances of rape by his own soldiers, under the principle of command responsibility;
4. Establish an impartial team of investigators to fully investigate all complaints of rape by the military;
5. Cease the practice of forced labour for military and development projects;
6. Conduct a country-wide investigation on the prevalence and conditions leading to trafficking, and should be prepared to implement effective legislation to combat the sex industry;
7. Reallocate some of its resources from military expenditures to effective job-training programs for women, particularly those in rural areas;
8. Institute economic reforms that improve the economic situation of women in rural areas.

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<sup>67</sup> Interview # 3.

## V. POVERTY

### **Introduction**

Poverty is one of the most serious impediments to women's full equality in Burma. Isolationist policies and gross economic mismanagement of the Burmese economy for almost 50 years by army generals determined to build their military fighting capacity has resulted in a country-wide economic crisis. Furthermore, the military junta's preoccupation with maintaining "national unity" by force has provided them with a pretext for practices that increase the lack of food security already engendered by a poor economy. This report chooses to concentrate on those practices—forced relocation, land confiscation, extortion, and forced labor—that result in the extreme impoverishment of women by removing them from their homes and, therefore, their only means of secure food production.

When present, food scarcity affects all members of the community with malnutrition, hunger, stress-related illnesses, and other hardships. However, women, as primary food preparers, suffer from an intensified burden to fulfill this role under difficult conditions. Addressing the fundamental issue of food scarcity for women in conflict areas is vital before other issues of women's empowerment can be properly broached.

### **Forced Relocation**

Forced relocation is not a practice directly targeted at women because of their gender. Nonetheless, the impact of forced relocation is often more deleterious to women, because frequently women bear the brunt of relocating and caring for the family under difficult and changing circumstances.

Forced relocation severs the close link between farmer and land, and jeopardizes the ability of farming families to feed themselves. The conflict areas of Burma are largely rural, consisting mainly of communities of subsistence farmers whose lifestyle, culture, and economic security are closely linked to land cultivation. A large percentage of their time is devoted to food security in one form or another: people grow, hunt, or gather most of the food they consume from the surrounding environment; and they trade produce in order to purchase other necessities such as salt, fish paste, and oil. When villagers are forced to leave their land by the SPDC and thus prevented from working their fields, collecting fuel or water, or securing other forms of food, they lose their present and future food sources.

Two of the most common reasons why women and their families are forcibly ejected from their land are the "Four-Cuts" policy and military or development projects in border areas. Under the "Four-Cuts" strategy, the SPDC orders entire tracts of villages to move from their land to an SPDC-designated relocation site (see map). Villagers must leave rapidly, sometimes within hours and sometimes within days, their houses, livestock, food stocks, and large possessions. As a consequence, thousands of square kilometers of farming land are rendered barren. These regions are then proclaimed "black areas," in which SPDC troops shoot anyone, civilian or ethnic soldier, on sight. To further discourage villagers from returning to their homes, the SPDC army eats and steals what it needs before destroying all remaining food stocks. The following description by the Karen Information Center about the situation in Toungoo, Karen State, relates a common experience of forced relocation:



When the SPDC troops use the scorched earth policy, they destroy anything that they find such as durians, betel nuts, coffee, and houses... The SPDC troops burned the farms and paddies. They seized the food [that] the villagers keep for themselves; they killed the buffaloes, cows, goats, pigs and chickens. They ate what they killed. Those that they could not eat, they destroyed.<sup>68</sup>

Forcible relocation also occurs when villagers' land is confiscated by the SPDC for military purposes or putative development projects. Since 1997, the government of Burma, due to nationwide economic hardship, has been forced to reduce their total spending on defense.<sup>69</sup> These decreases have resulted not in a smaller army or less conflict, but rather in more food scarcity for civilians. This is so because the army no longer sends soldiers their full rations, and orders battalions to either grow or take food from villagers for survival.<sup>70</sup> As a result, the SPDC confiscates land without compensation and then compels the former landowners to grow food for the army.

In addition to these military projects for which land is stolen, large-scale development and investment projects (so-called) consume huge tracts of land without any benefit to the landowners. Examples of such projects include the Yadana and the Yetana gas pipelines. Forced relocation of villagers to clear land for government projects follows the same pattern as the Four-Cuts policy; the army orders villagers to leave within a limited time, and subsequently declares the former villages black areas.

Whether relocated as a part of the Four-Cuts strategy or to pave the way for military or development projects, their choices are the same: women and their families may move to the designated relocation site; they may move to another area; they may flee to a third country (usually Thailand); or they may hide in the jungle and wait for the SPDC troops to pass.<sup>71</sup> None of these choices is desirable. Once their land is confiscated, villagers find short-term access to food and long-term food security very difficult. Women and their families must choose between starvation in the towns and relocation sites or a life of constant peril in the black zones. For those who choose to leave Burma, they risk a dangerous and expensive journey across war zones to seek refuge in Thailand, where recent refugees have been rejected entry into camps along the border and have been forced back into conflict zones in Burma.

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<sup>68</sup> Karen Information Centre, Press Release 29/98, 22 September, 1998.

<sup>69</sup> US Embassy, Rangoon, "Foreign Economic Trends Report, 1997", <[http://www.burmafund.org/Research\\_Library/foreign\\_economic\\_trends\\_report.htm](http://www.burmafund.org/Research_Library/foreign_economic_trends_report.htm)>, 26 November, 1999.

<sup>70</sup> Karen Human Rights Group, "Death Squads and Displacement: Systematic Execution, Village Destruction and the Fight of Villagers in Nyaunglebin District" (Thailand: Karen Human Rights Group, May 1999), p. 7.

<sup>71</sup> Shan Human Rights Foundation, "Displacement in Shan State" (Thailand: Shan Human Rights Foundation, April 1999), p.5.

## Relocation Sites

It is impossible for villagers to meet their short-term food needs in relocation sites, much less plan for long-term food security. The SPDC soldiers do not provide food or land, do not allow the residents to travel far from the sites to farm their own land, and commonly forbid trading.<sup>72</sup> To make the situation worse, the soldiers also demand that villagers provide “voluntary” labor to carry military equipment, build roads, and dig ditches, among other physically arduous tasks.<sup>73</sup> The lack of income, food, and land drives villagers to desperate measures. Women who are used to growing and preparing their own food are forced suddenly to buy what they need. To do so, they must look for jobs as unskilled laborers on farms or construction sites, subsisting on 100-150 kyats per day, while the price of rice is 250-280 kyat per pyi.<sup>74</sup> Sometimes, women with children borrow and beg money.<sup>75, 76</sup>

Villagers who avoid the relocation sites, for good reason, sometimes choose to hide in the forests close to their fields so they can try to plant crops on their own land. They live in hiding in small groups, usually near their home villages or their old hill fields, which have become black areas.<sup>77</sup> The SPDC army, aware of this practice, repeatedly patrols these areas in an effort to drive villagers further into the forest. To the extent villagers have managed to stockpile food in hidden locations, it is generally discovered and destroyed by troops during these sweeps; if, by some chance, it survives the army, the food is often consumed by animals in the forest.

When the army columns come into the mountains, they destroy any houses they find, shoot whoever they see, and take or burn all food and possessions. If they come to a village, they don't see any people because everyone has run into the forest already. If they find rice stored in the jungle, they take or burn it, or sometimes lay land mines around it. We always look for a safe place deep in the jungle to hide our food...These hiding places may be safe from soldiers, but not from wildlife.<sup>78</sup>

Women hiding in the forest submit themselves to a different set of dangers from those present in the relocation sites, including competition for food from large animals, diseases such as malaria,

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<sup>72</sup> International Labour Organization Interview # 128 in International Labour Organization (ILO), *Forced Labour in Myanmar (Burma), Report of the Commission of Inquiry appointed under article 26 of the Constitution of the International Labour Organization to examine the observance by Myanmar of the Forced Labour Convention, 1930 (No.29)*, Geneva, 2 July 1998.

<sup>73</sup> Asian Human Rights Commission, "Voice of a Hungry Nation" (Asia: Asian Human Rights Commission, October 1999), p. 27.

<sup>74</sup> 1 pyi is equivalent to 8 condensed milk cans The Shan Human Rights Foundation Report, October, 1998, p.4.

<sup>75</sup> Interview #1.

<sup>76</sup> Karenni National Women's Organisation, Press Release, July 27, 1998.

<sup>77</sup> Karen Human Rights Group, "Death Squads and Displacement: Systematic Execution, Village Destruction and the Fight of Villagers in Nyaunglebin District" (Thailand: Karen Human Rights Group, May 1999), p.7.

<sup>78</sup> Asian Human Rights Commission, "Voice of a Hungry Nation" (Asia: Asian Human Rights Commission, October 1999), p. 18.

and poisonous snake bites.<sup>79</sup> It is common for villagers hiding in the jungle to suffer from hunger, starvation, and other horrors.<sup>80</sup>

### **Extortion, Taxes and Crop Quotas**

Extortion is both the cause and the effect of food scarcity. For SPDC soldiers, extorting cash, crops and animals, and services is the solution to their own lack of food supplies. For women and their families, this extortion of their money, food, and labor leads to food scarcity. The extortion is so onerous that it is often the primary reason why women and their families flee Burma.<sup>81</sup>

The process of extortion creates a vicious cycle: the farmer must pay a crop quota based in the amount of land that she owns, not on the amount of planted or harvested; the inability to pay results in land confiscation or expulsion; this leads to continued food scarcity. The lucky villagers are those who are able to keep their land, but go into debt to pay their quotas, as was the case with "Naw Mu Mu Wah", a 29-year-old woman:

... We didn't have a single grain of paddy to eat, it had all died. But we had to give the paddy [for the SPDC paddy quota] regardless. We couldn't give them paddy and so we had to give them money instead. They forced us to give them 200 kyat for each basket of paddy. We had to pay 1,600 kyat in lieu of our 6 baskets of paddy. All the villagers who have a field have to pay. We have to do whatever they ask. If you don't pay it, you can't stay there. They will drive you out of the village.<sup>82</sup>

It is all too common for patrolling soldiers and army bases to demand not only rice, but also chickens, pork and beef from villagers. The increased extortion over the past couple of years directly relates to the army's inability to feed its own troops, which, in turn, is caused by the draconian economic policies of the SPDC. Until the SPDC develops a sustainable economic program with a modified military budget, the problem of food scarcity for women and families in conflict areas will not abate.

### **Forced Labor**

Forced labor leads to food scarcity in conflict areas in two different ways: first, by taking women and men away from their fields and preventing them from producing food; and second, by swallowing up a family's resources in order to avoid the labor. Wherever possible, people hire others to take their places as forced laborers, or they pay fines to avoid the labor. In this way, precious cash is unavailable where it is most needed, to purchase commodities. In many instances, money and time is also extracted when women or their family members incur injury or death during forced labor.

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<sup>79</sup> Interview #2.

<sup>80</sup> Asian Human Rights Commission, "Voice of a Hungry Nation" (Asia: Asian Human Rights Commission, October 1999), p.15.

<sup>81</sup> Asian Human Rights Commission, "Voice of a Hungry Nation" (Asia: Asian Human Rights Commission), October 1999, p. 62.

<sup>82</sup> Karen Human Rights Group, "Caught in the Middle: The Suffering of Karen Villagers in Thaton District" (Thailand: Karen Human Rights Group, September 1999), p. 25.

The practice of forced labor has an anticipatory as well as a present impact. Not only are men absent from their households while engaged in such labor (the present impact), but also men flee their villages in order to avoid the labor (the anticipatory impact). Women incur an increased burden in the absence of men. It is not uncommon for elderly women to serve as village heads, (who act as the first point of contact between the SPDC and the troops), under the mistaken belief that the SPDC troops will treat them more gently. This is frequently not the case, however, and demands for forced labour are made nonetheless. In one such example, a 62-year-old village headwoman from Antwe village in Karen State was ordered by SPDC troops to build a military base. Not only did she have to arrange for her villagers to serve as laborers, but she also had to work herself. In the same year, her village and four other villages were relocated to Hlawlay village.<sup>83</sup>

In an even more obvious way, women experience forced labor differently from men. There have been numerous documented cases where women have been raped during their tenure as coerced workers. An August 1999 report released by the Shan Human Rights Foundation discusses this all-too-common phenomenon:

Young women, married or single, widowed or divorced, are forced to camp near where the SPDC troops who are overseeing the road paving are camping, while the rest of the villagers are forced to camp at a distance. The young women are forced to prepare the food and wash the clothes and cut the carcasses of the cattle belonging to the villages which the troops have shot to make dried meat to sell to the villagers. In addition, many young women are often raped by the SPDC troops at night.<sup>84</sup>

The SPDC's forced labor practices have not gone unnoticed by the ILO, which virtually expelled Burma after their 1998 Commission of Inquiry. Nonetheless, the forced labor of women and girls continues on a daily basis.

### **Disintegration of Family Structures**

The lack of food security has far-reaching consequences for women and girls. One unanticipated effect is that food scarcity contributes to the disintegration of traditional family structures. Pressure on women and girls to find work outside the home to contribute to the family's survival becomes immense. Due to the expansion of both unregulated domestic work and the sex industry, these women often find themselves in entirely unfamiliar situations, without the support of usual family or social structures. Their inexperience exposes them to dangers that they are unprepared to navigate.

Trafficking of girls and women is one of the most serious outcomes of poverty in conflict areas in Burma. In some circumstances, girls and women make the difficult choice to engage in risky

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<sup>83</sup>International Labour Organization (ILO) Interview # 194 in International Labour Organization (ILO), *Forced Labour in Myanmar (Burma), Report of the Commission of Inquiry appointed under article 26 of the Constitution of the International Labour Organization to examine the observance by Myanmar of the Forced Labour Convention, 1930 (No.29)*, Geneva, 2 July 1998.

<sup>84</sup>Shan Human Rights Foundation, "Displacement in Shan State" (Thailand: Shan Human Rights Foundation, April 1999), p.1.

sex work. In others, many girls are trafficked into sex work without their prior knowledge, and are essentially imprisoned by their debt bondage. Deprived already of their land, their traditional livelihoods, and their food security, these women and girls are also denied the support provided by their families and communities.

### **Conclusion**

Disastrous economic policies and long-term warfare have combined to produce widespread poverty, especially for ethnic minority peoples living in conflict areas. This poverty hits women particularly hard, as they are generally responsible for the care and feeding of their families. Many of the SPDC's policies and practices targeting ethnic minorities, including forced relocation, extortion, land confiscation, and forced labor, exacerbate their indigence. The result is large, hungry populations of transient people with no way to sustain themselves. Women are forced into desperate actions in search for food including living in dangerous black areas, going into debt, becoming beggars, and undertaking risky work.

The only way to increase food security for ethnic peoples in conflict areas is for the SPDC to cease its practices of forced relocation, land confiscation, forced labor, and extortion. The only way to improve the lives of women in conflict areas is to allow them to sustain their families through their traditional livelihoods. So long as the SPDC pursues its current military strategies, the majority of women in ethnic rural areas will continue to experience severe poverty without opportunity for change.

### **Recommendations**

The SPDC should:

1. Comply immediately with the recommendations of the 1998 ILO Commission of Inquiry into Forced Labor to stop the use of all forms of forced labor;
2. Close all relocation sites and allow women and their families to return to their villages immediately;
3. Discontinue the Four-Cuts policy;
4. Enter into legitimate negotiations with the National League for Democracy (the party elected in the 1990 elections) and the ethnic nationalities;
5. In the short-term, allocate the army adequate rations and supplies; in the long-term, withdraw them from ethnic areas.

## VII. CONCLUSIONS

The subjects of this report, women in conflict areas, are doubly and in some case triply disadvantaged. First, they are women, and in Burma, gender *is* destiny. Traditional stereotypes about women's proper place help reduce women in Burma to minimal education, limited (and often dangerous) job opportunities, poor health status, and impoverishment. The SPDC does little to rebut these stereotypes, and in fact reinforces them through its relentless drive toward greater and greater militarization. It is axiomatic that highly militarized societies traditionally exclude women from their upper ranks, as militaries by their very nature prefer men.

Second, the subjects of this report are disadvantaged by their location: as women in conflict areas, they are exposed to the myriad dangers that come from living in a war zone. Not only are they at risk of bodily harm from warfare; they are also losers in the race to spend the largest possible proportion of the national budget on the military. Therefore, in addition to the obvious hazards of war—landmines, forced relocation, land confiscation, death, injury, or rape by the army—these women are also subject to less apparent dangers that result from too few funds allocated to non-military matters—an antiquated and inadequate healthcare system, poor or no schools, and few economic opportunities.

Third, in many cases these women are disadvantaged by their ethnicity. For those women from ethnic nationalities other than the majority (Burman), they are subject to the same discrimination the SPDC army inflicts on the ethnic fighters. Most of the conflict in Burma rages in the border areas, where ethnic minorities live. The SPDC army has been proven to target ethnic minority areas for its “Four-Cuts” policy, as well as its forced labor, land confiscation, and extortion practices. Women both suffer these policies directly, and suffer their consequences indirectly when their husbands, brothers, and fathers are harmed.

The inescapable conclusion is that it is very difficult to be a woman from a conflict zone in Burma. Compounding this difficulty is the fact that the SPDC, as indicated by its CEDAW Report to the Expert Committee, seems not to recognize the hardships women face. To the contrary, the SPDC claims that women live in Burma on a basis of equality with men. The extent to which the SPDC ignores women's reality with this contention is astonishing and disturbing.

How can the women of Burma hope to achieve the lives the SPDC claims they have? The first step is for the SPDC to recognize that equality for women in Burma does not exist. The SPDC must acknowledge the consequences of the internal conflict on women. They must accept the fact that so long as political power is based on military force, there will never be room for gender equality. They must understand that a highly militarized society such as Burma by its very nature excludes women from positions of leadership. They must recognize that a disproportionate allocation of the national budget to military matters will result in continued discrimination against women. They must comprehend that gender equality will always be at odds with civil war, with military force, and with an undemocratic regime. The authors of this report urge the SPDC to take the following necessary steps to make their claims about women's equality real.

## **VIII. RECOMMENDATIONS**

The SPDC should:

### **Health**

1. Increase the national budget for health care;
2. Provide reasonable salaries to health professionals so as to recruit and retain qualified individuals;
3. Provide comprehensive training to more health professionals, particularly doctors, nurses, and traditional birth attendants;
4. Open more well-equipped public health facilities, particularly in rural and conflict areas;
5. Ensure that access to free public health facilities is available to people in need;
6. Develop and implement an effective national family planning education program, including contraceptives, that takes the traditions and physical barriers of women in rural and conflict areas into consideration;
7. Make pre-natal care, at no cost, if necessary, available to all women, but especially to those in rural and conflict areas;
8. Provide free maternal and post-natal care to all women in need, but especially to women in rural and conflict areas;
9. Legalize abortion;
10. Develop and implement an effective national AIDS education program;
11. Ratify the Landmines Treaty;
12. Cease to use landmines, and undertake a campaign to clean up existing mines;

### **Education**

13. Conduct comprehensive nationwide research on women's educational status including a focus on non-Burmese speaking women's literacy rates, education, and performance in schools;
14. Allocate sufficient funds to education throughout the country, including towards schools in rural, ethnic areas. Make budget figures publicly available;
15. Increase teachers' salaries to be CPI-adjusted;
16. Open all universities, colleges and schools immediately;

17. Immediately lift all international travel restrictions on women preventing the pursuit of educational opportunities not available in Burma;
18. Introduce educational reforms and programs to eliminate cultural, political, and economic barriers in education for women;
19. Address the issue of poor teaching, learning, and assessment methods through adequately funding and upgrading teacher-training colleges. Ensure that gender sensitivity training is included;
20. Research and introduce special action plans to close the gap between rich and poor women's access to education;
21. Introduce women's studies programs in colleges and universities;
22. Pass legislation to protect and promote women's right to education;
23. Incorporate ethnic languages in standard curricula in public schools;
24. Research, design, and implement special action plans and projects to eliminate illiteracy among girls and women in disadvantaged areas, particularly conflict zones;
25. Research, design, and implement public outreach and advocacy campaigns to promote women's higher education and professional achievement in non-traditional careers.;

#### **VIOLENCE AGAINST WOMEN**

26. Establish and enforce strict legislation criminalizing rape in every context, including by the military;
27. Offer training to military officers and rank-and-file soldiers on the issue of violence against women;
28. Punish severely any SPDC military officer who himself fails to punish known instances of rape by his own soldiers, under the principle of command responsibility;
29. Establish an impartial team of investigators to fully investigate all complaints of rape by the military;
30. Cease the practice of forced labour for military and development projects;
31. Conduct a country-wide investigation on the prevalence and conditions leading to trafficking, and should be prepared to implement effective legislation to combat the sex industry;
32. Reallocate some of its resources from military expenditures to effective job-training programs for women, particularly those in rural areas;



33. Institute economic reforms that improve the economic situation of women in rural areas;

**POVERTY**

34. Comply immediately with the recommendations of the 1998 ILO Commission of Inquiry into Forced Labor to stop the use of all forms of forced labor;

35. Close all relocation sites and allow women and their families to return to their villages immediately;

36. Discontinue the Four-Cuts policy;

37. Enter into legitimate negotiations with the National League for Democracy (the party elected in the 1990 elections) and the ethnic nationalities;

38. In the short-term, allocate the army adequate rations and supplies; in the long-term, withdraw them from ethnic areas.

## IX. TABLE OF INTERVIEWS

<u>Number*</u>	<u>Location</u>	<u>Date</u>
Interview # 1	Chiang Mai	5/11/99
Interview # 2	Chaing Mai	4/11/99
Interview # 3	Chaing Mai	12/12/99
Interview # 4	Chaing Mai	12/12/99
Interview # 5	Mae Hong Son	12/10/99
Interview #6	Chiang Mai	29/11/99
Interviews # 7-56	Rangoon	Sept.–Oct. 99
Interviews # 57-127	Thai/Burma Border	Sept.-Oct. 99

\*All interviews were confidential, and interviewees' names remain anonymous for security purposes. Interviews remain on file with the Shadow Report Committee.

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