

7. Rights of Women

7.1 Background

The 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) specifically defines discrimination against women as:

“any distinction, exclusion or restriction made on the basis of sex which has the purpose of impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of the marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field.” (Source: Article 1, CEDAW).

The CEDAW further sets requisites for signatory states in promoting, respecting, fulfilling and protecting the rights of women. Burma became a signatory to the CEDAW in 1997.

In 1995, the UN Commission on the Status of Women put forth the Beijing Declaration and developed a Platform for Action at the Fourth World Conference in Beijing, China. The Platform for Action is “an agenda for women's empowerment” by both supporting the CEDAW as well as furthering the Nairobi Forward – Looking Strategies for the Advancement of Women along with other related UN resolutions. The Platform for Action prescribes specific action to be taken by governments and civil society in “areas of critical concern,” which include poverty, health, education, violence against women, women in armed conflict, women and the economy, power and decision-making, institutional mechanisms for the advancement of women, human rights, media, the environment and the girl-child (source: *Beijing Declaration and Platform for Action*, 1995). The military regime of Burma signed the Platform for Action. However, initially, the junta only acknowledged five of the twelve areas in developing a national plan for action while adding a sixth, culture, which was not included in the Platform for Action. The junta's initial five areas of concern included economy, education, the girl-child, health and violence against women. The SPDC later included environment and media in 2000. (Source: *Any Progress for the Lives of Women in Burma since Beijing?* WLB, February 2005).

In 2005, ten years following the creation of the Platform for Action, the Commission on the Status of Women reviewed its implementation. Despite the SPDC's reported action and obligations, the Women's League of Burma (WLB) argued that the situation for women in Burma has remained unchanged. The WLB has further argued that the SPDC's failure to address issues surrounding poverty, militarization and the state of the economy has continued to negatively influence the situation for women perpetuating discrimination and abuses of their human rights. (Source: *Any Progress for the Lives of Women in Burma since Beijing?* WLB, February 2005).

Under the domestic law of Burma, women are supposedly protected against discrimination. The 1947 constitution and the 1974 constitution both codify principles of sexual equality. The ongoing junta-controlled constitution drafting process maintains the right to equality as a guiding principle. However, despite such provisions, women and girls in Burma have continued to endure discrimination and violations of their rights in both the public and private sphere. In September 2005, Burma was ranked 129th out of a total of 177 countries evaluated for the United Nations Development Program's *Human Development Report 2005's* Gender

Empowerment Measure (GEM). The GEM calculates gender inequality by analyzing economic participation and decision-making, as well as political participation and decision-making and power over economic resources. (Source: *Human Development Report 2005*, UNDP, September 2005).

Women in Burma are particularly affected by the regime's disproportionate spending on the military and economic mismanagement. The SPDC's inadequate spending for infrastructure, healthcare and education has lent to reinforcing traditional female roles while preventing them from accessing avenues through which they would be able to change their status, such as education and political participation. Widespread poverty and long-term unemployment unduly affect women, particularly as they do not receive equal pay for equal work. Lack of access to health related information, especially information regarding family planning methods, leaves women vulnerable to unwanted pregnancies, unsafe abortions as well as sexually transmitted diseases, a problem further compounded by increasing occurrences of trafficking in women, rape and prostitution.

Continued discrimination against women and girls in Burma is also a result of social and cultural biases. Girls often obtain a lower level education than boys, as parents will give priority to their sons over their daughters. Of those that enroll, less than one third of girls complete primary level education (source: *Any Progress for the Lives of Women in Burma since Beijing?* WLB, February 2005). When a family member falls ill or dies, girls are often pulled out of school in order to supplement the family's income. In addition, girls are preferred for certain kinds of work, such as domestic work, which typically involves long hours that are incompatible with attending school. Girls are also less likely to travel long or dangerous routes to get to school due to the threat of sexual assault (source: "UN Summit: Barriers to Schooling Undermine Goals," Reuters, September 2005).

Women in ethnic minority areas are particularly vulnerable to human rights violations and suffer the greatest abuse and discrimination. Healthcare and education are severely underdeveloped in these areas. If facilities do exist, they are usually unequipped to provide adequate services and are frequently destroyed as a result of fighting between the SPDC's armed forces and various ethnic resistance groups. Female illiteracy rates in conflict and remote areas are estimated at between 70-80 percent. Ethnic minority women are subject to forced relocation, labor, and portering in war zones, as well as physical, psychological, and sexual abuses. Furthermore, incidences of domestic violence often increase in conflict zones, with women feeling unable to speak out against men in their own community. Forced marriage has also been known to occur after rape of ethnic women by soldiers or to secure more loyalty to the SPDC, especially if a woman is from an influential family. Women in conflict zones often feel they have to flee in order to escape abuse, becoming internally displaced persons (IDPs), refugees or migrants. When this happens, women are often still at risk of domestic abuse, trafficking and prostitution.

7.2 Women in Politics

“States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right:

- a) *To vote in all elections and public referenda and to be eligible for election to all publicly elected bodies;*
- b) *To participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government;*
- c) *To participate in non-governmental organizations and associations concerned with the public and political life of the country.” -Article 7, CEDAW*

As signatory to the CEDAW and the Beijing Platform for Action, the SPDC is obligated to take measures to ensure equality in the political sphere for both men and women. This includes guaranteeing women the right to vote, to hold public office and to participate in politics (source: Article 7, CEDAW). SPDC representatives have frequently claimed that women in Burma enjoy the same rights as men. In March 2005, Prime Minister Soe Win stated, “Unlike the women of other nations, Myanmar women do not need to make demands nor struggle for women’s rights as they have enjoyed these rights since birth” (source: “Human Rights Award: Shan Woman Wins Honour,” *The Nation*, 9 March 2005). Despite the SPDC’s contentions, women in Burma remain under-represented and excluded from politics. As girls frequently receive less educational opportunities than boys and are perceived as less intellectually capable, cultural gender stereotypes contribute to preventing women from participating in politics. Moreover, since the military takeover in 1962, women have been effectively blocked from leadership positions within the country as they are barred from serving in the military.

The regime does sponsor women’s committees and organizations, such as the Myanmar National Working Committee for Women’s Affairs (MNCWA), Myanmar Women Entrepreneurs Association (MWEA) and the Myanmar Maternal and Child Welfare Association (MMCWA), later renamed the Myanmar Women’s Affairs Federation (MWAF). These have allegedly been formed for the purpose of improving the situation for women in the country. However, in reality, women are under-represented in the positions of leadership. State/division, district, and township level committees are all chaired by men, with the second-level position commonly held by the chairman’s wife. If women do achieve a political position with some decision-making authority, it is often because of the influence of their husbands or male relatives. In addition, the SPDC endorses some women’s organizations, which are headed by either family relations of SPDC military leaders or individuals with strong military connections. Members of the regime-sanctioned women’s organizations are not permitted to express views different from the ones endorsed by the junta. As these organizations are so closely tied to the ruling elite, there are no independent women’s rights organizations in Burma (source: *Country Reports on Human Rights Practices – 2004*, Bureau for Democracy, Human Rights and Labor, U.S. Department of State, 28 February 2005).

In 2005, the MWAF, established to promote the health and well-being of mothers and children, was the largest and central organization of various women’s organizations claiming to represent over one million women. The wife of Prime Minister Lt. Gen. Soe Win chairs the MWAF. Furthermore, Than Than Nwe, and the wives of almost all of the top generals serve as patrons. The wives of military officials also occupy leading positions of the organization at

the township and village levels. Wives of SPDC soldiers and civilian women are also expected to become members of the organization. In September 2005, it was reported that the SPDC forced all Chin women to join the organization. As a result, Col San Aung of Tactical Command 2 ordered all women over the age of 18 to purchase membership forms. However, the majority of membership forms went unsold due to the prohibitively high membership fees. A similar initiative for enlisting more members was reportedly carried out throughout Chin State during the same period. (Source: "Move to Enlist Chin Women in MWAF," *Khonumthung*, 27 September 2005). Similarly, in December, it was reported that women from Arakan State were forced to join both the MWAF and the MMCWA after attending regional meetings hosted by the two organizations. The Ponna Kyunt Township authorities summoned women from the villages of Aung Pru Byin, Padalike, Thayetcho, Yota Yoke and Pan Nila to attend meetings in the middle of December organized by the township women's organizations. Both participation and membership were compulsory. Moreover, representatives of the MWAF and MMCWA toured Arakan State, forcibly enlisting women. (Source: "Women Forced to Join Two SPDC Sponsored Women's Organizations," *Narinjara News*, 28 December 2005).

Like other regime sponsored organizations, the MWAF has been labeled as a "mouthpiece" of the SPDC. The MWAF has rallied against such international human rights monitoring organizations as the ILO, ICFTU as well as various exiled opposition groups and NLD Gen. Sec. Daw Aung San Suu Kyi (source: "Statement on the International Day for the Elimination of Violence Against Women," WLB, November 2005). For example in July 2005, the organization called for Daw Aung San Suu Kyi's continued detention for reasons of security. One MWAF representative stated, "As she creates various problems wherever she travels, people live in fear. I suggest the government maintain the status quo" (source: "Women's Group Calls for Suu Kyi's Continued Detention, Myanmar's State Media Reports," AP, 5 July 2005). During a women's day ceremony on 3 July, a representative from the MWAF stated that Daw Aung San Suu Kyi should be released and deported back to England "to prevent problems within the country and to satisfy the wishes of the West." She further remarked that Daw Suu has been "pushing the nation to fall into servitude" and that "she has done nothing good for the country." (Source: "Myanmar Women's Group Urges Junta to Send Aung San Suu Kyi Back to UK," AP, 13 July 2005).

Despite the obstacles for women to participate freely in the political sphere, women have played a substantial role in the political movements of Burma. Many women voiced their desire for democratic change by taking to the streets in protest of the military dictatorship during the pro-democracy uprising of 1988. During the violent suppression of peaceful protesters, hundreds of women were gunned down in the streets of Rangoon and other towns. Several women, including Daw Aung San Suu Kyi of the NLD, rose to prominent leadership roles in independent political parties that formed following the '88 protests. In the 1990 democratic general elections, 16 female Members of Parliament were elected out of a total of 485. Like their male counter parts, they continue to be denied the ability to carry out their mandate by the SPDC.

As women have participated in political movements in the country, they have consequently been subject to harassment, detention and imprisonment. Since 1988 there have been around 200 female political prisoners in Burma. This includes Burma's most prominent political prisoner, Daw Aung San Suu Kyi, who was arrested following the 30 May 2003 Depayin Massacre and commenced her third term of house arrest. Since that time, she has been held under house arrest without sentence or trial under Article 10(a) of the 1975 State Protection

Act and has been routinely denied visitors and communication with the outside world. On 27 November 2005, her term of house arrest was extended for an additional year (source: “Suu Kyi’s House Arrest Extended,” BBC, November 2005). As of the end of 2005, there were 53 female political prisoners among the approximately 1,131 political prisoners languishing in Burma’s prisons (source: AAPP, 2005). (For more information see Chapter 3 Arbitrary Detention and Enforced or Involuntary Disappearances).

7.3 Health of Women from Burma

“States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health care services, including those related to family planning.” -Article 12, Paragraph 1, CEDAW

The SPDC allocates the majority of national resources to the maintenance of its armed forces resulting in inadequate healthcare services for the people of Burma. As women are impeded from participating in the political process, women specific health issues are typically overlooked in the policy-making bodies. While the SPDC doubled its total spending on healthcare in the 2003-2004 fiscal year from the preceding period, the amount remained low, at 1.2 percent of the budget spending (source: *Country Reports on Human Rights Practices - 2004*, Bureau of Democracy, Human Rights, Labor, U.S. Department of State, 28 February 2005). In contrast, the SPDC allocates an estimated 40 percent of the budget to defense (source: “Burma Found to Be Source of Regional HIV Spread,” IPS, 21 July 2005). Due to insufficient allocation of funds, women specific health information and services are limited. Women specific health matters that remain neglected include cancer of the uterus and ovaries, osteoporosis, family planning, counseling for victims of domestic violence and sexual abuse.

A report by UNICEF in 2001 identified the underlying causes of illness and death among women as lack of “security, access to basic health services, quality of health services, and family and community awareness and participation.” According to the report, there is only one basic health worker for every 3,400 persons, which translates to one health worker for every four villages. Although public hospitals are supposed to be free, in practice patients are required to pay bed and service fees in addition to paying the cost of medications and medical equipment. It has also been widely reported that patients may have to supplement doctors’ incomes with bribes for adequate medical attention and care. Because of the high costs and the poor quality of care provided at hospitals, most villagers rely on traditional healers or volunteer health workers who have limited knowledge and training. Maternity and family planning services are primarily accessible through private, costly healthcare providers located in urban centers. Meanwhile, child delivery services in a hospital are estimated at 450,000 kyat, which is beyond the reach of most women. Therefore, at least 35 percent of the women in Burma do not have access to reproductive health services. (Source: *Abused Bargaining Chips: Women’s Report Card on Burma*, Altsean, March 2003).

The majority of women do not have access to the technology that screens for breast and cervical cancer, endometriosis or other illnesses that specifically affect women. Moreover, nearly 25 percent of women have no access to post-natal care, with women in rural areas being disproportionately affected, resulting in poor health for both mothers and their babies. Maternal mortality is one of the highest in South East Asia, with approximately 580 deaths per 100,000 live births. The UN Population Fund estimated that 57 percent of maternal deaths

occur at home where between 70 to 80 percent of women give birth with the assistance of midwives or traditional birth attendants. While more than half of maternal mortalities occur far from any public health institution, over one third transpire within public hospitals and clinics due to the lack of medical equipment to deal with possible complications. Even in public hospitals, midwives often carry out the deliveries and not doctors. (Sources: Samuel Grumiau, *Growing Up under the Burmese Dictatorship*, ICFTU, August 2003; *Abused Bargaining Chips: Women's Report Card on Burma*, Altsean, March 2003). In May 2005, the Myanmar Times reported that the Myanmar Health Department in cooperation with UNICEF planned to carry out a countrywide survey to devise a plan for reducing the high rates of maternal mortality in the country (source: "Myanmar to Conduct First Maternal Mortality Survey," *Xinhua*, 2 May 2005).

Family planning services and contraceptives are available in less than half of Burma's townships. As the SPDC continues to restrict the flow of information and fails to provide sexual and reproductive health information to its citizens, women's knowledge of contraception is limited to their own experiences and that of women in their communities. Social taboos and the high costs of condoms also serve as prohibitive factors against safe sexual practices. Until recently, a woman found with condoms could be charged with prostitution as it is a common misconception that only sex workers use condoms. Available contraceptives are also unreliable as they are often sold beyond their expiration dates (source: Suzanne Belton and Cynthia Maung, *Working Our Way Home –Fertility & Pregnancy on the Thai-Burma Border*, OSI, June 2005). It has been estimated that only 28 percent of fertile-age women in Burma use a modern method of contraception, in comparison with 72 percent of women in neighboring Thailand (source: Suzanne Belton and Cynthia Maung, "Fertility and Abortion: Burmese Women's Health on the Thai-Burma Border," *Forced Migration Review*, January 2004). This has resulted in very high maternal mortality and morbidity rates, unwanted pregnancies, unsafe abortions and sexually transmitted diseases.

Information about family planning methods and safe sex is particularly inaccessible to young single women as they are assumed to be sexually inactive until they are married. However, premarital sex is not uncommon. A UN Population Fund Survey of 1,800 young people in three townships of Burma found that 20 percent of unmarried men and 3 percent of unmarried women had premarital sexual experiences. Among married youths, 45 percent of married men and 21 percent of married women indicated that they had sexual experiences before marriage. (Source: "Community Oriented Youth Centres in Myanmar: Lessons Learned," UNFPA, July 2004). Sexual activity among young women was also documented in a 1997 fertility and reproductive health survey conducted by the UNFPA, which revealed that approximately 4 percent of women age 15 to 19 already had children. The survey also found that teenage pregnancy was more prevalent in rural areas with lower education levels. (Source: "Fertility and Reproductive Health Survey," UNFPA, 1997). This is particularly problematic considering the lack of healthcare in rural areas. Meanwhile, the prenatal mortality rate of adolescent girls is 46-67 per 1,000 births, which is twice that of mature women (source: *Abused Bargaining Chips: Women's Report Card on Burma*, Altsean, March 2003).

Abortion remains illegal in Burma, even in cases of rape or incest. Despite this, it has been estimated that unsafe abortions account for 50 percent of maternal deaths (source: *Abused Bargaining Chips: Women's Report Card on Burma*, Altsean, March 2003). Burma's health department ranks abortion as the third main cause of illness. Complications arising from abortions comprise 20 percent of all hospital admissions. (Source: Suzanne Belton and

Cynthia Maung, "Fertility and Abortion: Burmese Women's Health on the Thai-Burma Border," *Forced Migration Review*, January 2004). While abortions do occur in hospitals, women usually seek the assistance of untrained practitioners. Women use a variety of methods to induce abortion, including ingestion of large doses of traditional herbs to cause menstruation and deep abdominal massages. Often, foreign objects such as sticks, bamboo or other objects are inserted into the vagina. Infections and other complications are highly common, frequently leading to infertility or death. Approximately 750,000 abortions are known to occur per year and roughly 14 percent of married women between the ages of 15 and 49 have had at least one abortion during their married lives. Moreover, subsequent abortions are not uncommon as post-abortion contraception is usually not provided in hospitals. (Sources: *Abused Bargaining Chips: Women's Report Card on Burma*, Altsean, March 2003; *Gathering Strength: Women from Burma on Their Rights*, Images Asia, January 2002). Dr Thein Thein Htay, an assistant director of the Maternal and Child Health Section in Burma's Ministry of Health estimated that only half of all women who suffered from post-abortion complications sought treatment from professional health facilities (source: Nwe Nwe Aye, "Teens Need Reproductive Health," *Myanmar Times*, 16-22 August 2004).

Women in ethnic minority areas have significantly less access to healthcare facilities and services than women in major urban centers. Women in rural ethnic areas also face the dangers of ongoing armed conflict between ethnic resistance groups and SPDC forces, which often thwarts their movement and ability to access the existing healthcare services. In a 2003 report, the ICFTU reported that the border regions contain one hospital for every 132,500 inhabitants and one rural health center for every 221,000 people (source: Samuel Grumiau, *Growing Up Under the Burmese Dictatorship*, ICFTU, August 2003). The WLB has reported that in some areas 7 out of 10 women have swollen thyroid glands (goiter), a condition which is easily preventable and treatable. In the remote ethnic Chin State, 80 percent of women suffer from gynecological problems (source: *Abused Bargaining Chips: Women's Report Card on Burma*, Altsean, March 2003). Furthermore IDP women in relocation sites are vulnerable to exposure, lack of clean water, sanitation, food and medicine, and are thus more likely to contract diseases such as malaria, anemia, hepatitis and dysentery.

HIV/ AIDS

HIV/AIDS and other sexually transmitted diseases continued to pose a serious threat to the health and safety of women in Burma in 2005. Women's vulnerability to HIV infections has become increasingly recognized as related to issues of discrimination, political status, regulations regarding property, marriage, divorce and inheritance, human rights violations and violence against women. In addition, sex work, trafficking, low utilization of contraceptives and a lack of perception of risk all contribute to a growing HIV/AIDS infection rate among Burma's female population. In November 2005, UNAIDS reported that Burma has one of the most serious epidemics in the region and one of the highest infection rates in Asia. According to UN approximations, 1.2 percent of adults are HIV positive while other sources have reported the figure to be double. Since March 2002, the number of people being diagnosed as HIV positive rose by 91 percent. (Sources: "Burma Not Doing Enough to Control AIDS, Says UN Report," *Irrawaddy*, 22 November 2005; "Taboos about Sex Hinder HIV Prevention in Myanmar, But Condoms Gain Ground," AFP, April 2005).

Women are most vulnerable to contracting the disease as they are unable to negotiate protected sex or they lack access to information about safe sex. In November 2005, UNAIDS reported that a significant number of HIV positive women in Burma were infected by having

unprotected sex with their partners who have been infected by sex workers or intravenous drug use (source: "Burma Not Doing Enough to Control AIDS, Says UN Report," *Irrawaddy*, 22 November 2005). Traditional beliefs about marriage prevent married women from insisting that their husbands wear a condom as asking is tantamount to an accusation of infidelity.

The prevalence of HIV infection amongst sex workers has also been growing as infection rates rose from 5 percent in 1992 to 31 percent in 2003 (source: *Health Profile: Burma*, USAID, May 2005). In the border town of Three Pagodas Pass in Mon State, approximately 70 percent of sex workers reportedly do not use condoms according to a SPDC medical employee. Sex workers have little choice but to have unprotected sex as customers often refuse to wear condoms. In addition, requesting that customers wear condoms presents additional threats as they may become angered and violent. One sex worker at Three Pagodas Pass reported, "I was threatened with a gun and was beaten once after suggesting to my customer that he should wear a condom." (Source: "Poor Attitude on Condom Use Puts Burmese at Risk," *Kaowao News*, 10 December 2005).

The availability of testing centers and hospitals to care for people with HIV infections is minimal. As a result, the majority of women with HIV/AIDS in Burma are not able to seek medical treatment. In addition, women that are found to be HIV positive often find they cannot talk about their condition or seek help and support as they risk being ostracized by their community (source: Marwaan Macan-Markar, "Juntas: Burma Found to Be Source of Regional HIV Spread," IPS, July 2005). The lack of available services has been compounded by the withdrawal of international humanitarian assistance for this purpose. For example, in August 2005, the Global Fund withdrew its funding which, in part, provided HIV/AIDS treatment and prevention efforts. The Global Fund's decision was based on SPDC imposed restrictions on its staff that effectively inhibited the organization's operations (source: "Burma Not Doing Enough to Control AIDS, Says UN Report", *Irrawaddy*, November 2005). (For more information see Chapter 12. Freedom of Assembly, Association and Movement).

7.4 Women and Forced Labor

Burma ratified Article 11 of ILO Convention No. 29 in 1955, which states that the use of compulsory labor must be confined to males between the ages of 18 and 45 and only used under very limited circumstances. In addition to this, the regime issued two orders, in 1999 and again in 2000, making the use of forced labor a punishable offense. Despite this, reports of forced labor, especially in ethnic minority areas, continued to emerge throughout 2005. Men, women and children are still frequently required to engage in, amongst other things, forced portering and labor practices (source: "Situation of Human Rights in Myanmar," *Sixtieth session of the UN General Assembly*, Item 73 (c) of the provisional agenda, 12 August 2005). (For more information see Chapter 1 Forced Labor, Portering and Military Conscription).

Women have commonly fulfilled the authorities' demands for forced labor if the men of a household are occupied with tasks that are critical to the family's survival, such as farming or harvesting. Women have also engaged in forced labor when men are simply not present during the call for labor. Pregnant women also have not been exempted from forced labor assignments. Rural women and girls are thus routinely taken for forced labor duties. While it

is generally possible for villagers to pay for a proxy to serve in their place, not all villagers can afford to do so.

In addition to the same hardships suffered by men being forced to work on labor projects, women are also at risk of sexual abuse. There have been frequent reports of rape and sexual assault committed by SPDC troops against women used for forced labor. It is common practice for military troops to use female porters as 'comfort women.' These women are raped by troops at night after working as forced labor during the day. If a woman tries to escape such a situation she risks being starved, beaten, tortured or killed. In addition to being vulnerable to sexual harassment and abuse during forced labor, women most often do not receive adequate food, water or medical treatment. This combined with the physical strain of forced labor puts their health at risk. Pregnant women risk their own health and that of their unborn child to carry out often arduous tasks on forced labor projects.

Women and Forced Labor - Partial List of Incidents for 2005

Chin State

In January 2005, the Thantlang Township authorities issued an order for 250 civilians, including 20 women who served as cooks, to work on a 7-mile road from Congthia to Hmawng Tlang villages. Commencing in the second week of January, 1 person from each household in Aibur, Hmawngtlang, Letak(A), Letak(B), Letak(C) and Phai Khua were required to work on the road. Local churches were required to provide food and other eating supplies. (Source: "Local Army Chief Orders Forced Labor and Illegal Tax from Civilians," *Rhododendron Publication*, CHRO, March-April 2005)

Karen State

On 15 January 2005, troops from SPDC IB 73, based at Kaw Thay Der Camp led by Lt. Lwin Oo forced 4 women from the village, to carry supplies to the Naw Soe Camp in Toungoo District. The following day, 4 more women were forced to carry supplies. (Source: BI, February 2005).

On 3 February 2005, SPDC Comdr. Htun Hla Oo from the Sha See Bo base camp in Toungoo District forced 25 women from the village to work for him (source: BI, February 2005). On the following day, he ordered 12 women and 12 men from Ye Shan village as well as 14 men and 16 women from Zee Pya Gon village to work in his army camp (source: KIC, 2005).

On 7 February 2005, Camp Comdr. Htun Hla Oo of SPDC IB 73, based at Sha Zee Bo camp in Tantabin Township, Toungoo District demanded 10 men and 6 women from Sha Zee Bo village as well as 7 men and 4 women from Zee Pyu Gon village to repair the army camp (source: KIC, 2005). The following day, 5 men and 8 women were forced to work on the camp (source: BI, 2005).

On 8 February 2005, Comdr. Mya Zaw of SPDC LIB 439 column 1 based in The Aye Ta forced villagers from Ga Mu Der village, Toungoo District to be porters, including 1 woman. (Source: BI, February 2005).

On 14 February 2005, troops from SPDC IB 73 led by Comdr. Lwee Oo forced 2 women from Kaw Thay Der village, Toungoo District, to carry soldier kits to the Kaw Thay Der, Yae Tho Kyi Naw Soe and Maung Tain Kyi military base camps. (Source: BI, February 2005).

On 15 February 2005, SPDC troops forced villagers, including women and children, from the following villages to participate in constructing a new army camp at Yae Way, between Bon Ma Ti and Htee Lor in Tantabin Township, Toungoo District:

1. Mae Tin Tai;
2. Taung Gyi;
3. Peh Taw Day;
4. Sha Zee Bo;
5. Ye Shan;
6. Zee Pyu Gon; and
6. Taw Gon. (Source: KIC, 2005).

On 8 March 2005, Camp Comdr. Than Hlaing Oo of SPDC IB 48 based at Ye Tho Gyi village, Tantabin Township, Toungoo District ordered 4 women and 2 men from the village to carry army rations to Naw Soe (Aung Daing Gyi). The camp commander also demanded that village provide him with 500 bamboo poles, each measuring 7 cubits in length. (Source: KIC, 2005).

On 16 March 2005, Column 1 Comdr. Maj. Zaw Win Aung of SPDC LIB 440 ordered the following women villagers of Tha Yet Tan and Jweh Lan village, Tantabin Township, Toungoo District to carry military supplies to Hgar Mu Doe and Tha Aye Hta army camps:

1. Naw Thi Za Win, age 16,
2. Naw Yu Li Paw, age 16,
3. Naw Ku Tho, age 14,
4. Naw Sit, age 17,
5. Naw Mu Htoo, age 21, and
6. Naw Ah Nay Moo, age 45. (Source: KIC, 2005).

On 22 March 2005, Bo Way Pyo Paing of SPDC IB 60 Column 1 forced 34 women and 43 men of Ye Ta Gun village to transport 53 sacks of rice and 10 tins of cooking oil from Pa Let Wa to Ye Ta Gun camp, in Tantabin Township, Toungoo District. The following day, Bo Way Pyo Paing along with Bo Hla Oo conscripted 21 women and 47 men from the same village to carry the remaining army rations at Pe Let Wa camp. They also commandeered 24 bullocks to carry 50 baskets of rice and 10 tins of cooking oil. (Source: KIC, 2005).

On 7 July 2005 at 8:30 am, soldiers from an SPDC strategic operation command column forced a 42-year-old woman from Hu Mu Der village, Toungoo District to be their guide. (Source: BI, February 2005).

In August/September 2005, SPDC IB 30 Column 2 under Comdr. Aung Mya Oo forced men and women from Klaw Me Der village, Toungoo District to carry food supplies. (Source: BI, February 2005).

On 19 October 2005, SPDC IB 48 led by Comdr. Kyi Mya from Sha Si Bo military base forced 1 woman from Sha Si Bo village and 13 women from Yae Sha village to build and clean the military camp in Toungoo District. (Source: BI, October 2005).

Mon State

On 10 August 2005, SPDC LIB 31 led by Capt. Myint Kyaw ordered Mi Deah Wut and other women to guard their village in Ye Township against Mon resistance fighters during the night. (Source: "Villagers Forced to Porter," *Kaowao*, 28 August 2005).

Shan State

On 11 April 2005, at 10:00 am, TPDC Chairman San Win ordered 75 villagers, including women, from the following villages each day to transplant rice seedlings at SPDC paddy fields in Na Ten, Na Wan Sok and Na Tong Morn:

1. Wan Khai;
2. Wan Nong Hee;
3. Wan Nong Long Auk;
4. Wan Nong Mai; and
5. Mong Pan town. (Source: *FBR Relief Team Report*, Shan FBR, June 2005).

7.5 Trafficking of Women

"States Parties shall take all appropriate measures, including legislation, to suppress all forms of traffic in women and exploitation of prostitution of women." -Article 6, CEDAW

Since 2001, the U.S. Department of State has ranked Burma as a Tier 3 country, the lowest of rankings, for failing to comply with the minimum standards of the 2000 Trafficking Victims Protection Act. In its 2005 report the U.S. Department of State indicated that women, particularly ethnic women, continue to be forcibly taken both across international borders and to other locations within Burma (source: *Trafficking in Persons Report-2005*, Office to Monitor and Combat Trafficking in Persons, U.S. Department of State, 1 June 2005). Women and girls from Burma are primarily trafficked to Thailand, China, Bangladesh, Taiwan, India, Korea, Malaysia, Macau and Japan where they engage in factory work, domestic work, manual labor and sex work. Internal trafficking also occurs mostly from poorer agricultural areas to mining areas, areas near military bases and urban areas along trade routes and the border where prostitution flourishes. Forced labor practices are also a driving factor in the perpetuation of internal trafficking. (Source: *Trafficking in Persons Report-2005*, U.S. Department of State, 1 June 2005).

There is a direct link between women's subordinate status and their risk of being trafficked. Women in Burma generally lack the social, political and economic means to control their own destiny. Widespread poverty coupled with lack of employment and educational opportunities often lead women to resort to traffickers in search of such opportunities elsewhere. In search of better jobs with higher wages, trafficked women often end up in the sex industry or a situation of bonded labor. Some women are cognizant of the fact that their destination will be the sex industry. However, some remain unaware of the risk of sexual slavery and often wrongly believe that they will receive fair salaries and retain the ability to freely depart from their positions at their will. (Source: "Two Million Fall Victim to Slave Trade Each Year, Says UN," *The Independent*, 31 August 2005).

Women without national ID cards, which are necessary for travel within the country, also fall into the hands of traffickers. While all people of Burma are required to have a national ID

card, many people living in rural areas do not due to the decades of war that have isolated parts of the country. Furthermore, the high costs associated with paying bribes for the cards are a hindrance to obtaining an ID card. Women and girls without ID cards are dependent upon others who might turn out to be traffickers to arrange for their travel. Women or girls without ID cards frequently have little to no travel experience outside of their hometowns, also making them vulnerable to trafficking. (Source: *Driven Away –Trafficking of Kachin Women on the China-Burma Border*, KWAT, May 2005).

In response to international criticism of trafficking violations in Burma, the SPDC has instituted several widely publicized measures against trafficking. In 1998 the regime established a National Plan of Action for Trafficking Women and Children as well as a National Task Force. In July 2002, a Working Committee for Prevention against Trafficking in Persons was established. Burma also became a signatory to the UN Convention against Transnational Organized Crime and two of its protocols, including the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children on 30 March 2004. As a signatory to this Convention and its Protocol, the SPDC is obligated to adopt and enforce appropriate legislation against trafficking in persons and de-criminalize victims of trafficking (source: *Guide to the New UN Trafficking Protocol*, Coalition Against Trafficking in Women, 2001). In addition, from 29 to 31 March, SPDC officials participated in the third meeting of the Coordinated Mekong Ministerial Initiative against Trafficking (COMMIT) in Hanoi, Vietnam where the need to address the growing rate of trafficking in South East Asia was acknowledged. Participants were anticipated to approve a two-year action plan for the Greater Mekong Sub-region, which would be implemented from 2005 to 2007. (Source: “Mekong Nations Gather in Hanoi to Boost Anti-Human Trafficking,” Vietnam News Briefs, 30 March 2005).

In 2005, the SPDC continued to make efforts of appearing to take a hard-line stance against human traffickers. Since 2002, the SPDC claims to have prosecuted 474 cases related to trafficking for sexual exploitation (source: *Trafficking in Persons Report-2005*, Office to Monitor and Combat Trafficking in Persons, U.S. Department of State, 1 June 2005). Furthermore, on 14 September 2005, state run media sources announced the enactment of a law, which imposes punishments ranging from 5 years to life imprisonment for those found guilty of trafficking women and children. Those found guilty of trafficking men may be subject to 5 to 10 years imprisonment (source: “Burma Passes Anti-human Trafficking Law with Questionable Details,” DVB, 14 September 2005). Despite appearances of progress, the SPDC's anti-human trafficking measures in reality do little more than increasing both restrictions on the movements of women as well as the costs of travel. Lending support to this argument, women under the age of 25 were impeded from crossing the border to Thailand at Tachileik in Shan State in October 2005. Others were permitted to cross for a 300 to 500 baht fee, as opposed to the official 10 baht fee. Furthermore, all women wishing to cross the border were required to relinquish their national identity cards to immigration officials for the duration of their stay in Thailand. Although this provision could also reportedly be averted through a 300 baht payment to the authorities (source: “No Stopping the Girls Leaving Home,” SHAN, 27 October 2005). (For more information see Chapter 12 on Freedom of Assembly, Association and Movement).

Women Trafficked to China

Young women and girls are frequently trafficked to China to work in the local sex industry or to be sold as wives to Chinese men. This is a consequence of China's one-child policy, which has resulted in a shortage of women in many rural villages. Furthermore, many poor village men cannot afford to pay the price of a dowry. These men are therefore increasingly resorting to employing brokers in both China and Burma to find wives. The purchasing of wives from Burma has become a thriving business along the border. However, many women end up fleeing the harsh and isolating conditions of their new Chinese homes. These women ultimately travel thousands of miles to return to towns along the border on the Chinese side. There they find very few options available, particular since they face arrest and imprisonment if they return to their homes in Burma under charges of illegally exiting the country. Therefore, women often enter into prostitution. (Source: "One Way Ticket," *Irrawaddy*, January 2004).

Many women trafficked to China end up in either the sex or drug industry in the Chinese border town of Ruili, Yunnan Province. One such example is the story of Ma Kai, a 36-year-old woman from Burma who left Rangoon in 1989 following false promises of well-paid employment. Upon arriving in China, she was sold to an old peasant in Guangdong Province for 6,000 yuan. She remained with and bore children for the peasant until he passed away 12 years later. After his death, his brother took away her children and she was rendered desperate for a means of survival. As a result, she unknowingly accepted an offer to work as a drug dealer seeking out customers in Ruili. As she does not possess Chinese ID, Ma Kai remains vulnerable to abuse at the hands of the Chinese community and police. Furthermore, she faces arrest, fine and imprisonment as well as stigmatization by her former community if she attempts to return to Burma. (Source: Tang, Rose, "Beyond the Borderline," *The Standard*, May 2005).

In May 2005, the Kachin Women's Association of Thailand (KWAT) released *Driven Away – Trafficking of Kachin Women on the China-Burma Border* which examines the trafficking of Kachin women on the border between China and Burma. The report details 63 cases of trafficking between 2000 and 2004. The majority of the 85 women and girls in the report are 14 to 20 years old. In more than half of the cases, women followed their traffickers to border towns in search of economic opportunities and the promise of employment to support their families or make money to go to school. Instead, many were drugged, threatened and tricked into entering China. KWAT identified increased border trade, the exploitation of natural resources, and the lack of spending on public services as policies that have directly contributed to the increase in the trafficking of women from Kachin State. Forced relocations and the widespread poverty brought on by the financial mismanagement of the regime affect women particularly and leave them vulnerable to trafficking. Although in some cases women were able to escape, those returning from China faced difficulty negotiating the border and avoiding imprisonment for illegally leaving the country. Many never returned to their communities, fearing the shame and humiliation they may face there. (Source: *Driven Away – Trafficking of Kachin Women on the China-Burma Border*, KWAT, May 2005).

Sex Workers in Burma

As the economy continues to spiral downward and ordinary people are unable to feed themselves, women and girls inside of Burma have increasingly turned to the sex trade to augment their families' incomes. The Burma Lawyers' Council (BLC) argues that the root cause of sex work is family poverty. Many women inside Burma who engage in prostitution do so on a part-time basis to supplement their primary work. Other women rely more heavily upon sex work, particularly in times of economic instability, as they feel that sex work provides better pay and working conditions than other forms of employment, such as manual labor or factory work. (Source: "No Rule of Law," *Social Watch Report 2005*, BLC, September 2005). While many women choose to engage in sex work as a means of survival, others are victims of human traffickers. For example, several sex workers in Three Pagodas Pass, Mon State abandoned their jobs in sewing factories in Rangoon when they were promised better jobs in the border town. However, upon arrival, they were sold to brothel owners. (Source: "Poor Attitudes on Condom Use Put Burmese at Risk," *Kaowao News*, 10 December 2005).

Sex work has continued to flourish despite the fact that it is illegal and punishable by three years in prison. Many brothels and sex workers operate with the complicity of the authorities despite existing laws. A number of SPDC authorities either operate or partly own brothels (source: "No Rule of Law," *Social Watch Report 2005*, BLC, September 2005). In other cases, brothel owners and sex workers are reported to pay bribes to local authorities either in cash or in the form of free sex. In Mon State, sex workers have been compelled to provide their services without charge to SPDC soldiers out of fear of losing their business or being arrested. Soldiers have also procured free sex through threats of seizing young sex workers' cars for which they have no licenses. (Source: "Young Girls Exploited for Sex," *Kaowao News*, 24 January 2005). In the Thai border town of Sangklaburi, both Thai and SPDC authorities have reportedly threatened sex workers from Burma in order to procure free services (source: "Poor Attitudes On Condom Use Put Burmese At Risk," *Kaowao News*, 10 December 2005).

Students have also reportedly turned to the sex industry to pay for increasing school fees and costs of living. For example, a Kachin pastor reported that many students in Kachin State have entered the sex industry to pay for university and living expenses (source: Khun Sam, "Tarnished Metal: the Human Cost of Mining for Riches in Kachin State," *Irrawaddy*, 14 October 2005). Similarly, in Mon State, tenth standard students were reportedly forced to work as sex workers in order to sustain their livelihoods (source: "Poor Attitudes on Condom Use Put Burmese at Risk," *Kaowao News*, 10 December 2005).

The demand for young prostitutes, particularly virgins, is thought to be growing, fueled by increasing concerns of HIV/AIDS infection. While the market for young-looking teenage girls is reportedly growing in Rangoon and Thailand, precise statistics are, as of yet, unavailable. A business person from Moulmein, Mon State estimated that 30 percent of sex workers in the area were below the age of 18. (Source: "Young Girls Exploited for Sex," *Kaowao News*, 24 January 2005).

7.6 Violence against Women

“Rape is officially condoned and used as a weapon of war to terrorise and demoralise the local community.” –Charm Tong of the Shan Women’s Action Network (source: “Activist Urges World to Curb Myanmar Army Rape,” Reuters, 9 March 2005).

“The Special Rapporteur is distressed that sexual violence committed by Government personnel against women and children allegedly continues. Civilians in ethnic minority areas such as Shan, Kayin, Kayah and Mon states have allegedly been particularly vulnerable to such violations. Documented reports of rape, sexual slavery and forced marriage continue to be received. Such incidents have resulted in the restricted movement of women, who allegedly are often fearful of working in the fields or travelling unaccompanied. It is reported that prosecution of the alleged perpetrators rarely takes place.” - UN Special Rapporteur for Human Rights in Burma Paulo Sergio Pinheiro (Source: “Situation of Human Rights in Myanmar,” *Sixtieth session of the UN General Assembly, Item 73 (c) of the provisional agenda*, 12 August 2005).

Women in Burma continue to be subjected to various forms of violence perpetrated against them by members of their own community and by other actors sanctioned by the military regime. As a signatory to the CEDAW, the SPDC is obligated to make attempts to reduce gender-specific violence. However, there is continuing evidence from both local and international NGOs, as well as the U.S. government, that the regime specifically targets ethnic women and uses rape to control ethnic minority populations, effectively turning women’s bodies into battlegrounds. Such violence is a violation of the following internationally recognized rights and freedoms: right to life; right not to be subject to torture or to cruel, inhuman or degrading treatment or punishment; right to equal protection in time of international or internal armed conflict; right to liberty and security of person; and right to the highest standard attainable of physical and mental health.

Evidence of the systematic use of sexual violence by SPDC-sanctioned actors targeting women of ethnic minority communities has persisted in accumulating throughout the years. In 2002, the Shan Women’s Action Network (SWAN) and the Shan Human Rights Foundation (SHRF) released *License to Rape*, which documented the widespread and systematic rape of at least 625 girls and women in Shan State by soldiers from 52 military battalions between 1992 and 2001. Not only were the women and girls raped, some were tortured over a period of months. Sixty-one percent were gang raped. One in four of the rapes ended in murder and many of these crimes took place within military bases and in forced relocation sites. Out of the total 173 documented incidents, there was only one case that the perpetrator was punished. More commonly, the complainants were fined, detained, tortured or even killed by the military when they tried to seek justice. Given the extreme brutality of the rapes, which included beating, mutilation and suffocation, the fact that 83 percent were committed by officers and with impunity, the report argues that rape is both condoned by the regime and used as a weapon of war to terrorize and subjugate the ethnic Shan. (Source: *License to Rape*, SWAN and SHRF, May 2002). Since 2002, SWAN has documented a further 188 cases of rape perpetrated by military personnel in Shan State. Of these cases, 65 percent were gang rapes, 26 percent of victims were abducted for sexual slavery and 18 percent resulted in the death of the victim (source: “Activist Urges World to Curb Myanmar Army Rape,” Reuters, 9 March 2005).

Numerous subsequent reports have evidenced comparable cases of sexual violence against women of other ethnic minority groups in all areas of the country. In 2005, the Women and Child Rights Project of the Human Rights Foundation of Monland released *Catwalk to the Barracks* detailing 37 incidents of sexual violence against 50 women and girls, ages 14 to 50, between 1995 and 2004. In conjunction with SPDC led operations to eliminate ethnic armed resistance groups in southern Mon State, women and girls were raped, gang-raped, tortured and killed by SPDC troops. At the same time, incidents of rape were also documented in areas of “peace” under SPDC control where SPDC military presence has augmented since 1998. Military officers, frequently “in front of, or together with their troops,” were the perpetrators of more than half of the incidents detailed in the report. Many of the incidents transpired in the victim’s home or “in other villagers’ houses, frequently in the presence of other family members.” In addition to rape, the report documents the widespread conscription of women and girls for labor and sexual slavery as well as to serve as performers in “fashion and beauty shows” for the troops’ entertainment in Ye Township. Moreover, the report argues that the SPDC troops have “become increasingly emboldened in their acts of sexual violence” due to the absence of rule of law in the country. (Source: *Catwalk to the Barracks*, Woman and Child Rights Project, July 2005).

Incidents of sexual violence also continued to emerge from other areas of the country throughout 2005. Many incidents actually occurred during the day, when women were working, attending public ceremonies, traveling along roads or working in their fields. Women have been raped in front of or near their relatives while being restrained by soldiers. In some cases, soldiers have entered people’s homes or taken women from their villages. SPDC soldiers have frequently stayed in the homes of villagers in an attempt to gain protection from ethnic opposition soldiers. Villagers have little say in the matter and this situation has often resulted in women being raped within their own homes.

Despite the extensive supply of evidence of rape and sexual violence, the SPDC holds firm that claims of rape are fabrications and refuses to concede to both international and domestic calls for independent and transparent investigations into the many rape reports. The UN Special Rapporteur, Paulo Sergio Pinheiro, has proposed conducting independent investigations for the purposes of corroborating information provided to him about rapes in Shan State and Karen State perpetrated by members of the SPDC armed forces. Yet, the SPDC has not agreed to his offer. Moreover, the military authorities’ have made efforts to conceal evidence of these human rights violations by forcing villagers to sign affidavits indicating that rapes never occurred, training villagers to lie to international monitors such as the ICRC or pressuring villagers not to seek legal redress. For example, in July 2005, a woman raped by a SPDC captain in Mon State was pressured by soldiers not to report her case to authorities or to seek legal redress. (Sources: “Army Not Involve in Human Rights Violations, Forced Headman to Sign,” IMNA, 23 August 2005).

Victims of sexual violence who attempt to seek redress seldom find any resolution and perpetrators remain unpunished. Authorities frequently disregard, ignore or deny the information provided by victims of sexual violence. Furthermore, women may face punishment or additional abuses for attempting to lodge complaints against their perpetrators. For example, three women in Taung Thone Lone village, Thayet Chaung Township, Tenasserim Division lodged complaints with the village headman after being raped by soldiers from SPDC LIB 412. Instead of taking action against the perpetrators, the village headman blamed the victims, fined them 100,000 kyat each and threatened to kill them if they raised the issue again. (Source: TWU, 2005).

Aside from being unable to seek legal redress, victims of sexual violence must endure the shame and ignominy attached to being the victim of a sexual assault. Following the rape of a Chin girl by soldiers from SPDC LIB 395 in Daungmi Kala village, Kyuak Daw, Arakan State, a local villager commented that the victim would be regarded as “impure” and “...nobody would want to marry such a girl and she will be stigmatized” (source: “A Chin Girl Raped by Burmese Soldiers,” *Rhododendron News*, CHRO, October 2005). Furthermore, women who are raped or sexually harassed in the community often face the accusation that they invited the assault by drawing attention to themselves. Fear of ostracism contributes to women failing to lodge complaints against their perpetrators. In addition, as abortion is illegal under any circumstance, women that become pregnant as a result of being raped are forced to give birth to the children of their assailants, traumatizing and stigmatizing them even further. Moreover, there are no trauma or counseling centers for women and girls who are victims of sexual abuse (source: *Gathering Strengths –Women from Burma on their Rights*, Images Asia, January 2002).

Domestic Violence

Domestic violence against women, including physical, emotional and sexual abuse, is also a significant and increasingly prevalent problem in Burma. According to the BLC, domestic violence occurs in 80 percent of households in Burma (source: “No Rule of Law,” *Social Watch Report 2005*, September 2005). Domestic violence is frequently perceived as a private matter between a husband and wife and therefore authorities pay little attention to complaints. This belief compounded with cultural taboos prevents women from reporting incidents of domestic violence. Furthermore, women are often financially dependent upon their husbands. Women who attempt to divorce their husbands reportedly face criticism and ostracism. (Source: *Gathering Strengths –Women from Burma on their Rights*, Images Asia, January 2002).

Violence Against Women - Partial List of Incidents for 2005

Karen State

Dooplaya District

On 7 March 2005, soldiers from SPDC Battalion 78 led by Comdr. Khin Maung Win, under the orders of SPDC LID 88, followed a small group of KNLA soldiers into Painkaladon village, Dooplaya District where the SPDC soldiers opened fire. As a result, a 35-year-old female shopkeeper, Nan Thaung Thaung Myint, also known as Nay Pay Thwe, was killed and Naw Mu, an 80-year-old woman as well as a visitor, was wounded. The SPDC troops proceeded to loot a total of 260,000 kyat worth of goods from the shop. The SPDC troops offered 50,000 kyat in compensation for Nan Thaung Thaung Myint’s funeral. She was survived by her 2 children. (Source: “Continued Militarization, Killings and Fear in Dooplaya District,” KHRG, 2 June 2005).

On 11 August 2005 at 7:00 am, Column 1 Comdr. Than Lwin Myint of SPDC IB 10 shot at Maung Soe Than's house in Da Dar Oo village, Kawkareik Township. As a result, Naw Ma Ohn, age 7, daughter of Maung Soe Than was killed and her mother Naw Ma Aye was wounded. (Source: KIC, 2005).

Karenni State

On 17 December 2005, 110 soldiers from SPDC LIB 428, under the command of Maj. Win Zaw, along with 4 companies from the Karenni National Solidarity Organization (KNSO) attacked the Yaw Ah Ta Ka village. One soldier named Saw A Moo, a guide for LIB 428, assaulted the following 9 villagers, both women and men:

1. Naw Ju Ju,
2. Naw Ku Lu,
3. Naw Htoo Shoo,
4. Saw Ge, Palimoo,
5. Pothada,
6. Naw Pu,
7. Naw Ju and
8. Saw Gu Lu.

In addition, the soldiers took 3 of the women, Naw Ju Ju, Naw Pu and Naw Ju from Yaw Ah Ta Ka village to the frontline. (Source: "Burma Army Kidnaps Three Women, Assaults Villagers and Attacks Karenni Internally Displaced Persons (IDPs) in Karenni State," FBR, December 2005).

Mon State

Thanbyuzayat Township

On 1 March 2005 at around 10:00 pm, a soldier opened fire into a house in Anan-gwin village in Thanbyuzayat Township where 10 travelers had stopped to spend the night. Pregnant Mi Hla Aye, age 34 from Yaung-daung village, Mudon Township, was killed. Two other women sustained serious injuries. The villagers and the house owner chose to not lodge complaints out of fear. (Source: "A Burmese Soldier Killed A Pregnant Woman," *The Mon Forum*, HURFOM, March 2005).

Shan State

Mong Pan Township

On 5 February 2005, a patrol of 42 soldiers from SPDC IB 287 led by Maj. Kyi Myint attacked a hill west of Wan Mai Khao Larm village, Mong Pan Township with 60 mm mortars and 40mm grenade launchers. As a result, Mae Htao You (female, age 75) was killed. In addition, Mae Htao Mya (female, age 70) was wounded on the left side of her chest by shrapnel and shrapnel hit Nang Shui (female, age 8) injuring her arm and legs. Aside from human casualties, the following 3 villagers' houses and paddy bushels were burned:

1. Nang Mart, 24 bushels of paddy;
2. Mae Htao Mya,] 48 bushels of paddy and
3. Loong Mae HtiYa, 88 bushels of paddy. (Source: *FBR Relief Team Report*, FBR, June 2005).

Murng Ton Township

On 15 April 2005, Nya Lin Da (age 18) and his wife, Naang Suay Ing (age 17), of Huay Aw village, Murng Haang village tract, Murng-Ton Township were arrested by a patrol of UWSA troops from the 171st Military Region while collecting vegetables. They were arrested under the accusation of being Shan soldiers. The Wa soldiers beat and tortured the couple until they both lost consciousness. The village and community leaders had to guarantee that Nya Lin Da and Naang Suay Ing were not Shan soldiers before they could be released. Almost a month after the incident, the couple had still not fully recovered. They could barely walk and could not chew solid food. Marks and bruises were still evident all over their bodies. (Source: *SHRF Monthly Report*, SHRF, July 2005).

Rape, Attempted Rape and Sexual Violence - Partial List of Incidents 2005

Arakan State

Buthidaung Township

On 14 January 2005, Sgt. Aung Myo Oo from the former Military Intelligence (MI) Compound 18 of Buthidaung, attempted to rape Capt. Htin Aung Neaing's wife. After hearing about the event, the captain arrested the officer and handed him over to the SPDC LIB 234 base in Buthidaung where he was detained and interrogated. (Source: TWU, 2005).

Kyauk Daw Township

On 18 September 2005, Pvt. Soe Aung from SPDC LIB 395 raped a young Chin girl at gunpoint as she was coming home from a night service at church around 10:00 pm in Daungmi Kala village. Pvt. Soe Aung had been assigned sentry duty and was posted in front of the house of the victim's father, U Lin Phai. Following the rape, U Lin Phai reported the incident to Capt. Myint Naing Oo, Soe Aung's commanding officer. However, U Lin Phai was told to bring the matter to a court. When he did, the Kyauk Daw Township court released Soe Aung ordering him to pay the victim 30,000 kyat in compensation. (Source: "A Chin Girl Raped by Burmese Soldiers," *Rhododendron News*, CHRO, September-October 2005).

Maung Daw Township

On 2 June 2005, 4 soldiers from SPDC LIB 536, stationed at Taung Bro village, raped a 14-year-old girl at gunpoint just outside of the village. After raping her, the soldiers left the girl unconscious. Her father and other villagers later rescued her. On 5 June, the soldiers were arrested and 2 confessed to raping the girl. (Source: "Four Army Personnel Arrested for Gang Rape of Teenage Girl in Arakan," *Narinjara News*, 6 June 2005).

On 18 August 2005 at about 10:00 pm, VPDC Chairman Magul Ahmed raped a 16-year-old girl from Bodopara of Alay Than Kyaw village tract. The chairman's bodyguard, Rahim Ullah, went to victim's home and asked her to come with him. After both mother and daughter refused, the bodyguard severely assaulted the mother and dragged the daughter with him to Magul Ahmed who then raped her. After an hour, Magul Ahmed released the girl. The mother and her daughter filed a complaint with the NaSaKa. Magul Ahmed and Rahim Ullah were subsequently arrested. (Source: "Teenaged Girl Raped in Northern Arakan," *Kaladan News*, 1 September 2005).

Pone Nar Gyan Township

In July 2005, Shwe Aye, commander of the Kyanung Taung police station, raped a 24-year-old woman from Aung Myae Gone village in the home of the village council president. The victim's family complained to Police Comdr. Nyan Win, however, no action was taken. The family speculates that the authorities would not investigate because the perpetrator was a high-ranking officer. (Source: "Rape Victims Have Nowhere to Turn for Justice," *Narinjara News*, 17 November 2005).

Taunggut Township

In June 2005, a police constable, Kyaw Myo Htaik, raped a 25-year-old woman from Hsapyin village. It was reported that the local police chief and officials attempted to cover up the incident. (Source: *BURMA: Alleged rape of a woman by two police officers in Twente Township*, AHRC, 10 August 2005).

Karen State

Dooplaya District

On 15 January 2005, Pvt. Htun Htun Naing from an artillery base near Ya Thit Gu village under Maj. Phone Tine of SPDC LIB 275 Column 2 raped Naw Pet Pet (age 20) and Po Nu Nu (age 20) after threatening them with a gun. (Source: BI, February 2005).

Kyar Inn Seik Gyi Township

On 8 August 2005 at approximately 8:00 am, the body of Lay Lay Myint (female, age 23) was found dead and naked at the side of the road. It was believed that she was raped. While the Kyar Inn Seik Gyi police conducted an investigation to identify the murderer, no suspects were apprehended by November. Suspects included soldiers from SPDC IB 83 stationed in the area, as well as Myint Soe, an informer for the battalion. (Source: FTUB, 2005).

Mon State

Thanpyuzayat Township

On 2 July 2005, Capt. Lin Oo from SPDC Tactical Command No. 1 under the command of SPDC LIB 308 raped Mi Cho, mother of 3 children, in Zee Hna Pin village. Five soldiers abducted Mi Cho's husband and children while the Capt. Lin Oo entered her home, raped and threatened to kill her. Mi Cho and her family reported the incident to NMSP troops based in Yetagun. (Source: "Mother of Three Says She Was Raped," IMNA, 4 July 2005).

Ye Township

On 20 May 2005, soldiers from the Joint Operation No. 31 and SPDC IB 61 gang-raped a 17-year-old woman as she was performing forced labor on the Ye-Tavoy motor road. The soldiers told her to follow them for approximately 3 to 4 hours. She was uncertain as to how many soldiers raped her as she lost consciousness during the ordeal. When the soldiers brought her back to the road construction site, she was very weak and unable to stand. Fellow

villagers brought her back to her village. (Source: "Terror Continues in Ye Township," *The Mon Forum*, HURFOM, August 2005).

On 30 May 2005 at around 4:00 am, soldiers from SPDC LIB 587 gang raped an 18-year-old woman in a village in Ye Township. She encountered the troops as she was returning from her rubber plantation. The village headman reported the incident to the commander of LIB 587 who rejected the information. The commander argued that his soldiers would not engage in such behavior and that the villagers had fabricated the information. No action was taken to investigate the perpetrators. Out of intense shame, the victim and her family moved to Thanbyuzayat Township, Mon State. (Source: "Terror Continues in Ye Township," *The Mon Forum*, HURFOM, August 2005).

In the first week of June 2005, Sgt. Myin Maung from SPDC LIB 587 a 13-year-old schoolgirl from Khaw Za sub-town. The officer along with 2 other soldiers encountered the girl when she was out collecting firewood. The soldiers ordered her to undress while threatening her with their guns. While 2 soldiers stood guard, Sgt. Myint Maung repeatedly raped the girl until she lost consciousness. Following the incident, the victim's parents, teacher and village headman reported the incident to Capt. Tun Tun Nyunt, commander of SPDC LIB 587. Sgt. Myint Maung was detained and is facing a 7 year prison sentence. (Source: "Terror Continues in Ye Township," *The Mon Forum*, HURFOM, August 2005).

On 7 June 2005, Pvt. Yan Naing of SPDC LIB 587 raped a 14-year-old girl from Hamgam village when she was staying in a hut on her family's farm near Chan Gu village. The incident was reported to the senior commanders of the township office and Pvt. Yan Naing received a 7 year prison sentence. (Source: "Soldier Gets 7 Years for Rape," *Kaowao News*, 10 July 2005).

On 14 June 2005, soldiers from SPDC Battalion 61 gang raped a 17-year-old woman from Kwan Tamoi Taotak village while she was performing sentry duty on the motor road in Ye Township. (Source: "Girl Gang-Raped by Burmese Army Soldiers," *Kaowao News*, 17 June 2005).

Rangoon Division

On 12 June 2005, police officers Tin Ko Oo and Kyaw Myo Min, together with a civilian named Naing Min, raped Ma Soe Soe. The 3 perpetrators encountered Ma Soe Soe at approximately 10:30 pm when she was returning home with Ko Naing Oo and his wife Ma Cho. Ko Naing Oo and Ma Cho were permitted to leave but Ma Soe Soe was reportedly handcuffed, taken to an isolated location and raped. The incident was witnessed by 3 men, 1 of whom, Poe Cho, was caught and detained by the police. Local authorities reportedly attempted to conceal the incident by intimidating the witnesses. (Source: *BURMA: Alleged Rape of A Woman by Two Police Officers in Twente Township*, AHRC, August 2005).

Shan State

Monghsat Township

On 17 July 2005, Sai Nee (male, age 24) and Nang Hpid (female, age 28), a Shan couple who had been living in Thailand for 6 years, crossed the border from Thaton, Mae Ai District, Chiang Mai Province, Thailand to Mong Hsat Township in Shan State. The couple encountered troops from SPDC IB 293 based in Murng Luay village, Kaeng-Tung Township who were patrolling in Piangkham, Murng Yawn village tract, Murng Sart Township. A few days later, the body of Sai Nee was found in the Kok River near Banmai Mawkjarm, Thailand, which is south of Thaton. Five days later, a company commander from SPDC IB 293 informed villagers in Piangkham that 2 agents from SSA-S had been caught but had fled. Two soldiers however told villagers that Sai Nee was beaten to death and thrown in the river after taking 50,000 baht from him. Nang Hpid was reportedly tied up, sexually assaulted for 5 days and killed by the company commander. The couple was originally from Wanlao, Kunhing Township. (Source: "Shan Couple Earns 3 R's," SHAN, 1 September 2005).

Mong Pan Township

On 5 March 2005, a soldier from SPDC IB 99 raped a 13-year-old girl while she was assisting with a novice ordination ceremony in Ho Mong village. When she went to urinate, the soldier dragged her into the bushes and offered her 1,000 kyat to stop her from screaming. The ceremony attendees finally heard the girl's screams, came and scared the soldier away. The family was later relocated by a humanitarian assistance group. (Source: *FBR Relief Team Report*, Shan FBR team, June 2005).

Monghpyak Township

On 26 June 2005, Comdr. of SPDC LIB 329 raped Ah Sha (age 14) in front of her parents. The rape occurred in the area of Jani and Ah Pawday villages. The soldiers threatened further abuse of the villagers if they did not provide information about resistance activity in the area. (Source: "Still No Signs of Outlawing License to Rape," SHAN, 17 August 2005).

On 1 July 2005, troops from SPDC LIB 329 surrounded Hajakhai village in search of SSA soldiers. When they did not find any, they abducted a 15-year-old girl. The battalion commander raped her while her parents and the village headman were forced to stand outside the room where she was being raped. (Source: "Still No Signs of Outlawing License to Rape," SHAN, 17 August 2005).

Murng-Nai Township

On 23 April 2005, 3 soldiers from SPDC No. 7 Operation Management Command gang raped and beat a 43-year-old women on her farm outside of Kun Khoi village after stealing several bags of produce from her farm. While the victim's husband informed the community leader of the episode, they did not take any additional action. (Source: "Woman Gang-Raped, Beaten, Her Farm Produce Stolen, in Murng-Nai," *SHRF Monthly Report*, SHRF, July 2005).

Murn-Nai Township

On 16 April 2005, 3 SPDC soldiers attempted to rape an 11-year-old girl and severely assaulted her 62-year-old grandmother in Pa Saa village, Murn-Nai Township. The soldiers took the girl, beat her up and attempted to rape her. When her grandmother protested, the soldiers turned on her and beat her until she lost consciousness. They then returned to the girl and were about to rape her when a group of village men approached. The men had heard the screams of the women and came to investigate. They chased the soldiers away and reported the incident to the authorities at the soldiers' camp. The girl was asked to identify the men that had assaulted her and her grandmother. She did and the men confessed. The camp authorities said that they would punish the men. The girl was left with both external and internal injuries. (Source: "Attempted Rape and Severe Beating and Torture in Murng-Nai," *SHRF Monthly Report*, SHRF June 2005).

Tenasserim Division

In February 2005, three women ages 54, 28 and 17 were raped by soldiers from SPDC LIB 412 led by second Cpl. Maung Toe while they were having lunch at a betel-nut plantation in Paungtaw near Taung Thone Lone village. The women and their employer complained to the Taung Thone Lone village head. The village head blamed the victims, fined them each 100,000 kyat and threatened to kill them if they complained to anyone else. (Source: TWU, 2005).

On 21 May 2005 at approximately 10:00 pm, a military officer raided a villager's (female, age 58) house and demanded 10,000 kyat as a fine to be paid to the village head. The officer took the woman's daughter (age 19), with him to take the money to the village head. When they were 400 feet away from her house, the officer raped the daughter and threatened to kill her if she told anyone. The following morning, the daughter and the village headman reported the case to the Win Wa police station. No action was taken against the perpetrator. (Source: TWU, 2005).

Mergui-Tavoy District

During 2005, Cpl. Tun Tun Zaw and 3 other soldiers from Company 1 of SPDC IB 405 raped a woman, age 17, while she was working in a field. (Source: TWU, 2005).

On 7 May 2005 at approximately 5:00 pm, a woman (age 18) from Pon-kyun section, Tavoy Township, was raped by the electricity engineer assistant U Aung Ko (age 42) in her compound room. After the rape, the victim complained to the electricity HQs in-charge U Kyi Thein. The in-charge did not take any action against the perpetrator and instead fired the victim from her work and transferred the victim's father to another work station. (Source: TWU, 2005).