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Karen Women's Organization

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**In the Wake of Historic Resolution 1820 on Sexual Violence in
Armed Conflict Women of Burma and International Lawyers Call on
the Security Council to Refer the Situation in Burma to
the International Criminal Court**

The United Nations Security Council took a historic step with the passage of Resolution 1820 on Sexual Violence in Armed Conflict. Resolution 1820 recognizes the importance of full implementation of Resolution 1325 on women, peace and security and reaffirms the Security Council's commitment to end sexual violence as a weapon of war and a means to terrorize populations and destroy communities. For this commitment to be meaningful, the Security Council must provide justice for victims of sexual violence in armed conflict even when it is not politically convenient. As Resolution 1820 states:

Recalling the inclusion of a range of sexual violence offenses in the Rome Statute of the International Criminal Court...

Notes that rape and other forms of sexual violence can constitute a war crime, a crime against humanity, or a constitutive act with respect to genocide...and calls upon Member States to comply with their obligations for prosecuting persons responsible for such acts, to ensure that all victims of sexual violence, particularly women and girls, have equal protection under the law and equal access to justice, and stresses the importance of ending impunity for such acts as part of a comprehensive approach to seeking sustainable peace, justice, truth, and national reconciliation;

There is substantial documentation that sexual violence is used by the military junta against ethnic women as a means to consolidate military rule and destroy ethnic communities. Virtually none of the perpetrators have been brought to justice. Three concrete examples of this sexual violence include:



- October 23 to November 4, 2004 - four Mon women held by SPDC troops at their base and repeatedly gang raped (*Catwalk to the Barracks*, Mon Women's Organization, 2004)
- October 9, 2006 – Palaung woman raped, her skull cracked open and stabbed four times in her left breast (*Burma Human Rights Yearbook*, Human Rights Documentation Unit, 2006)
- October 10, 2006, three naval cadets raped a 14 year old girl, none of the cadets were punished and the girl was forced to marry one of her rapists. (*Burma Human Rights Yearbook*, 2006)

These crimes are part of a systematic strategy for destroying ethnic communities in Burma and are a threat to international peace and security. Security Council Resolution 1325 specified the need to affirm the link between women and peace and security and to address sexual violence against women in conflict. This was reaffirmed in Resolution 1674 on the protection of civilians in armed conflict, which endorsed the Responsibility to Protect Doctrine. In Resolution 1820, the Security Council resolved to take action to end the impunity of those responsible for sexual violence in armed conflict once and for all. For Burma, politics must give way to justice. The Security Council should use its Chapter VII powers to refer the military junta to the International Criminal Court.

SPDC leaders who should be investigated for systematic sexual violence in Burma include:

- **Senior-General Than Shwe**, Chairman and Commander-in-Chief of Defense Services
- **Deputy Senior-General Maung Aye**, Vice Chairman and Deputy Commander-in-Chief of Defense Services and Commander-in-Chief (Army)
- **General Thura Shwe Mann**, Joint Chief of Staff of the Army, Navy and Air Force

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