

NGO List of Critical Issues and Questions for BURMA

Prepared by Women's League of Burma (WLB)

Analysis with the State party report (Problems with SPDC report):

- Completely ignore ongoing armed conflict between the regime & the ethnic resistance, who are fighting for basic human rights and equal rights
- No recognition of discrimination against women in Burma.
- No recognition that about people fleeing country as refugees & working as undocumented migrants workers in neighbouring countries
- No recognition of women's political prisoners
- Little information of women and girls in ethnic areas
- No acknowledgement of VAW in the community ;
- No detailed information on services given to women & girls
- Ongoing military rape and rape committed by state's authorities at different levels with impunity
- How health education & HIV/ AIDS awareness infor
- How they disseminating CEDAW info & committee concluding comments among women and civil society
- women's participating in political process (just attending meetings???: & still little percentage (6.2 %)
- National Convention (a sham)
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Ongoing Human rights abuses:

- Forced labour
- forced relocation
- confiscation of lands and crops
- arbitrary arrest and detention
- extrajudicial killing
- torture
- rape

How much is set aside for the women and development particularly in rural areas & ethnic lands

No information on implementation on the development of women empowerment in rural areas

How much money is spent for health & education? How many percent of national budget?

Article 1 & 2:

- yet not true because have to have served in the military to be allowed to hold certain positions – women cannot join / serve in the military
- this is also enshrined in new basic principles (basically legal discrimination against equality) - institutionalized inequality
- Anti- trafficking restriction in Shan State (women under 25 are not allowed to travel without a guardian) – legal restriction of movement only place on women not men
- Lack of implementation
- Lack of rights of victims to seek redress for gender-based violence

- Lack of prosecution of gender-based crimes
- equal rights in “ political , “judicial & admin”

Article 3:

- Need to describe real work of agencies mentioned
- Leadership structure of MWAF & organizations (all SPDC wives at different levels – from national to village/ tract level)
- Abuse of power of MWAF & their cronies :

Article 4 :

- Sexual violence (rape, gang rape - systematic and widespread rape)
- Women political prisoners
- Domestic violence (no recognized)
- Forced pregnancy & Burmanization
- Sexual Harassment
- Violence against women human rights defenders (Forced false confession; holding family members as hostages to induce arrest of activists)

(Lack of independent investigation into SPDC claims because SPDC doesn't allow

- Annual reports of UN Special rapporteur on Human Rights in Burma; ILO reports on violations , forced labour
- ICRC acknowledgements of forced labour and murder)

Pregnant women inmates & education

- Lack of healthcare & educational funding by SPDC as discrimination against women
- Numerous cases received contradicts prison health care claims

Information Missing from the SPDC report:

- No mention of the situation of women political prisoners
- No mention of forced entertainment for military personnel (young women and girls are forced to do catwalks for military officers)
- No mention of services to survivors of sexual violence
- Continuous denial of military rape (only address the report Licenece to Rape: total omission of other reports: Shattering Silences, Catwalk to the barracks, System of Impunity, Unsafe State, State of Terror

Questions :

- Does SPDC have proof they actually implement?
- What kind of education and prevention is being done to prevent sexual harassment?
- What kind of awareness is being raised about sexual violence?
- What is the government doing to prevent violence against women – as it is occurring at every level?
- What kind of documentation has been made of incidences? They have only responded to LTR? Are they addressing the other publications (i.e. Shattering Silences)?
- What kind of action is being taken against the perpetrators?
- What services is SPDC providing to women survivors?

Article 5 : SPDC does not recognize there is “ discrimination” between men & women

Article 6 –

- Have not addressed SPDC policy on not allowing women to travel without guardian under 25 (In Shan State since 1997, women under 25 are not allowed to travel to the border areas

without guardian; recently they have to get travel permit / recommendation letter from MAAF at a high price as high as 150 USD)

- Do not address the push or pull factors on women – regimes economic, political & educational policies Economic hardships due to SPDC prioritising military expenditure, political & mismanagement of the regime.. regime is the main reason why people leaving home ; Women cannot get passports (too expensive & also need to pay a lot more if under 25)
- Save the Children’s statement on 18 December 2007: reads “how bad trafficking is right now and that regimes is not helping”
- Anti-trafficking law is to oppress more: more corruptions: more expensive than before :
 - local authorities using this law barring people from travelling to Thailand, In many areas, number of family members, are checked whether or not as in the house registration : if not forced to re-register; (extortion of money) ; local authorities reinforced restrictions on the registration of guests staying overnight (method used to monitor people’s movement)
 - Double victimize/ stigmatize (no mention on detailed procedure of women returnees were treated) using media manipulating : no respect for the dignity of women and her family: society look down on women returnees; no awareness campaign activities : media just shows how
 - Women become “double victims” if they report a crime because they are then stigmatized for the experience – i.e. a trafficking victim may experience a backlash for reporting the crime and also be shunned by her community. Women are afraid to face officials of law enforcement

Gaps:

- There is no information on how the victims of trafficking or are treated and then protected
- The anti-trafficking law has been manipulated : Arrested women human rights defenders/ activists travelling with young women using the law.
- Falsely accused and charged as traffickers to older women who are travelling with young women and girls
- Trafficking is happen beyond the China border - but other areas are not addressed
- women and girls retaliated by traffickers with impunity if identified or informed the authorities

Questions:

- To give detailed info of how women and girls returnees are treated. Procedure of receiving the women returnees.
- Are these so-called awareness campaigns done in other ethnic languages (not Burmese)?

Article 7:

“ required qualification”

- - have to have served in the military to be allowed to hold certain positions – (women cannot join / serve in the military) these requirements of military service for many positions contradicts claims of equality and is legalised discrimination
- - women are limited to “women’s affairs”

Article 8:

- All mention of women’s participation is relegated “ women’s work”

Article 9:

- only mention religious marriage
- extensive gap

Article : 10

- Economic hardship- high education fees – women & girls are not able to go school.
- little education access for armed conflict areas
- ethnic languages are not allowed to teach in the schools. teachers teaching ethnic languages are pressured / harassed by authorities all the time.. cultural events; accused as political activities

Gap in the SPDR report:

- No mention about the literacy rate of women and girls
- there is no detailed info/ activities / plans/ programs for how to reach MDG :
- No mention of detail information of curriculum – how many languages have been translated, how widely do they distribute etc....
- No info on education data in ethnic areas
- No budget mentioned in report for education

Questions: CEDAW, Child Rights, HR in school syllabus? When did it start? What is the curriculum like? how it is put into the syllabus: in the subject ; lessons? or a separate subject? Give samples: lesson plans/ curriculum? timetable? : Social activists carrying & distributing leaflets of UDHR were arrested & put in jails .

- Is there evidence of the implementation of CEDAW curriculums in schools? Which locations/areas is it in? What is the teaching method? What languages are the materials published in? Who is teaching it?

Art: 12: Health

- lack of national expenditure on health
- their attacks & economic policy creating health crisis
- No mention of budget allocated for health in national budget
- No data on mortality : UNICEF, WHO, and other data on mortality rates greatly differ from gov't claims
- Malnutrition of mother & child.
- Health clinic fees (some clinics empty as a result)
- There is data regarding unsafe abortion, however it is not in the report
- Closing down 24 NGOs that offer free health services
- Report states HIV/AIDS is priority - but activists who do the work are being arrested and monasteries that treat patients are being closed (Maggin monastery in Rangoon)
- There is evidence that many people from inside Burma have to come to Thailand for treatment because of lack of services available inside Burma : example: in Mae Tao Clinic in Mae Sod, Thailand

Questions:

- How are they utilizing health education for women – are they using the media, for example? What methods for health education?
- What is the budget allocation for women's health?
- Which organizations exist that were formed especially for women health and maternal health?
- What particular programs for women's health (unmarried; single, older women)
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HIV/ AIDS

- Spent only 132,000 USD on HIV/ AIDS in 2006 (Gathering Storm)
- Shut down monestery that operates a hospice for HIV? AIDS patients

- - arrested AIDS activist & health care worker leaving her patients without help
- mentioned poisoned flowers & lack of maternal healthcare;

Nutrition improvement

- how when economic policies & sudden & drastic increase in fuel & commodity prices have plunged Burma's population deeper into poverty in 90 5 live on less than 1 us\$/ day
- don't provide actual nutrition assistance

due to lack of transparency and restrictions , resulted in the withdrawal of Global Fund- Feb 06 increased Humanitarian

Article 14:

land confiscation;

forced labour ,

human rights abuses,

militarization, relocation camps.

destruction of food supplies

school fees/ healthcare fees

- Mentioned health care – and there are a lot of hospital, health center, but not enough medics/doctors and medicine

SPDC control over economy

get commodity prices

militias / opium – amphetamines

attacks on civilians; development projects

Missing points in the SPDC report /Questions:

- Other development projects (dams, mining, road construction, etc.) let alone no local participation, with no environmental assessment ; extensive human rights abuses of forced labour, land confiscation, forced relocation..
- Impacts of all the development projects
- Since the military offenses are on going, how the government can do all these projects
- Women are not allowed get married with foreigners without official permissions
- Burmanization (forcing women in ethnic areas to get married with regime's Burman soldiers
- In Property rights – inheritance rights?

Article 15 :

Only mention – civil lawsuits & marriage

- everything else exclude
- - mention cases of what happened to women who seek to use judicial system / complaining to police/ military and nothing happened-
- labour activist arrested for forced labour case & rape survivors.