

VIOLENCE AGAINST WOMEN

Gender-based violence, which impairs or nullifies the enjoyment by women of human rights and fundamental freedoms under general international law or under human rights conventions, is discrimination.... The Convention applies to violence perpetrated by public authorities.... States may also be responsible for private acts if they fail to act with due diligence to prevent violations of rights or to investigate and punish acts of violence, and for providing compensation. States Parties should take appropriate and effective measures to overcome all forms of gender-based violence, whether by private or public act....

- Convention on the Elimination of All Forms of Discrimination Against Women, General Recommendation No. 19

Violence against women is an obstacle to the achievements and objectives of equality, development and peace.... The long-standing failure to protect and promote those rights and freedoms in the case of violence against women is a matter of concern to all States and should be addressed.... The term "violence against women" means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.

- Paragraphs 112 and 113, Beijing Platform for Action

[The Commission on Human Rights deplores] the continuing violations of the human rights of women, in particular forced labour, trafficking, sexual violence and exploitation, often committed by military personnel, and especially directed towards women who are returning refugees, internally displaced or belong to ethnic minorities or the political opposition....

- United Nations Commission on Human Rights Resolution on Burma, April 2001

The Burmese soldiers came to my house, and they tried to rape me. They wanted to sleep with me, and they asked me for my love. They did this to all the women. If they came, we showed them our knives. We didn't let them sleep with us.... I said to them, "You have a place to stay. Go stay in your place, but not here." They didn't have a camp, they took over our village. They passed their stools in my house and covered it with leaves. The soldiers passed their stools in people's cooking pots, basins, and between our cooking stones. They took everything from our houses. When there was nothing left we came here [to Thailand]. I don't know why the Burmese soldiers came to our village. We have heard that it is to punish us. **CINT 271**

OVERVIEW

Violence against women is not a single phenomenon. It is a manifestation of women's subordinate status that takes many forms world-wide. Only in the last two to three decades has violence against women begun to be acknowledged at an international and national level as a problem that occurs in every part of the world, and one that degrades women, threatens their health and safety, and destroys the integrity of families and communities.

Women in and from Burma experience a continuum of gender-based violence in their communities and homes. Many of women's life decisions, such as whether or not to travel for school, work, or medical reasons – or about when and how to seek sanctuary – are conditioned by consideration of the risk of violence, sexual, physical and psychological, they

entail. Burmese government statements at international fora on violence against women have consistently affirmed that women face few risks within the country. By contrast, our interviews with women and research by human rights organizations reveal that women are in fact subject to gender-based violence by representatives of the ruling government, strangers in their communities as well as family members and others well-known to them. While gender-based violence often serves to restrict women's movement, it is also a primary reason why women leave their homes for other countries and situations, as refugees and migrants.

Some of the violence women from Burma face is systematic, condoned and sponsored directly by the state, especially in conflict areas where government soldiers are conditioned to equate ethnic civilian women with "the enemy." Other violence, both in-

side and outside Burma, is opportunistic and arises because government policies such as forced displacement put women in situations of high vulnerability. Women are also at risk of gender-based violence in their communities and homes, because of cultural attitudes that tolerate, or prohibit discussion of, certain types of abuse. In all these situations, women have inadequate recourse to charge perpetrators of these crimes. Appropriate measures allowing women to take action to stop violence need to be enacted to reduce violence in all its forms and enable women to live in safety and happiness, free from fear.

The use of rape as a weapon of war in Burma has been well-documented, evidence of the importance accorded it by local documentalists, and as a result, a great deal of information about it exists. In this chapter, we have referred extensively to other printed sources of information for cases of violence, most of them produced by independent indigenous human rights groups. These sources are drawn upon to give a full picture of the variety of abuses women have suffered and the geographic and ethnic dimensions of the problem. In some cases, the information presented has been summarized or edited from the versions that appear in the original sources.

Since there are few counseling or other trauma treatment systems currently in place for women from Burma who have survived violence, most of the reporting is focussed on recording incidents, rather than examining the effects that violence has for women. As a result, the testimonies included here deal mostly with the events themselves. A great deal more work is needed to accurately assess the damage that sexual violence has inflicted on survivors and to design culturally appropriate strategies for assisting these women.

While trafficking is also a form of violence against women, and often involves conditions that heighten women's exposure to violence, the issue of trafficking is dealt late with in the chapter *Migration & Trafficking of Women & Girls*.

WOMEN IN WAR

While entire communities suffer the consequences of armed conflict and terrorism, women and girls are particularly affected because of their status in society and their sex. Parties to the conflict often rape women with impunity sometimes using systematic rape as a tactic of war and terror-

ism. The impact of violence against women and violations of the human rights of women in such situations is experienced by women of all ages, who suffer displacement, loss of home and property, loss or involuntary disappearance of close relatives, poverty and family separation and disintegration, and who are victims of acts of murder, terrorism, torture, involuntary disappearance, sexual slavery, rape, sexual abuse and forced pregnancy in situations of armed conflict, especially as a result of policies of ethnic cleansing and other new and emerging forms of violence. This is compounded by the life-long social, economic and psychologically traumatic consequences of armed conflict and foreign occupation and alien domination.

- Beijing Platform for Action, Paragraph 135

In October 2000, in an historic session, the UN Security Council addressed the issue of women and armed conflict, recognizing that increasingly civilians, the majority of them often women, are most adversely affected by and targeted by combatants, and that the differential experience of women and girls as non-combatants, internally displaced persons, refugees and recipients of humanitarian aid requires a gender-sensitive approach. The Statute of the International Criminal Court recognizes forms of sexual and gender-based violence under specific conditions as war crimes and crimes against humanity, and it is hoped that in the future, the possibility of prosecuting and punishing the perpetrators under these terms will help lead to the eradication of these crimes.

Decades of military rule have exacerbated discrimination and violence against women throughout Burma. In the country's ongoing civil war, both women and men have been victims of regularly documented and pervasive human rights abuses. Especially in the ethnic minority regions of the country, civilians are used as forced labourers on government construction projects and porters for the army, and may be subjected to summary arrest, torture and extrajudicial execution. These and other human rights violations are committed sometimes in the course of military operations, but are more often simply part of the army's policy of repression in villages frequented by ethnic armies, sometimes referred to as "low level conflict."

In the ethnic areas, the policy of establishing absolute political and administrative control brings out the worst in the military, and results in killings, brutality, rape and other human rights violations which do not spare the old, women, children or the weak.¹

LANDMINES

The use of landmines by both government and insurgent armies is increasing, maiming and killing men, women, children, and the domestic animals that provide both food and sometimes the only income in villages. Fear often prevents women from working fields or foraging for forest vegetables.

I was afraid to live in Burma, I did not even dare to go to my paddy field. There are a lot of landmines in the area. CINT 47

Even before the soldiers came, it was very difficult for us to go outside to get food and materials for our house. Maybe the SPDC, maybe the DKBA, set up landmines, so we were always worried. Two weeks ago, one of the villagers stepped on a landmine. CINT 103

Sometimes Thais look down on Karen people, and they ask, "Why don't you go home?" Those people don't understand the situation if they ask like that. All along the Moei River on the Burma side, there are a lot of landmines, old and new. If we went back, a lot of people would be injured by mines. Everybody wants to go back to the Burma side, but there is no security. If we compare life here to the Burma side, Thailand is just a little bit better. CINT 269

They threatened us with daggers and scythes. I said to them, "Don't do us like this. We are not your enemy. We are women. CINT 271

I have run away from Burmese soldiers five times in my life: as a child, a teenager, a young bride, a mother of two, and last year when I lost my husband and youngest daughter.²

Active armed conflict continues, primarily in Shan, Karenni and Karen States and Tenasserim Division, where the SPDC is fighting the Karen National Union (KNU), Karenni National Progressive Party (KNPP) and the Shan State Army (SSA). Since men in conflict areas are frequently summarily executed as suspected insurgents or conscripted for forced labour and porter duty, they routinely escape their villages when soldiers approach, leaving women behind.

Only the women who have babies are left. The other single women also flee to the jungle with the men. The women who have children cannot hide safely. We could be found easily by the sound of the babies crying. CINT 52

Heavy conscription of men (and boys) into government and insurgent armies, where they are absent for years at a time or killed in battle, has left many women as *de facto* household heads. Not infrequently, women must live for years without knowing whether they will ever see their spouses again.

My husband was conscripted, I have had no news of him so I don't know if he is dead or alive. He was conscripted when I was three months pregnant and now my child is five years old. His father has never laid eyes on him and he has never seen his father. I have to look after my child on my own. I can't remarry because my husband's parents won't agree to it. But I still live in hope that my husband will come back to me and our child. CINT 159

Women living in villages when men are absent over long periods must struggle to feed their families and educate their children. In conflict areas, they face military raids when soldiers enter villages, firing indiscriminately on inhabitants and seizing livestock and valuables from houses. Women whose husbands are suspected of being insurgent soldiers, and wives of headmen, are often tortured and killed in their stead. The following is one example among numerous incidents that have occurred in predominantly Karen areas of Nyaunglebin and Pa'an districts, documented by the Karen Human Rights Group.

One woman was mutilated by Sa Thone Lon, an execution squad organized by military intelligence, when they came looking for her husband, but could not find him. Neighbors who witnessed the incident recounted that she spoke bravely to one of the soldiers, who said, "You're a woman who can speak very well so I'll cut off your mouth," and slashed her mouth with a knife. The soldiers beat her, cut off her ears and cut her face and chin. After they left her to die, family members took her to the hospital, where she survived. A neighbor reported, "When she was in the hospital, [the soldiers] heard about it so they went to the hospital. They couldn't kill her in the hospital because there were doctors, nurses and police around. He told her, "You are very lucky! I thought that you had died but you are still alive, so if you have to leave the hospital you'd better go somewhere that I can't find you or you're dead."³

While human rights monitors working with survivors in refugee camps and neighbouring countries continue to document these abuses with survivors who have fled Burma, currently most conflict areas remain inaccessible to direct investigation.

RELOCATION & DISPLACEMENT

Sexual and gender based violence is endemic throughout the world regardless of political security or stability. It is known to be more prevalent in unstable situations and in populations which have been forced to move.

- **United Nations High Commission For Refugees**⁴

The allegations about forced relocations are not true. What actually transpired was that villagers are resettled in safer areas to protect them from atrocities committed by the insurgents.

- **"Response by the Myanmar Delegation"**

Since the 1970's the SLORC and its successor regime the SPDC have executed a policy of forcibly relocating villages suspected of colluding with ethnic armies. This policy, called the Four Cuts, aims to cut supplies of food, funds, intelligence and recruits to insurgent armies. Forced relocation is not only an act of violence in its own right, but as a direct result it also places women in situations where they are vulnerable to a myriad of other forms of violence.⁵

The majority of people affected by the government's relocation policies are moved to rural or peri-urban areas lacking in public services and employment op-

portunities. Some areas of Karen State and Tenasserim Division with large Karen populations have been continually relocated over the past two and half decades. Heavy fighting coupled with forced relocation has further displaced populations in Karen State and Karen areas of Tenasserim Division since 1996. The exact number of forcibly relocated villages in Karen State is unknown, but approximately 84,000 of the 120,000 refugees in camps in Thailand are Karen,⁶ and 1998 estimates put the number of internally displaced in Karen State and Tenasserim Division somewhere between 100,000 and 200,000.⁷

In 1996, the SLORC began forcibly relocating villages in Shan State and Karenni (Kayah State). In Shan State alone, between April 1996 and November 1999, it is estimated that more than 1,400 villages with over 300,000 people, were forcibly relocated in efforts to suppress the Shan State Army. Relocations continued into 2001, when it was estimated that as many as 150,000 people from Shan State had fled to Thailand as undocumented migrants.⁸ (From 1999, a three-year project was also initiated to move 50,000 Wa households from the northern part of the state to the south as part of ongoing development programs, displacing southern residents and resulting in the deaths of thousands of Wa unaccustomed to the warmer climate.⁹) In Karenni, estimates of forced displacement range between 20,000 and 30,000.¹⁰ Typically, the areas of former villages are turned into "free-fire zones" where returning villagers risk being shot on site. Cases of villagers being murdered by patrolling soldiers after returning to search for food are well documented. This is particularly true in Kun-hing township of Shan State, where there have been repeated large-scale massacres, including one involving 64 deaths in June 2000.¹¹

People forced to relocate face the terrible choice of moving to government-controlled sites or hiding out in the jungle around their former villages, in the hopes they may eventually be able to move back to them. In both situations they cannot fulfill their basic needs. Designated relocation sites are often in barren areas close to main roads or existing population centers, unsuitable for cultivation and with inadequate water supplies for the dense populations. However, food is generally not provided, or only provided in inadequate quantities for the first week or month.



Often soldiers guard the sites and the inhabitants are not allowed to leave without permission. Women in particular fear being raped or sexually assaulted by soldiers. At the same time, the populations are often made to provide forced labour for the nearby army bases, growing food for the soldiers' consumption, building fences and barracks, and guarding roads. Some sites have clinics, but the medical facilities are usually insufficient for the population density, and poor sanitation means inhabitants are exposed to water-borne and vector diseases. At some sites like Shadaw in Karenni State, inhabitants have died reportedly after insecticides contaminated the water supply. (CINT 233)

Those who choose not to enter the relocation sites hang on in hopes that they will be allowed to return to their land. Internally displaced people must eke out meager supplies of rice kept hidden in the forest, while trying to avoid army patrols. Starvation drives many ultimately to attempt to migrate across international boundaries, and many of the refugees who have entered Thailand since 1996 have done so as a direct result of forced relocation. Women in hiding or fleeing to areas of internal displacement or sanctuary are particularly vulnerable to abuses. Women fleeing to border areas have had to give birth on the sides of roads, in the forest and beside rivers, with little time to rest before continuing their journeys. Pregnant women have also died under these conditions. Those who are able to reach the border may seek to enter refugee camps, however a greater number are not able to access them, and asylum seekers have sometimes faced repatriation or refoulement. At borders, women are at risk of abuse from authorities on both sides.

People from Shan State, which has seen the largest scale relocations in the 1990s, are not allowed to establish refugee camps. With the exception of some 400 people who have been able to enter existing camps in Mae Hong Son province, they also have not been allowed to live in refugee camps in Thailand. Most have no choice but to join the illegal labour force in Thailand in order to survive. Under these conditions, many young Shan women have been trafficked into sex work and other exploitative forms of labour in Thailand. All Shan refugees live at constant risk of being deported back to Burma.

SEXUAL VIOLENCE & ARMED CONFLICT

The term "sexual violence" refers to many different crimes including rape, sexual mutilation, sexual humiliation, forced prostitution, and forced pregnancy. These crimes are motivated by a myriad of factors. For example, a commonly held view throughout history has been that women are part of the 'spoils' of war to which soldiers are entitled. Deeply entrenched in this notion is the idea that women are property — chattel available to victorious warriors. Sexual violence may also be looked upon as a means of troop mollification. This is particularly the case where women are forced into **military sexual slavery**. Another reason that sexual violence occurs is **to destroy male, and thereby community, pride**. Men who have failed to "protect their women" are considered to be humiliated and weak. It can also be used as a **form of punishment**, particularly where women are politically active, or are associated with others who are politically active. Sexual violence can further be used as a means of **inflicting terror upon the population at large**. It can shatter communities and **drive people out of their homes**. Sexual violence can also be part of **a genocidal strategy**. It can inflict life-threatening bodily and mental harm, and form part of the conditions imposed to bring about the ultimate destruction of an entire group of people. (Emphasis added)

- United Nations Division for the Advancement of Women¹²

Sexual violence in the course of armed conflict is certainly not a new phenomenon, although most discussion of rape as a human rights abuse in the context of armed aggression has arisen relatively recently, since the wars in the Gulf and Yugoslavia, and the 1993 UN World Conference on Human Rights in Vienna. Neither is it a new phenomenon in Burma, where it has been reported for decades and is commonly used as a form of torture. Rape and other forms of sexual violence are among the most flagrant abuses of women's human rights perpetrated against civilian women by military personnel, particularly in areas of armed conflict or zones where control is disputed by opposition, usually ethnic minority, forces and government troops. Ethnic women bear a double burden, since the racial prejudice they face is often expressed in gender-based violence. Although Burman women, especially those who are politically active, have also been subjected to sexual violence by members of government security forces (see *Women & the Law and Women's Participation in Politics*), ethnic minority women often find themselves at risk for no other reason than that

they live in an area frequented by soldiers. There is extensive documentation of rape of women by soldiers in Karen, Karenni, Shan, Kachin and Mon States, and Tenasserim Division, where there is active fighting, as well as in Chin State, Arakan State, and Sagaing Division, where there are large numbers of standing troops. Since 1988, many areas of the country have seen a tenfold increase in the number of stationary battalions.¹³

We heard that the troops [in Tin Maung Aye's Battalion, #210] that arrived next are driving the villagers together to the same place and then gathering the paddy. And we heard that they gathered 40 girls aged 14 or 15 and forced them to go in front of them wherever they wanted to go. During the night they slept with them and around midnight all of the girls were screaming.¹⁴

Numerous detailed accounts of rape by government soldiers have been amassed by reliable human rights monitors. Women have been raped and gang raped by soldiers, sometimes in front of members of their families, including husbands and children. Women as old as 80 and girls as young as six have been targeted. Sexual violence sometimes involves the insertion of foreign objects such as knives and guns into the vagina, or mutilation: women have had breasts, lips and other parts of the face and body cut off in the course of assault. Women who are raped, in particular pre-pubescent girls, often die of injuries sustained during the act of rape, while others are sometimes deliberately killed afterwards to prevent their reporting the acts to others. Bodies of women have been found in the forest, dumped in streams and ravines, burned, and stripped naked, bound or tied to trees; however, there are often no witnesses or means of forensically investigating these cases to confirm rape. Witnesses may also not report such crimes out of fear for their own safety.

Little has been done to gauge the effects of sexual violence on the many women who have been raped in the course of Burma's civil war. There is virtually no system in place to provide trauma counseling to survivors. It is known that some women become pregnant as a result of rape, however Burmese law still makes abortion under all circumstances illegal, so women suffer further when they are forced to give birth to the children of their attackers. Women who experience rape are also at high risk of contracting HIV, since the virus is spreading rapidly through all areas of the country and prevalence

among military personnel is high. (*See Women's Health for more about abortion and HIV/AIDS.*)

Although evidence suggests that rape may occur under a wide variety of circumstances, particularly vulnerable to sexual violence are women in areas of active conflict, or women whose male family members belong to, or are believed to have connection with, opposition groups. As a result, it has been charged that rape is not incidental to the conflict, but a purposeful tactic instrumental to the waging of war in ethnic areas.¹⁵

In early 1997, SPDC troops staged a massive, multi-pronged offensive in several areas on Burma's eastern border, aimed at defeating the Karen National Union (KNU) army. Numerous incidents of rape were documented in the course of fighting. In February 1997, 12 women were captured by SLORC soldiers at Kaneh Khon and raped. One 25-year old, Naw Sei Phaw, was raped by three soldiers in front of her husband and family and then knifed to death. Also in February 1997, at Phaung Daw village, a woman was gang-raped until she lost consciousness and died, while her husband and father were forced to watch; afterwards, the two men were beaten to death. At least 10 young women from Ka Nel Khaw village were gang-raped at Ta Mae Hta base, as reported by one woman who escaped.¹⁶

Five women whose husbands were involved with the Myeik-Dawei United Front were captured and detained on 17 September 1997, when their husbands who had come for ceasefire talks with SLORC representatives in Taung Byauk village, Tenasserim Division were ambushed and killed. They were gang-raped then imprisoned in Tavoy prison along with two children. One of the women was pregnant and gave birth in prison on 12 December 1997. In January 1999 they were still being held, and no subsequent information has been received.¹⁷

As noted previously, consistent accounts of detention and rape of women, including one village head, by soldiers of the "Sa Thone Lone Dam Byan Byaut Kya," were documented with witnesses and survivors by the Karen Human Rights Group in 1999. Also known as the "Short Pants" group because the soldiers frequently wear only underwear, this execution squad is allegedly directly controlled by Khin Nyunt, Secretary 1 of the SPDC. They began operating and occupying areas of Toungoo and Nyaunglebin districts in Pegu Division, and Thaton districts in Mon State, with the avowed aim of killing those associated with the KNU and sexually violating Karen female villagers. One section

commander is said to have boasted,
I will rape the Karen women and kill the Karen men.¹⁸

Rape is used as a punishment and warning to civilians suspected of opposing the SPDC's military regime, and as an act of humiliation.

On March 30, 1997, SLORC troops raped and shot dead a girl of 12 while she was taking hay to cattle in a field near her old village of Ho Pung, Lai Kha township. When her relatives requested permission to bury the body, the SLORC troops

said: "She must be kept like this as an example for you people of Shan State to see. If you bury her you must die with her."¹⁹

There was a woman medic who had trained with the KNU. One day she was arrested by the SLORC soldiers while she was shopping in Kyaikdon. Those soldiers are from a special column and they gang raped her. She had to go with the soldiers for several months and then she was sent to the jail for three months. She got to the jail and found out that she was three months pregnant and also that she was HIV positive. Afterwards she hanged herself and died in the jail. CINT 55

WAW PAW, 23

I am married, and I've had three children, but only one, my daughter, was still alive. Our village, A---, was destroyed by the SPDC Troops and ordered to relocate to T--- village. When the situation became peaceful again our family with nine other families went back to stay at our old village. But there was no peace for us in our old village. SPDC troops were always demanding money and porters. If there were no men, they took women as porters. These porters were usually sent back home after four to five days.

One night about a month ago, an SPDC army column came to our village. They saw my old mother and called her to come down to them. When she did, they beat her head with the gun butt. I saw my mother fall to the ground, blood gushing from her head. I was shocked and ran down to help her, yelling at the soldiers to stop mistreating her. The soldiers caught hold of me and took me into the forest. From that night onwards, until my escape, I was raped continuously by the soldiers during the nights. During day time I was made to carry five rocket propelled grenades.

I did not see any other women there the night of my arrest. But in the morning when we were being made to carry military goods, I saw five other girl porters. We had no chance to talk to each other and the porters changed all the time. During forced portering, I cannot remember how many times that I was slapped, beaten and kicked. Also there are many, many times that I saw the other porters being hit, beaten and kicked. Some porters became sick, some could not continue any more. These people were left behind without any food or water. Many porters disappeared. We heard that some porters were killed when they were of no use.

At night I was kept in darkness, so I could not see anything. I was very afraid because I can't speak Burmese. The soldiers touched me and when I tried to resist, I was slapped and kicked until I had no more strength or courage. They stripped me of all my clothes and then raped me repeatedly. I was raped three to five times each night all through the 22 days that I was forced to serve as porter. I was sure that many people were involved in raping me, but I could not identify them, even though I could see the soldiers in the day time, because I was kept in the dark. Some smelled of alcohol, some did not, and some smelled of tobacco. And each had a different way of abusing me.

I noticed that porters often escaped and were replaced by others. One day I learned that four porters were planning to escape. I asked them to take me with them when they attempted escape, but they were very reluctant. I watched them and when they escaped I followed them and after some days I met some villagers going to Thay Baw Boe village, which is on the border. I followed them and from there I came to this refugee camp with some people.

Now I have no money. The only clothing that I have is what I am wearing now. I suffer physically and mentally. I do not feel well at all. I still have black and blue marks where the soldiers kicked and my whole body aches, especially my abdomen where they stomped on me with their boots. I feel nausea and I have no appetite. When I was checked at the clinic, they told me I was pregnant. I feel sad, miserable, helpless. I hope that people will be sympathetic to me, as I am all alone here without my family. CINT 58

In late 1999, two students named Naang M---, 17, and Naang L---, 18, were detained and raped from 8 to 12 October 1999 by Lt-Col. Htun Sein, the commander of the local Light Infantry Battalion 515. The two young women had stood up at a public school meeting, asking why the army was forcibly relocating people in Shan State and why the army had closed the main market to prevent the Shan State Army from trading. They were locked up until 9 p.m., when Naang M--- was brought before Htun Sein, who told her that her question had violated national law. Htun Sein held her at gunpoint, removed her clothing, and raped her repeatedly until morning. In the morning she was put back into a cell, and later that day, Htun Sein took Naang L--- and did the same to her, keeping her with him for one day and one night. After the women were held and raped in turns for four days and four nights, Htun Sein ordered their parents to pay 15,000 kyat for their release. The young women reported what had happened to the community leaders, but were told by school authorities it would be better not to try to take action against Htun Sein, since they had little chance of winning the case.²⁰

SEXUAL VIOLENCE IN AREAS OF MILITARY OCCUPATION

Before I came here, a woman from my village traveled outside the village with her husband. The soldiers saw them on the way and took all their things and raped the woman. After that both of them were killed by the soldiers. CINT 82

If women go out, they are very afraid of being raped by the soldiers. In our village, one lady was taken by the military for 14 or 15 days and they left her back at the village. She said that all of the soldiers in the military company raped her, but no one helped or took responsibility.... Another girl, who was only 16 years old, was taken by the soldiers to be a guide to travel through the jungle. After that they raped her. CINT 21

Women outside active conflict zones but who are forced to live in situations of restricted mobility under army surveillance are also subjected to rape. This is particularly true in areas where villages have been forcibly relocated. In Karen, Karenni and Shan States, women in areas of forced relocation, both those who are now living in designated relocation sites under the guard of troops, and those who have fled relocation to hide out in the forest, reportedly live in fear of sexual violence by army troops. According to a woman who was forced to move to Shadaw, a major relocation site in northern Karenni State,

No woman or girl dares to go find firewood in the forest

SEXUAL VIOLENCE IN CEASEFIRE AREAS

Violence against women perpetrated by government troops continues to be a problem in some of the the country's cease-fire areas, although it is less likely to be reported. Ethnic opposition groups maintaining cease-fires with the SPDC are often left in a precarious position, apprehensive of voicing criticism of the regime for fear it will jeopardize sometimes fragile agreements. Without independent monitoring in cease-fire areas, accurate documentation and dissemination of information about human rights violations may fall victim to political concerns. While it is expected most women enjoy greater security after cease-fires, some women in cease-fire areas claim that they are still at risk of rape and sexual violence from soldiers. In the following instance, at least some of the perpetrators were punished, however it remains unclear how regularly this occurs.

In December [1998], Burmese soldiers from Na Paw base came down to Nam San and raped four Kachin women. In this case, one Kachin woman was bathing in the river. A Burmese soldier came and asked her for soap. She already had children. She gave him the soap, but he grabbed her and raped her. She shouted and screamed for help. But it was a bit far from the village. I heard about it because I was there the next day. The women reported to their village headman. We heard that the military put them in jail. They did not pay anything in compensation to the women. It is bad for these women's names in the society now, but their health is ok. I've heard of other cases as well. There is a jungle trail between Nam San and Lai Zah. A lot of our women use that trail to do trading. Burmese soldiers from Nam San Lai Lung post raped two women in January [1999]. It was on this trail between Nam San and Lai Zah. One was a Lisu girl and a Chinese girl. The Lisu girl... I don't know if she died or not. She was gang raped.

It was much worse before the cease-fire. There were even worse cases then. One soldier even tried to rape an 80-year old woman. The superior came and stopped it, but the lady still suffered. The superior only hit him once. Rape cases happened very often. CINT 111

alone. If they want to go, they must call a man with them, because if a soldier finds them, they will be raped. I knew one woman who went with a man to the forest, and the soldiers tied him up and raped her. CINT 223

The Shan Human Rights Foundation has documented numerous incidents of rape of women villagers traveling to farm their fields or collect food over the last three years.

In April 1999, two Shan women, Naang Thuay, aged 37 and her daughter, Naang Awng, aged 19, from Kun Mong village were raped and killed by Major Khin Maung Lay and his troops from Company No. 1 of LIB 422, near a village in Kun-hing township. The rapes were witnessed by one of the civilian porters who escaped. The women had been accused of supporting Shan rebels because they were carrying small packages of rice, actually the meals they were bringing with them to the fields when they went to do farm work.²¹

On 22 May 1999, troops from LIB 514 led by Captain Sein Win arrested eight villagers (four married couples) who had been given permission by LIB 424 to return to their farms from Kae See relocation site to harvest their paddy. Sein Win did not recognize the pass issued by another battalion, and locked them up for three days and nights. The four women (aged 49, 45, 25, and 20, names deleted) were taken to another place and raped every night. Their relatives secured their release by paying the 10,000 kyat per couple demanded by the troops.²²

However, rape of civilians by members of the armed forces also occurs in areas remarkable only for their large number of standing troops.

On 16 July 2000, a group of soldiers and policemen allegedly raped a 14-year old girl from a village in Sittwe Township of Arakan State of Burma. The girl, (name deleted), was on her way to home in Kywe Taw village from her uncle's funeral in the evening of 10 July when a group of soldiers and policemen stopped her nearby her village. Villagers witnessed the soldiers and police forcing her into the bushes and gang-raping her. Although the girl shouted for help from the villagers, nobody dared to rescue her as the soldiers were armed. When some villagers informed her relatives about the incident, the girl's brothers and neighbours rushed to the spot and found the girl with blood all over her shirt and longyi. Her undergarments were torn. A witness told a reporter that seven soldiers from Light Infantry Battalion No. 20 and seven policemen were involved in the gang rape. The girl was reportedly under treatment at her house

but no case had been registered against the assailants.²³

Incidents of rape have been extensively documented on forced labour sites, where women must live by the sides of roads under rudimentary or no shelter, for days and weeks, and testimonies appear in the evidentiary section of the ILO Commission of Inquiry's report, *Forced Labour in Burma*.²⁴ (See also the section on *Forced Labour in The Economy & Women's Labour*.) Forced labour itself constitutes a form of violence, as it is exacted under the menace of threats and penalties including beating, and labourers are sometimes killed or left to die when they cannot perform to the satisfaction of supervising troops. One of the cruelest forms of forced labour involves portering of goods for the army over long distances through the hills. Women taken as porters must sleep nearby soldiers in the forest, where they are frequently gang-raped.

Fear of rape in the course of forced labour has caused many women to flee areas where long-term infrastructure works are ongoing, for example, the Ye-Tavoy railway in Mon State and Tenasserim Division, the Gangaw-Pakkoku railway running through Sagaing and Magwe Divisions, and many parts of Arakan State.

My younger sister was raped by the soldiers when she worked collecting stones [on the Ye-Tavoy railway]. She was a virgin.... During the daytime, one commander with the rank of Lieutenant from LIB 409 came to talk to her, and he said he would like to marry her. In the evening, he went back to his base and then came to the work-site with two soldiers and guns. They took her away at gunpoint in front of the other villagers. Nobody dared to stop them because of the guns. The commander raped my sister in the village's primary school and after three hours he let her go back home. When she arrived home at midnight she told us about the abuse and cried for the whole night. The same night we told the village headman about the case. The next morning, the headman went to the battalion commander and explained what had happened. The battalion commander called the lieutenant and told him to marry her. He refused and said he didn't want to marry her because she was not Burman and they were different nationalities. The battalion commander beat him three times with a stick, and never took any serious action. Then the commander prohibited anyone from discussing it further.²⁵

...[A]ctually, it is not really for forced labour that they call us. Sometimes they chose a woman among the coolies [forced

labourers], and took them to a separate place and abused them. I know a few cases, but I am not allowed to talk about it to other people. Anyway, we talked about it among women. Once I saw a girl with a gloomy face, and I asked her what happened to her. She was fine during the day while she was gardening as forced labour for the military, but in the evening the military called her to come and take her salary. When she was in the NaSaKa room, two NaSaKa men abused her. There were seven women with her, but only she was abused. That woman was about 25 or 30 years old. She was a widow and mother of three children. It happened about one year ago, before I left the country. She had to stay in bed for several days after that. A lot of cases are happening like that, but people, even women, don't talk about it.²⁶

SEXUAL VIOLENCE ACROSS BORDERS: REFUGEES AND MIGRANTS

You have said that violence against women does exist in your country.... But you really do not say much about the type of violence to which women are subjected. It is very natural that women who have to be displaced, who have to leave their own habitation and go to refugee camps or bordering areas, are more vulnerable to sexual exploitation or other kinds of exploitation. Refugee women particularly are obviously far more vulnerable, compared to any other group.

- CEDAW Committee member Salma Khan

A question was asked about the plight of women in the so-called 'refugee camps' along [the] border. There are actually no refugee camps on our side.

- "Response by the SPDC Delegation to the CEDAW Committee"

Sexual violence is both a reason for and consequence of community migration. Where the risk of sexual violence and fear of being raped is high, thousands of women from Burma have sought sanctuary in

neighbouring countries. The racist persecution women experience in the form of gender-based violence, enacted by government and sometimes non-government agents (*See also Rohingya Women, later in this section*), demands recognition as a reason for granting asylum.

In 1994, I was raped by soldiers, along with another two women from my village. One of them was still nursing her young baby at the time. After that, I was afraid it would happen again and I dared not stay in my village. About a year later I left and came to Thailand. CINT 56

The soldiers order the head of the village to collect the beautiful young girls and send them to the army camp. If the village heads don't comply, they will be punished. The girls have to give the soldiers massage, and entertain them with singing and dancing and that sort of thing. If a soldier likes a young woman, sometimes he will keep her there and rape her.... I knew of one girl who was raped by soldiers and I was afraid it might happen to me. So I left and came to India. CINT 89

Forced relocation, forced labour, other human rights abuses, and the deteriorating economic situation have also contributed to women and girls throughout Burma leaving their communities, and migrating internally and across international borders. The situations they encounter during flight and their illegal status put women at great risk of opportunistic rape and sexual violence. Many of the threats to women and girls seeking sanctuary or work across international borders come from authorities who recognize and exploit their vulnerability. Trafficking is itself a form of violence, and coercion to engage in sex work amounts to rape. Refugees and illegal migrants in transit who have escaped Burma to neighbouring countries have few means to avoid sexual abuse at the hands of law officials and very little recourse for punitive action.



On 12 July 1999, a group of fifty migrant workers were detained in the custody of Thai army rangers prior to deportation for illegal entry. A sub-lieutenant, Somrit Beekong, from the Ranger unit stationed at Ban Lan near Fang, Chiangmai province, Thailand, molested nine women by forcing them to undress and putting his hand in their vaginas, and raped two women while the others waited in hearing distance outside. When the women reported the incidents, local police intervened to negotiate out-of-court monetary settlements and have charges dropped. Undeterred, local women's groups wrote to the Prime Minister's Office, asking that action be taken against the offender. In reply, they received a let-

RAPE OF REFUGEE GIRLS IN THAILAND

This 13-year old girl was raped by her employer when she was working outside her Thai refugee camp. The rape was not reported to authorities until several weeks after it occurred. At that time, security forces were unwilling to take action on the case until it had been forensically determined that the girl had been raped. While the girl eventually received medical treatment and some counseling, to our knowledge no action was taken against the man who raped her.

One day, my boss took me and his family to Mae Sot to sell produce. He told me to follow him, but I said I didn't want to. I was afraid. My boss kept telling me to follow him. He kept trying to persuade me. But I just kept saying no, no, I don't want to. He grabbed my hand, but I resisted. Then finally he dragged me into his truck and shut the door. Even though his daughter and son were watching at that time, they couldn't do anything.

He drove to a place not so far away and grabbed me and dragged me into the toilet. I tried to struggle with him and he punched me and struck me on the back, and slapped my face. Then right there in the toilet he raped me. I cried and cried. He hit me again and again, and there was nothing I could do to defend myself because he was bigger than me, and I was so much smaller. Finally he opened the door and I ran out of the toilet crying and begged him to take me home. But I didn't know how to get back home. I wanted to run away but I had no idea how to get home. So I had to depend on him to take me.

At that time it was dark, and I slept that night at some other people's house there. He didn't dare to do anything to me there. But as soon as he took me out of the house and away from them, he raped me again in the truck. I struggled as hard as I could, so he slapped my face and beat me. I screamed, "If you are going to do this to me, I will tell my mother," and I cried and cried. And he said to me, "Don't you dare tell her, or I will kill both of you. Do you understand?" Then he told me, "I brought you here to buy you a car and a motorcycle, and I will teach you how to drive." But I told him, "I don't want anything, I just want to go back to my mother," and I cried harder.

So finally he took me back home. And on the way, he bought me three pineapples, two blouses, trousers, a belt, and a pair of shoes, and he gave me 50 baht. But as soon as I got home, I told my mother everything. And then we left and came immediately back to the camp, because we were afraid we would be killed.

I just wished I had some way to defend myself and fight back. I felt so much bitterness towards him, and I longed to be with my mother and tell her what was happening and just run away from there. I was so confused and had so many feelings I can't even express them. I feel so unlucky that there was no one around and I was all alone. And when I came back, my mother asked if I was in pain, and I said yes, and she said she would buy medicine for me. CINT 220

This 12-year old girl was raped repeatedly by her employer while she was doing domestic work outside of her refugee camp. He was also never charged for the crimes.

The first time he abused me was in the day-time in his house. He carried me into the inner room when his wife was away... He told his children to go play somewhere, but when I followed them, he called me back, saying there were things for me to do. Then when I followed him into the house, he embraced me. The first time he didn't give me any medicine and it felt bad. It was very painful, but I didn't bleed because he just played with his hand until white liquid came out of his penis. He touched me and tried to open my private part, then he tried to poke his penis into my private part but it didn't go in.

Sometimes, he gave me a pill to swallow, then he started doing things to me. The pill was bitter and it made me feel agitated. When he touched me it felt itchy and painful in my private parts. I can't count the times he raped me in the daytime. One night I remember clearly. While I was in the toilet, he came in, lifted me up, and raped me in a standing position. These rapes took place when his wife was away and the children were playing somewhere else, or when I was alone doing the housework. When I cried out, he covered my mouth with his hand. If I tried to escape, he bolted the door.

I went back to my father's house [nearby], but the man came to call me back. And my father told me to go back and work. I didn't dare tell my father what happened. I was afraid he would scold me or beat me. Many times I escaped back to my father's place. Including this time, I ran back to [the refugee camp] 5 times. The man told me not to tell his wife about these things – that I would get beaten and scolded and would be driven away. He told me to nod my head to show agreement. When I didn't nod my head, he knocked me in the head. I could do nothing but nod my head. But now, I have made my decision to stay only in camp and not go out. No matter who comes to get me, I won't go. I have decided to tell everything. CINT 240

SEXUAL VIOLENCE & ROHINGYA WOMEN

Women sometimes work in the garden around their house but they cannot go to the fields for fear of being assaulted. Even in their houses, women are not safe. One of our relatives wrote to us and told us that in his village in Kyauk Taw township, three soldiers entered a house and tried to kidnap a young girl aged 12. Her mother who was around 40 was there too. When the neighbours heard the screams, they surrounded the soldiers and wanted to bring them to their commander. But the soldiers managed to escape by jumping into the Kaladan river. One of them drowned. Then shortly after, seven people from the village were sentenced to death, accused of killing the soldier.³⁵

The situation of Rohingya Muslim women remains to a great extent undocumented, partly because the status of Rohingya women in their own communities makes it difficult to access and interview them. Following community beliefs, most wear clothing that completely covers their bodies, leaving only their hands and sometimes a portion of their faces exposed, and are only permitted limited travel outside their homes. Nonetheless, like many other women from ethnic minorities, Rohingya women have faced sexual violence at the hands of military forces for decades. With long-standing communal violence in Arakan State, they have also been persecuted and raped by gangs of Arakanese civilian men, who operate with impunity and sometimes the backing of the military. Rape was one of the catalysts for the 1991-2 exodus of Rohingyas refugees from Arakan State when an estimated 250,000 crossed the border.³⁶ Several Rohingya women interviewed in Karachi in November 1999 who had survived sexual violence still bore physical scars years later.

I left after they did this to me [she shows one of her breasts cut off]. I was alone at home with the children while the men were working. Some Maghs [a derogatory name for non-Muslims] came to attack me. They cut my breast with a knife and I fell unconscious.³⁷

I was raped by non-Muslims. I was 12 or 13 years old at that time. I had been working in the field and I was going to my sister's house. On the way, two or three men caught me and they did this to me. [She shows a scar from a knife wound on her knee, the scar of a stab between her legs as well as a large scar on her right buttock].³⁸

Rohingya women are also frequently raped doing forced labour, and this one of the reasons that refugees again began fleeing to Bangladesh in 1996. When the Bangladesh government tried to negotiate for their repatriation, refugees declared they

would rather die than return. In March 1999, interviews with Rohingya women refugees recently arrived in Cox's Bazaar confirmed that many had come because they feared their teenage daughters would be raped during ever-increasing demands for forced labour at army bases.

Because we are Muslims, we couldn't even go outside for fear of being raped. I left my village for the sake of my daughters, in order to be safe.³⁹

There are so many problems over there. Maghs [non-Muslim men] are raping young girls. We have to go as coolie for the soldiers. There is no job, no money. Prices are very high in Burma. And we were living in fear all the time.⁴⁰

[In Burma] the major problem is rape. Rape is very common. We are not respected. That is why women are too afraid to leave their homes and even work outside. Often the military kidnaps girls and takes them to their camps. They are only released after being gang raped. The military [is responsible] but also criminals who are backed by the military.⁴¹

One of my friends who was younger than me was raped [doing forced labour].... She was taken as a domestic servant in the NaSaKa camp and she disappeared for two days.... [T]he third night the NaSaKa brought her back home. The next day, I went to see her and she told me what had happened to her. She didn't tell me everything, but she said: "They really abused me. They forced me to drink alcohol with them, and four NaSaKa men raped me one after another in turns." She told me that after abusing her they gave her one tablet. For 10 or 12 days she did not go out of her house. After about 12 days, one NaSaKa man came to her house to take her back. When she saw them approached, she escaped from her house, and went to hide in another house. Her mother told the NaSaKa man that she was not at home. One week later, my friend and her mother fled to Bangladesh. L— was unmarried and she has a child now. The baby was born in Bangladesh. We did not explain to others because it is so shameful. She was about 20. Nobody will marry her, because some villagers knew what happened to her and talked around. Her baby is now one and a half-year-old. She fled two years ago.⁴²

The situation of Rohingya women is unique, as they continue to seek refuge because of rape by both government forces and civilians, a reality that deserves recognition in refugee status determination.



ter explaining that the officer had been transferred to another base and his pension benefits had been rescinded.²⁷

At the beginning of November 1999, Thai authorities began the process of rounding up and deporting the estimated 800,000 illegal migrant workers from Burma in Thailand. Many workers from the border town of Mae Sot were prevented entry and turned back into Thailand at gunpoint by Burmese authorities, then left stranded without food or shelter on small islands in the middle of the Moei River, which marks the border. On 8 November 1999, the *Bangkok Post* reported that during the deportation of an estimated 2,000 people from Mae Sot, 15 women were raped on the riverbanks by Burmese soldiers.²⁸ No action is known to have been taken on this case to punish the perpetrators. As deportations continued over the next week, there were several eyewitness reports of other women being dragged screaming into the bushes by Thai Border Patrol Police.

Rohingya women trafficked and smuggled from Bangladesh to Pakistan reported that they were at greatest risk of sexual violence when they attempted to cross borders illegally.

I was in a group of about 60 people. We traveled through Amritsar. When we crossed the border to Pakistan at night, the Pakistani border rangers arrested us. They detained us for two days and pushed us back to India. We tried to cross again but this time we were arrested by the Indian border guards. They took all the young girls and raped them. There were about 10 of them in our group, aged 12 or 13. They kept them in a place under guard. After two hours, they were released and sent back to their families. They looked almost dead. They were bleeding and wounded. They couldn't walk and we had to carry them to continue on our way.²⁹

When we came here, my sister-in-law was raped at the border checkpoint by the Indian police. She is a married woman and a mother of two children. We came in a group of about 80 people, and five women were taken by the police and sexually assaulted. The other girls were around 14 or 15 and still unmarried. The police released all of them after a short time. My sister-in-law had to be sent to hospital.³⁰

Even when they have reached the supposed sanctuary of camps, refugee women may be vulnerable to sexual violence from both sides of the border. From 1995 to 1998, Karen and Karenni refugee camps in Thailand were repeatedly attacked by government and government-sponsored troops, who killed men and women indiscriminately. At that time one refugee woman commented,

Women are more afraid than men, because if the camp is attacked again, we are worried that the women will be captured and raped. Nobody can rape men. CINT 22

In addition, there have been incidents of sexual harassment and intimidation of young refugee women, including schoolgirls, by Thai soldiers and border police stationed near their camps on the Thai-Burmese border. (CINT 107) Women have said that they feel the security personnel do not respect refugee women as they would women from their own culture, and have even asked some parents to "give" them their daughters. (CINT 103) Girls are sometimes afraid to attend schools situated beyond military checkpoint or offices, since soldiers often approach them on the way. Acts of sexual violence committed against refugee women and girls by security personnel have also been an issue of concern reported in camps in Bangladesh.³¹ While the UNHCR is involved in administration of refugee camps in both countries, neither government has signed the 1951 Convention on the Status of Refugees or the 1967 Protocol. Therefore, refugees in these countries live in contingent positions, where they are dependent on maintaining the favour of local authorities and communities, and host governments to ensure their stay. Women fear that reporting sexual violence and harassment would embarrass or anger the local authorities and affect the sometimes strained relations between camp populations and border troops. Some of the women we spoke with felt that the UNHCR could take a more interventionist role in guaranteeing women refugees' safety, but did not wish to be identified themselves as making this request.

Migrant workers are also at great risk of sexual harassment because their illegal status prevents them from reporting crimes. One study of health risks for migrants in Thailand found that in factories,

Women reported essentially no ability to refuse sexual favors to the management.³²

Women from Burma's Chin State and Sagaing Division living in Mizoram and Manipur States of India reported that migrant workers, particularly domestic workers, are often raped by their employers, but that their fear of arrest inhibits them from taking any action. Because the Indian borders are more isolated from the center of the country than Thailand's and lack the communications infrastructure, cases concerning refugees and migrants there are less frequently documented and reported by human rights groups.

In Mizoram, in the newspapers and magazines like Upper Center, they always write about rape cases. The police take action. But for those of us who come from Burma, if they got raped, they would never reveal it. It's because the condition is such that the house owner will tell them, "If you tell this to anyone, I'll report you to the police and they will come and take you away." So they dare not report it. If they get pregnant, they can go and abort the baby openly with the government's permission in Mizoram. CINT 97

The threat of sexual violence may also be present within the refugee community itself. Male traditional roles are often undermined in refugee camps, where lack of resources, food and economic hardships leave men feeling powerless and redundant. The dearth of facilities and jobs for the male population, depression, and alcohol abuse heighten the propensity for sexual violence.

A failure of law and order, commonly seen in refugee emergencies, together with men's loss of power and status, leads to an increased risk of sexual violence. Violence against refugee women – rapes, sexual abuse, involuntary prostitution and even physical assault during pregnancy has been found to be far more widespread than has been previously acknowledged.

- **United Nations High Commission For Refugees**³³

In the case of Burmese refugee communities, the exact proportions of the problem are difficult to ascertain. Cultural ties, social taboo and family loyalties hinder the reporting and punishment of sexual

violence in the refugee camps where the perpetrators are family or community members, particularly when these communities already feel imperiled, by government forces in Burma or unsympathetic authorities in the host country. Threats to women from men in neighbouring communities are also often not addressed.

Lack of gender sensitivity and misunderstanding of women's real experiences with violence are also sometimes demonstrated by those who work in the camps, driving women further into silence. While they may be well-meaning, unexamined affirmations that ethnic traditional norms "protect the ... women in the camp" and that ethnic cultures "show a deep respect towards women," contradict what women themselves say.³⁴ Furthermore, expectations on the part of health-care providers or other camp personnel that these norms, coupled with instruction by religious leaders about "appropriate" behaviour and admonitions that women should not travel alone, will afford women adequate protection,⁴³ do little to eliminate the problem or allow women to take action to prevent violence against them. If refugee camp workers are unwilling to admit the real risks women face, it is highly unlikely that women will feel comfortable approaching authorities at other levels for recourse. Statements like the following, from a male doctor working in a refugee camp in Bangladesh, are particularly worrying.

In the camp, there are very few cases of rape. Women have complained to get compensation, but because the procedure is long, they usually retract their charges. If the rape case was legitimate, there would be no complaints, and the families would arrange a marriage. If this were true they would go to the camp leaders, not to the UNHCR. But some women are raped by villagers. CINT 190

It is essential that health workers have a thorough understanding about the kinds of violence displaced women are likely to encounter, the signs of such violence and the interventions available to them. At the same time, authorities and organizations dealing with refugees and migrants have a responsibility to ensure that the conditions women asylum-seekers encounter do not subject them to further abuses or prevent them from reporting violence because of their status in exile.

At present, most of the actions to assist refugee and migrant women experiencing violence are being

undertaken by small non-governmental organizations and women's groups. Their lack of resources and sometimes their status (since the members are often "illegal entrants" in their host country, and access to many refugee camps is restricted to authorized organizations and official personnel) make it difficult to coordinate systematic anti-violence campaigns. Nonetheless, women's organizations regularly document and report cases of abuse and work to assist women who have suffered violence. Some women's groups, in and outside refugee camps, have initiated programs to establish safe houses for survivors of violence who are unable to depend on families or other support networks. Some refugee women's groups have also proposed establishing women's security groups in camps, recognizing that women who do experience violence are more likely to report it if the security personnel are other women. However, women's exclusion from camp leadership continues to stand in the way of making this proposal a reality. (CINT 234) Most women's groups working on programs to address violence are at present in need of greater monetary resources, recognition, and community support.

SEXUAL VIOLENCE IN THE COMMUNITY

In the Burmese culture, sexual harassment is part of the culture. When men look at women, they think of sex. They don't respect women. CINT 10

I think it has to do with the society itself. We are so repressed, everything is repressed. If you're seen with a guy too often, you have to marry that guy. If you're seen with a woman too often, you have to marry that woman. So unlike other societies, where people can be intimate, we are craving it. CINT 99

Women in Burma face also opportunistic sexual violence from the men in their communities, both those whom they know and strangers. However, as is true for all kinds of gender-based violence, the incidence of these crimes is unknown because they are under-reported. What is known is that fear of rape or harassment frequently inhibits women's long and short distance travel and their participation in recreational activities. (*See also Social Roles & Gender Stereotypes.*)

If men travel, and someone wants to do something to them or kill them, they just kill them. To a woman, they may rape her first, then kill her. CINT 234

Even in rural areas where there is no active conflict, women do not travel individually, only in groups, due to fear of sexual harassment by soldiers and other men at checkpoints and on roadsides. As growing numbers of women work in trade, within the country and over borders, many complain that they are approached for sex, not only by checkpoint guards but also by other traders.

There are a lot of difficulties for women to travel alone especially at night, because there are many bad men and they are always looking for the women who travel alone. We often get asked 'Hey, are you free? Are you OK? How much?,' something like that. One of my friends was approached by a man in a hotel when her friends went out and she was left alone in the room. The man asked her 'Are you free now?' and she thought that the man needed some help, so she said, 'Yes, I am free.' The man came into her room and she offered him a seat, then he started to ask her to have sex with him and how much he had to pay for it. She got angry and drove him out of her room. We faced things like that a lot when we travel. CINT 193

Women traders also report that they know of women who have been coerced to have sex with checkpoint guards to prevent their goods from being seized. (CINT 92, 191, 193)

Women living and travelling in central areas of the country, including Burman women, also fear being harassed when they travel.

I remember travelling in ordinary class from Rangoon to Taungoo. A man about 50 sitting next to me tried to touch me. I told him not to do it or I'd kill him. I was already over 40 and I was harassed in that way, so you can imagine what happens to young girls. CINT 10

Few women are willing to travel unescorted over long distances or at night in cities, and those who do are looked down upon and stigmatized, reinforcing beliefs that women who are raped or sexually harassed in the community have done something inappropriate to invite attention. Women in urban Rangoon who must take public transportation to work report sexual harassment on crowded buses when they are pinned between other commuters, including groping and sometimes men masturbating and ejaculating on them.

It's unimaginable how difficult it is, to and from work. It's really crowded, tons of men. So you get onto the bus, and

VIOLENCE AGAINST SEX WORKERS IN BURMA

Violence against female sex workers has begun to be recognized as a global concern. In 1997 and again in February 2000, the United Nations Commission on Human Rights Special Rapporteur on Violence Against Women investigated abuses against women trafficked into the sex industry. In 1996, the Global Alliance Against Trafficking in Women conducted a survey of sex workers in three continents, listing their most pressing concerns. Sex workers prioritized health and safety, physical abuse, and sex without consent.

As it is impossible to estimate the number of women engaged in sex work in Burma, the prevalence of violence against sex workers is difficult to ascertain. This form of work is generally unrecognized as labor, is illegal, and is accordingly confined to an underground, illegal economy. Sex work within Burma is considered shameful. While women involved in sex work are often exploited, evidently it is commonly believed that women who sell sex are beyond violation.

Burma is such an old-fashioned country of shame. There are many illegal prostitution houses too. I know of a case of one prostitute from Moulmein. One army commander took her to his camp. She thought she was hired for one or two soldiers, but she was forced to have sex with 44 soldiers. The next morning she was unconscious. One of the soldiers finally brought her to the hospital. This happened in 1997. CINT131

Additionally, where women on the whole have limited legal rights and recourse for reporting violence, women engaged in sex work are accorded even less status and have no reliable, safe location where they can report crimes against them. On the contrary, it is likely that women will encounter further violation while incarcerated.

Prostitution is very illegal in Burma, but there is prostitution. If you are arrested, you will most likely be raped by the police. CINT 01

Policemen on duty sometimes demand that women suspected to be CSWs have sex with them and they don't

pay anything. Some CSWs would rather do other work, but even when they are no longer working as CSWs the police sometimes demand free sex with them. This is very demoralizing. It makes women feel they might as well remain CSWs if they are considered as such anyway. CINT 246

Raping a prostitute seems to be acceptable social behaviour. This must change – these women need more protection. CINT 253

Although there are many women in and from Burma who have made the decision to engage in sex work for economic reasons (*See The Economy & Women's Labour and Migration & Trafficking of Women & Girls*), it has also been reported that women sometimes do sex work after they have been raped, because they are already "spoiled," in their own eyes and those of the community.

Mostly women at the border have been ruined (*pyet-see-deh*) by the economic crisis, and some maybe because of their character traits. Some have been ruined because they have been sexually harassed or raped. Most Burmese women like to maintain an admirable reputation. They really enjoy being single or virgins. A woman who has been raped and who was a virgin before, it really upsets her whole life, because she can never be a virgin again, and this suffering pushes these women to become ruined because they no longer know what to do. CINT 84

Usually when a young woman is raped, her relatives can't do anything. So it leads the young women to get spoiled and later they are involved in prostitution. CINT 198

In addition to the physical and psychological trauma sex workers suffer when they are raped by clients or police, because they are frequently forced to have unprotected sex, they are at high risk of HIV/AIDS infection. Means must be found to allow sex workers greater self-determination in their work conditions and ways to charge men who perpetrate crimes against them.

you might not be standing next to the most pleasant person on earth. He might want to touch you, with his hand or with his... other thing, those kinds of things do happen. It's very unpleasant.... Most women just try to get away from that person, but keep quiet. Very few women do actually confront the men. My cousin turned around and confronted the guy, and the whole bus, instead of looking at the guy for harassing her, looked at her for confronting the guy. It was as if they were saying, "Why are you not quiet and why are you not taking it?" CINT 99

On major Rangoon streets, women are also verbally harassed and sometimes touched, even in the center of town in the middle of the day. One young woman from Mandalay reported that she terminated her early morning jogs after a friend was raped on her return home one day. (CINT 244)

Violence in the community is also exacerbated and perpetuated by corrupt officials, who sometimes commit rape and acts of violence themselves. (*See Women & the Law.*) As the officials are the law, they often operate on the assumption that their actions, including rape and other forms of violence against women, are *above* the law. Women fear officials and their ability to abuse power, which further dissuades women from reporting any violence.

The judge was considered very corrupt by the village.... There were two young Shan women aged 17 years and 19 years who wanted to go to Tachilek on the Thai Burma border. Because they were not of the legal age to travel (25 years) they were told they had to spend one night in the Burman judge's house. The younger one was made to clean the office while the 19-year old was forced to make a bed for her and the judge. He entered the room and locked the door and proceeded to take off her clothes without her permission and raped her. CINT 9

The women who have been raped [while travelling alone] are also stigmatized by the police officers for staying in a hotel alone. Most of the women are too embarrassed to report it. No woman will go to the police on their own. They won't be listened to, if she goes with her family, then maybe they will listen to her. There was a situation where a lawyer was doing papers for women to go to Thailand. He asked women for sex, every woman had to sleep with him a few times. But he was arrested, so there is some action. It happened because one of the woman's parents went into the police station. A woman's word on her own is worth nothing. CINT 01

REPORTING & PUNISHMENT OF SEXUAL VIOLENCE

[Rape] remains the least condemned war crime; throughout history, the rape of hundreds of thousands of women and children in all regions of the world has been a bitter reality.⁴⁴

- Special Rapporteur on Violence against Women

The Myanmar culture and religion strongly influence the mentality and behaviour of men and women alike. The teachings of Lord Buddha that committing crimes like rape and sexual violence are of great sin serves as a protection of women and children. Therefore there are few reported cases of rape and sexual assault in Myanmar.⁴⁵

- Union of Myanmar, "Report to the CEDAW"

If there is some kind of excess by the military, what process do you have for punishment, for investigation, for accountability?

- Question to the SPDC delegation by CEDAW Committee member Savitri Goonesekere

The Burmese government has been keen to highlight that Burmese culture and religion is an active deterrent to all forms of violence, and affords women protection. While there undoubtedly are few reported cases of sexual violence in Burma, this is more likely due to the legal system and the political power structure, which afford more protection to the perpetrators of sexual violence than the victims, than to any influence from Buddhist culture. Tradition also makes any discussion of sex and sexual violence (and indeed domestic violence, as is discussed later) a taboo and thus has provided a cover under which violence has been permitted to flourish in relative obscurity.

Rape, particularly when it is used as a tool of conflict and repression, is an act of violence against the sexual nature of a woman or girl. In the Burmese civil war, the violent, rather than purely sexual, nature of rape is apparent from the age range of the victims, as young as six and as old as 80. While an act of sexualized violence profoundly affects the individual woman who experiences it, it often also functions to convey symbolic meaning to her community and all those associated with her, effectively communicating that no one is safe from violation.

Women from Burma who are raped commonly experience shame, and not infrequently are also



shunned by their own husbands, boyfriends, family members, or by others in their communities. As the accounts of rape included here illustrate, because of the value placed on women's virginity before marriage and their chastity after marriage, sexual violence in Burma is still seen primarily as a crime that affects a woman's social reputation and position, rather than a physical and psychological violation. This moral characterization of violence, which views "honour" as an attribute that can be given or taken away from women by men, denies women their essential integrity as human beings. With the emphasis on the woman's "honour," women who have been raped are "disgraced" in society's eyes. In this way, social and cultural norms also serve to condemn women who are raped, despite the fact they are the victims of these crimes. Thus, even though they are not responsible, women are doubly punished: first, by the direct physical and psychological injuries resulting from their experiences of sexual assault, and secondly by community censure.

This blame and the importance attached to women's chastity work to keep the problem of sexual violence out of the public eye, as many women would prefer not to acknowledge or relive their experiences publicly. This is particularly true if women have contravened social norms, for example by travelling alone or working in non-traditional settings believed to increase their vulnerability.

Virginity is very highly valued in Myanmar. Victims suffer not only physically, but also mentally and because they are ashamed and afraid, they tend to keep the trauma to themselves, rather than telling parents, relatives, friends or going to the courts. Therefore, an exact figure on rape and sexual assault is not known and such data can also be difficult to obtain due to under-reporting.⁴⁶

In cases of harassment, women can go to the local authorities or the police to file a complaint. Usually they don't do this, however, because they feel too ashamed and think they are guilty of inappropriate behaviour which caused this kind of a reaction in the man. This is how we are socialized. Besides, in our culture we feel very inhibited to talk publicly about anything related to sexual behaviour, we do that only with close friends of our own age. CINT 254

As a result, women, especially those from rural conflict areas, often claim familiarity with cases of rape in or near their communities, but few women discuss their own experiences directly. Women who are raped may be pitied, but they are also stigmatized, to the point that they leave their communities or even commit suicide after being raped.

When a woman is raped, sometimes instead of having pity on her, the neighbors look down on the woman and say that her character is damaged, and people try to avoid dealing with her. Really, if she has been raped, other women should have more sympathy towards her, because she is oppressed. But some women believe that if they deal with someone who has been raped, then their reputations will also suffer. CINT 84

The component of honour in sexual assault is reflected in the legal means by which women can charge perpetrators. Burmese law distinguishes three categories of under which sexual violence can be reported: (1) assault with intent to outrage modesty; (2) rape; and (3) breach of promise or abduction to compel marriage or cause defilement. (Marital rape is only criminalized in cases where the wife is under the age of 13.) The laws themselves are poorly defined and imprecise, which may serve to hamper their application. (*See Women and the Law.*)

The fact that most cases of sexual violence go unreported is also directly related to the civil war and the abrogation of the law under military rule. The general opinion that military personnel will be granted immunity from prosecution leads many victims to choose not to expose their perpetrators.

Even if the authorities saw a rape taking place in front of them, I don't think they'd say anything. CINT 98

Sometimes the soldiers take the pretty girls and sleep with them. If they reach the village, they find the women and sleep at their houses. They don't let the people who live there light a fire at night... Normally the women didn't ex-

pose what happened to them. Some women are afraid that if they do, they won't be able to marry. But some are angry and cannot refrain from speaking. No one dares to take action against the military because they are afraid they will be killed. CINT 60

Despite the prevalence of rape of ethnic women by government soldiers in rural areas, and the documentation of such acts over more than a decade, there have been no concerted efforts by the government to date to acknowledge and address the problem. Under various international instruments, including the CEDAW and the Declaration on the Elimination of Violence Against Women (DEVAW), the lack of due diligence on the part of the central government in prosecuting its agents, the members of the armed forces, for acts of sexual violence makes it a silent accomplice at the highest level.

Once before, a woman in our village was raped by a soldier and tried to complain to his officer in charge. But the officer himself told the soldier to hide somewhere. They are united. They protect each other like brothers. CINT 216

You still don't hear about rape cases. No woman can complain about rape, because people are afraid of the soldiers. Even though if I were raped by a soldier, where could I complain about it to be taken action? All the authorities are army personnel! The army officials can't really take action against the soldiers nowadays. Another thing is if I were raped I would not dare to complain about it to others, because I am afraid to be looked down upon and despised by other people. So women who have been raped must keep quiet and if they get pregnant they must try to have an abortion by themselves secretly. CINT 193

The impunity soldiers enjoy means that most sexual violence by the military is never reported at all, and this allows it to continue. When the perpetrators are military, both women and their families often fear reprisals if cases are reported, and some have been explicitly threatened if they pursue justice.

One case happened in Arakan State, when a girl in her early teens died after being gang-raped by five or six soldiers. When her relatives were going to complain at the police station, they reached the army camp on the way, and they explained what had happened to the other army officers. And then the officers threatened the relatives not to repeat their case, otherwise they would be punished. The girl had already died at this point. Also the officers told them, "Just take this money for the funeral and sign here where it says

ARMY DEFECTORS & RAPE

While few army defectors will admit to having committed acts of sexual violence themselves, they confirm that abuses against women are common among their comrades.

When we were carrying things for the Student's Festival in Sittwe, a group of soldiers and officers from Division #55 raped a girl. They killed her with stones, because they were afraid that the news will spread if the girl stayed alive. It happened in 1994. CINT 138 (Army Defector)

In April 1997, we had to recruit only women for Division 22. According to the villagers, two Karen girls were raped in Pho Kwa village by Captain Kyi Maung of IB #205. Afterwards the two girls committed suicide. One was around 30, and had a husband and two children. The other girl, whom I knew very well, was 25 and single, and her name was Naw Mu Mu Aye.... I saw the same situation in Ta Pa Kha area, Toungoo area, when a column from IB #48 passed near the sugarcane plantations at the outskirts of Ye Da Shay. A girl was raped by the column second-in-command, Lance Corporal Kyaw Oo. She was very young, only 18 years old. The head of the village came and informed us, but the authorities didn't take any action, and they only gave compensation to satisfy the villagers. CINT 128 (Army Defector)

If the news leaks out, then they pay compensation to the victims.... Nobody dares criticize (the officers') behaviour, so everybody keeps quiet. The officers usually negotiate with the village head, and the victims are paid compensation and threatened not to talk about the circumstances. CINT 139 (Army Defector)

'Thank you for your assistance.'" The parents didn't take the money, they came back almost insane with grief. No rape cases reach the police station, because the army deploys many camps along the border between the village and the police station. Even for the cases which reach the police station, no action will be taken because the police are under the rule of the military. You will be lucky if you're not prosecuted for libel! CINT 84

On 14 August 2000, a Karen woman in Gwan Ta Hla village of Papun township was raped by an officer of LIB 81. When the woman attempted to report the case to the battalion

authorities, they accused her of framing a false case against the alleged rapist, a lieutenant, and fined her 12,000 kyat.⁴⁷

Almost no evidence of substantive punitive action in cases of rape exists. Compensation is often the most a woman can look forward to receiving in terms of bringing perpetrators to justice. In a minority of reported cases, soldiers have been forced to pay damages in the form of money or goods such as rice, to the woman or her family. Occasionally offenders have been transferred to another area. However, we have found no reports of soldiers who have been imprisoned under the maximum sentence of 10 years, even though these violations have been ongoing for decades.

A friend of mine was raped by a soldier. After that, the major of his unit found out and the soldier gave her 500 kyat and a sack of rice to console her. It was during the time of martial law after the military coup. He was from the Lon Htein and at least 10 women we heard about were raped by them. My friend was 16 at the time. Two other girls from Mandalay who were raped were only 15. They both died afterwards. CINT 71

From 5 to 12 September 1998, Commander Aung Moe Zaw of IB 99, took 30 townspeople (12 boys and girls aged 14 to 18, 5 women 18 to 23, and 13 men) from Larng Khur in Mung Pan township to provide forced labour breaking rocks for road construction. Each day a woman or girl was called to cook for the commander and raped by him before being sent back, until all 12 had been raped. Before they were released, men and women were given two cans of condensed milk each and told never to speak about their experiences or they would be shot.⁴⁸

The prospect that they will have to publicly relive painful experiences and possibly face further disapprobation from members of their communities, but are still unlikely to receive redress dissuades women from attempting to bring charges against the men who assault them. Until there is evidence that women bringing forward complaints of rape will receive both support and justice, there is little incentive for women to come forward with these cases.

FORCED MARRIAGE

Rather than punishing rapists, authorities sometimes seek to “normalize” or legitimize rape and presumably to salvage women’s honour, by arranging for men to marry the women they rape. The use of

forced marriage in cases of rape is evidence of the problems that exist in the laws regarding sexual violence and in the attitudes towards sexual violence in Burmese society. Authorities who resort to forcing marriages rather than punishing perpetrators treat acts of assault involving non-consensual sex as acts of consensual sex.

Under customary law, when a couple tacitly acknowledges they have engaged in sexual relations, they are considered to be married. Statutory law penalizes breach of promise to marry, and sex with fraudulent intent, if a man leads a woman to believe she is married to him in order to have sex. Apparently following on the assumption that having intercourse constitutes an intent to marry, authorities sometimes demand either that the rapist marry his victim or pay her compensation for failure to fulfill his “pledge” to join in legal union with her.

In my community, if a rapist is identified and caught, he will be brought before the village elders and questioned. He will be either forced to marry the woman or to pay a fine. CINT 142

If a woman was raped or sexually assaulted, she’d have to report it. The Burmese police would get the offender and try to get him to accept responsibility for the woman, marry her and live with her. If he doesn’t accept responsibility then he has to pay a fine. On the other hand, if he has money or contacts in the police then the case would be hushed up and the woman would get nothing. CINT 150

In these cases, women are limited to either receiving compensation or accepting these marriages, but usually have no real options, since they may be pressured by officials or family members to accept “face-saving” measures. Thus, not only are women given no other means of seeking restitution for the acts of violence committed against them, they are further punished by being forced to wed and presumably spend the rest of their lives with the men who assaulted them. Although men are the ones who are responsible for violating both the law and social norms by committing acts of violence, women are the ones who bear the consequences.

With more than 400,000 personnel in Burma’s armed forces, many women in Burma are married to soldiers, and certainly there are many matches made that are freely entered into by both parties. However, in areas where sexual abuse of women by soldiers is common, rape and other sexualized violence may

also lead directly to forced marriage of civilian women with military personnel.⁴⁹ Women from rural areas of Shan, Karen, Chin, and Arakan States have said that especially in cases where the rapist is a soldier, parents and village heads try to arrange for a union between the woman and the offender.

Some parents of girls are afraid to go to the army officers to prosecute a case [of sexual violence] because they think it will cause problems for them, and so some girls have agreed to marry the soldiers. Some girls and their parents who refuse to give up on a trial have been threatened by the army, and they have tried to come to India. CINT 198

On 9 April 2000, a 19-year old woman from Wan Paw village, Shan State, was raped by Private Kyaw San, from Co. 2 of LIB 334 in Murg Yawng township. He was known to other villagers and had purchased food from the woman's food stall in front of her house many times. When the woman's father and the village headman tried to lodge a complaint against the Commander of Co. 2 at the military camp, no action was taken. The Commander said, "It happened because my soldier loves your daughter. If you are afraid of losing face, isn't it good to let your daughter become Kyaw San's wife?"⁵⁰

Forced marriages are also sometimes arranged between local women and military personnel because women themselves or their parents are afraid to refuse proposals from soldiers. A man from Daw Dta Hay relocation site in Karenni State described forced marriages of girls still in school.

They like to marry women who are too young. One soldier wanted to take a 12-year-old Kayah girl named C-- as his wife. People told them the girl is too young and not to take her but their commander forced the people to give her to his soldier. The girl had to agree, even though she didn't want to. Another girl, L--, was studying in 8th standard and had to stop [to marry a soldier]. She was 14 years old. Another 18-year-old girl named H-- also had to marry a soldier... That was last year [1998]. One of the girls is close to having a child.⁵¹

In some areas, it is believed that marrying a *Tatmadaw* soldier will eliminate the risk of rape, further acts of violence, and forced labour. Women may be shamed, threatened, or promised that they will be exempted from further mistreatment. In ethnic areas with large numbers of standing troops women may also be coerced to marry Burmese soldiers by family or community pressure in order to relieve the pressure of army demands on the community.

INFORMERS

In Chin State, young girls are given gifts of clothing, jewelry and money to act as informers for soldiers who work with military intelligence, who sometimes also have sex with them. Although it is believed that the young women engage freely in these relationships, the Chin women who described these cases viewed the enticements offered by soldiers as a form of coercion.

Some girls were used by the army as intelligence informers. They are very poor, they have no way to get money, so the army gives them money and presents so they work as intelligence among the Chin. These girls are also used as entertainment for the soldiers. The soldiers don't want to marry them, but they use them. CINT 92

Especially the girls who are in ninth and tenth standard, they give them money to get information, to be informers, so these girls are becoming no longer interested in education. They can get what they want with this money, clothes, alcohol, they can watch videos. You know how difficult it is in Chin State for the people to get money. It's really difficult to get good food. The students can't afford to buy their school textbooks. When they give them money to get clothes and things, they can make those students interested to help them with information. CINT 98

Some people marry their daughters to soldiers, because if they marry soldiers, the family doesn't have to give anything to the army and they don't have to carry goods and work for the army. If the daughter doesn't want to marry the soldier, she can't say no because the soldier will go to his higher ranking officer and both will go to her father and give him money and food. They talk nice. The soldiers never talk to the women, they only go to the father. The father usually doesn't speak Burmese well, and he sees the soldier with money and thinks, "This is good." Then the woman has to marry the soldier. CINT 09

We saw a girl in Lu Ah [Nyaunglebin District, Pegu Division] treated this way. Shan Bpu [the section commander of the Sa Thone Lone] asked the village headman, her parents and the villagers to give her to him. Both her parents and the village headman had to tell her to marry him. The villagers told her the same thing. They said, "If you don't marry

him, he will kill us all, as the village headman and your parents told you." ... She was crying when she first got married and after they were married she was still crying because she doesn't like him. Now her husband has called her to go live in another area but she didn't go, so he said she was too attached to her home and returned to burn down his father-in-law's house. When he had finished burning down his father-in-law's house he was worried that people would say "He's the one who burned down his own father-in-law's house," so he burned down every house in the village.⁵²

Accounts of forced marriage to military personnel are common in Chin State, where a large number of men have migrated to neighbouring India in search of work. Women claim that soldiers are actively encouraged by their commanders to marry ethnic women, and according to consistent reports, can be promoted for doing so.

A Burmese soldier who is a private can be promoted to lance corporal if he marries an uneducated Chin woman. He can be promoted to be a sergeant clerk if he can marry a Chin woman who has passed the 10th standard. If he can marry a post-graduate Chin woman, he can be promoted to an even higher rank, a second lieutenant. This is just a genocide using intermarriage. Moreover, the soldiers forced their wives to practice Buddhism and if they are successful in doing that they can get an even higher rank. CINT 199

Kachin women also mentioned criteria for promotion of Burman soldiers marrying Kachin women.

The Burmese government is trying to wash out the Kachin. The government gives secret order to the Burmese, rewarding them with money for marrying Kachin women. If you get them pregnant, you get a certain amount of reward, if you marry a chief's daughter, you get a certain amount. There are different amounts also for educated women and "ordinary" girls. CINT 110

Defectors have confirmed that these promotion policies are also in effect in Karen State.⁵³ Many ethnic women see forced marriage as part of the military's program of Burmanization in ethnic regions, which includes prohibition of teaching in ethnic languages and encourages conversion of non-Buddhists to Buddhism. Forced marriage of non-Burman ethnic women with Burman men is also significant because when births are registered, children usually take the nationality of their fathers, and Burmese-speakers are usually considered to be Burmans, regardless of the ethnic background of their parents.

The Burmese military are trying to implement their Burmanisation policy. They are trying to marry Rakhine women. I saw so many army men marrying Rakhine women. Many Rakhine women are speaking Burmese in the army camp. Their husbands want them to speak Burmese. Their children too. They don't like them to follow the Rakhine traditions. That is Burmanisation policy. There are many forced marriages too. They try to seduce Rakhine women, they marry them and forced them to follow the Burmese traditions. Their children also claim that they are Burman. CINT 106

Marriages between soldiers and ethnic women sometimes do not last beyond the rotation of troops out of an area.

Rape never happened, but sometimes soldiers forced a girl to marry them. They pointed their guns and forced girls to go to their army camp. Afterwards they forced the girls to marry them. I heard about two girls in that situation. When these soldiers were transferred to another camp, they abandoned these two girls in the village with their babies. CINT 174

They don't really love them, they don't want to really marry them. They want to destroy and spoil our Chin women. So they stay with them, and then they leave and they leave these women behind in Chin State. A lot of people are left behind, a lot of soldiers leave just when the girls become pregnant. So they don't really marry them, they get them pregnant and leave them behind. CINT 98

In these contexts, rape and forced marriage can also result in forced pregnancy, as Burmese law prohibits the induced termination of pregnancies, even in the case of sexual violence.

DOMESTIC VIOLENCE

The traditional practices of the Myanmar society accord protection to our women from the time they are children up to the time they marry, and indeed, even after marriage. With such age-old relationships, culture and traditions, situations which can lead to the disintegration of, or to violence in the family, arise but rarely. Violence against women is not a major problem in my country.⁵⁴

- Statement to the UN Commission on Human Rights

There are so many tears in my village from domestic violence. CINT 12

Sometimes my husband threatens me. For small things. For example, when my cooking is not tasty. But he never hits me. CINT 189

Like rape, violence in the family is not an easy subject for discussion, and accurate reporting on its incidence is difficult. While incest was referred to during some interviews and group discussions, most of the information we were able to collect about domestic violence concerns wife abuse, and more specifically, battery. We are not able here to address psychological violence in the home, although it undoubtedly also figures in many women's lives.

We spoke with many women who confirmed that domestic violence occurs frequently in their communities, and who had been battered by their husbands. In generalizing about violence in the home, villagers often claimed that it happens more frequently in urban areas, while city dwellers pointed to villages as the site of most domestic violence, indicating that very little concrete information about violence in the home exists. Until the conception that domestic violence is a private matter not open to investigation changes, it will be difficult to estimate the true magnitude of it.

My mother doesn't leave my father, even though she always says she doesn't want to stay with him. But in Burma, it is too difficult if you have a husband and children for the woman to leave. People always hear, but they never help or say anything because it is normal for the husband to hurt his wife. CINT 36

My father would hit my mother and pull her hair, very much. We were very scared, we could not do anything or help. I don't like to think about it. Three months ago, my father hit her over the head with a heavy flashlight. She bled a lot and she fainted. My brothers went to go look for her because they could not find her. They found her in the garden, still unconscious and my father did nothing to help her. He just left her there. My brothers quickly took her to the hospital. When my mother stayed in the hospital, the nurses asked what happened? My mother told them my father hit her. They know, they say it is a family problem. They say it is very normal and they do not do anything. CINT 09

Government publications claim that while violence against women, specifically (and it would seem, almost exclusively) in the form of domestic violence, does exist in Burma, it does "not amount to a national problem."⁵⁵ To date the government-sponsored research that has been conducted has focussed on marital battery. The National Committee for Women's Affairs has conducted four baseline studies on domestic violence in the urban townships of Rangoon and Mandalay, but

the results have yet to be publicly released. National estimates of domestic violence are primarily based on police records of reported cases. As police are often not trusted and women are pressured by their communities not to report, it is very likely that these caseloads do not reflect the real incidence and impact of violence in the home. Although Burma hosted the January 1999 WHO Regional Meeting on Violence against Women and the Role of the Health Sector, it is unknown to what extent health professionals are being trained to respond when they encounter signs of domestic or other violence. Information about sexual abuse of children and non-spouses by male relatives or other care-givers is lacking as well.

Our research suggests that domestic violence is a significant and persistent problem for many women in Burma. Conclusions reached by studies referred to in government documents state that most domestic violence is related to alcohol abuse and disputes arising over financial problems or problems with relatives. Many of the women we spoke with who complained of being battered or psychologically abused agreed that these were important precipitating factors. Often these two problems are intertwined: diversion of household funds to drinking and gambling leaves not enough to cover daily expenses such as food, and this leads to conflict. However, the loss of control that comes with alcohol and drug abuse are also responsible.

Often domestic violence goes together with alcohol abuse and it is accepted – men do not need to behave responsibly when they are drunk. Beating and worse behaviour, even rape, are acceptable because they are drunk, it is not seen as abnormal in [some communities]. CINT 249

Underlying this are traditional notions that men are leaders of the household and the community, and that their decisions must be respected and obeyed, regardless of their rectitude. Some women commented that a certain degree of domestic violence is condoned, an idea that is supported by the provisions in customary law and the description of what constitutes abuse.

If a man beats his wife, sometimes friends and family members will intervene. If a man hits his wife a little bit, then it is normal. CINT 008

We are their wives.... How can I shout in the middle of the night? I already agreed to my parents, so I have to do as my

THAN MYINT, 24

My husband was not good. He drank, played cards and beat me. Sometimes he worked as a day labourer and got some money, or he stole the family rice and sold it. With that money he drank and played cards. But, even without that, we did not have enough to eat. When we had a little money, he could buy drinks and he would beat me. When we had no money at all, he could not afford to drink and he would not beat me.

He usually punched me or beat me with a stick. I was bruised, in my face and all over my body. But I got married to him, so I had to accept that. When he was drunk, he always complained about everything. He said that I was a bad woman.

I tried to beat him back but I am weak. Women always have to suffer. I wanted to run away from him. But I never ran out of the house. I was afraid that my husband would make problems for my parents. My parents would say, "Don't beat her!". But my husband never stopped. Sometimes they would leave the house. My parents were afraid of him. He used to tell them that he would send someone to kill them. My brothers never defended me. They wanted peace in the house and they don't want to interfere between husband and wife. The neighbours never helped, because they do not want to interfere between a couple.

I never complained to the authorities. Now I think it is better that I am separate from him. We discussed coming to Thailand together and arrived in March [1998]. Then he left me when I was one month pregnant. Now he has another wife. I am eight months pregnant and I work as a housekeeper for a Thai family. I get food but no money. I hope after my baby is born I can go back to Burma. CINT 130

husband wants. CINT 83

Near my house, there was a couple who used to quarrel all the time. The husband was beating his wife when he was drunk. Sometimes she was beating him back. Some women run away, and go back to their parents, but she didn't. Several men used to come to their house with the village headman to request them to stop their quarrels. When they were fighting like that, some of their children cried, and some ran away from the house. She had six children, the eldest around

10 or 12 and the youngest was a newborn baby. It happened every three or four days. He used to have money and land from his parents. After he started drinking, he sold the land and did day labour. Now, he is selling alcohol. Violence like that is quite common in our village. CINT 174

Many women who are now divorced described being battered in their marriages, however this was not necessarily a cause for divorce, since it was most often the husband who deserted to end the marriage. One woman whose husband battered her for several years before he left said,

If you are a man, you can tell a woman what to do. If a woman tells a man what to do, he doesn't listen, he just gets violent. If I didn't say anything, he said I don't know anything, but if I spoke my mind, he just said this woman talks too much. CINT 3

In cases of extreme abuse, women have been killed by their husbands, and cases such as the following have also been reported by NGO workers in Rangoon and other urban areas. (CINT 292)

When I went to Tachilek last week, I found out that my friend had been killed by her husband. My friend was pregnant and her husband didn't love her any more. He often fought with her. Last week he hit her and kicked her in the stomach. The baby died and my friend was bleeding a lot. She died. Everyone knows that her husband killed my friend, but he told the doctor that she had started to bleed and had fallen down in the toilet and died. CINT 16

When asked what recourse women in situations of domestic violence have for escape, support and restitution, most women said that women would depend on their families, but otherwise had nowhere to turn. Both men and women we spoke with stated that in Burma, battery in the home was often considered a personal matter between a man and a woman, and that it was therefore inappropriate to intervene. One young woman commented that the only way to avoid violence in marriage was to have strong brothers who lived nearby and could protect you. (CINT 71) The perpetuation of the idea that domestic violence is a private family matter maintains the cycle of abuse and severely inhibits women's opportunities to seek avenues out of these situations.

A battered woman cannot ask for any help anywhere, because she is ashamed. She might be hurt and in pain, but she is more afraid that her husband will abandon her and

ashamed of what the neighbours will say. Only when she cannot stand it any longer, she will leave him. The neighbours are always afraid to interfere, because nobody really asks them for help and the next day the couple might be reconciled. Really they feel this is not their business. The headman, maybe a teacher or a monk, will sometimes come in such cases, and warn the husband to stop. CINT 135

While there are exceptions, most of the time community members and law enforcement officials simply will not get involved. When they do, they act mostly in a personal capacity to persuade husbands to desist from hurting their wives; they do not invoke laws or penalties. Some women suggested that authorities could also be bribed not to prosecute cases brought to their attention.

There is nowhere for women [who are abused by their husbands] to go. There are places to report the crime but most officials won't follow up the case, especially if the man has money. CINT 149

Women's difficulties in achieving financial independence also hinder their abilities to escape abusive situations. While there is no conclusive evidence that women in socio-economically disadvantaged circumstances are more likely to encounter violence, there is evidence that they are less likely to have any way out of the situation. Financial insecurity forces women to stay with partners who abuse them, often for fear that if they divorce, they will not be able to support their children.

Yesterday, a friend and her three children came to stay with me. She is afraid of her husband because he hit her. Her face is all swollen and her arms are very sore. This husband came to my friend and said sorry and that he wouldn't do it again. He has said this many times before, so she doesn't want to go with him, but she has to go back with him because she has to look after her children. Even if her husband just looks at her, she cringes. She is very afraid. CINT 04

DOMESTIC VIOLENCE IN RELOCATION & REFUGE

Domestic violence has been exacerbated by the ongoing internal armed conflict and the uncertain living situations created by political instability. Forced relocation and necessity of seeking refuge, combined with lack of facilities, economic hardships and the demolition of the community structure can combine to produce volatile family situations. As a result, refu-

gee women and internally displaced women may be at increased risk of domestic violence. In one confidential study, an NGO working in peri-urban resettlement townships in Burma found conditions, including in women's experience of domestic and other forms of violence, were remarkably similar to those in refugee camps in other parts of the world. During our focus group discussions with refugees, women voiced opinions that the incidence of domestic violence was sometimes higher in refugee camps than in their former communities, as marital relations were strained by greater day-to-day pressure, and men were often unemployed. With boredom and depression, there is increased use of alcohol and drugs such as *ya maa* (amphetamines) among the male population, contributing to more violence in families.

The culprit of the marital problems [we face in the camps] is drugs. You understand, right? It's because the men use drugs, using work as an excuse [for taking them]. They use drugs and then give only a little money to their families. They spend lots of money on drugs. Then they always use drugs. If they don't have money anymore, their minds are not normal anymore. They beat their wives for no reason. I know one man. He has two children. He beat his wife. When the woman couldn't take it anymore, she committed suicide. Most of the time, the culprit is drugs. CINT 102

Ironically, programs to address these problems may unintentionally exacerbate them. One camp leader, alarmed by the growing incidence of violence in relation to alcohol abuse, instituted a security program to monitor the situation and to give the male members of the camp more to do. An unexpected effect was that the men doing night security duty started taking more *ya maa* in order to stay awake, making the problem worse.

Women have pointed out that programs aimed at decreasing domestic violence should not only work to empower women, but also to give men more meaningful activities, to keep them from drinking and improve their sense of self-worth. These sentiments were echoed by a female doctor working with displaced Burmese communities. (CINT 184)

Many women, particularly those working with women's groups, outlined a pressing need for educating women and men in the camps about gender issues in order to address the problem of violence at its roots. The support of both men and women is required to implement practical programs, for example, establishing safe houses for women who have

been abused and can no longer live with their spouses. In some refugee camps, women's groups have already begun to educate camp members about the CEDAW and women's human rights issues in their community. Some women related that if they could publicize the illegality of violence against women in international human rights law, men would be forced by community censure to stop abusing their wives. They also felt that women in the community and women's organizations had an important role to play in providing emotional support to women who experience violence in their homes. Women asserted that camp committees had to become more involved in administering punishment to perpetrators of violence and as a result, women needed to play an active role in the camp leadership, so that their experience would influence such cases. In some situations, women's groups have been able to intervene so that male perpetrators of violence must sign contracts agreeing to refrain from further abuse before their wives come back to live with them.

1st woman: I think in terms of punishing, this is not the [women's] organization's action. It's more important for our organizations to give education, so that the men know that in a family, if a man beats his wife, if the people in charge of the organization see and hear and know that this is happening, they will be concerned about it, they will consider it their business.

2nd woman: ...[I]f it is a big problem which will have to go to the camp committee or court, and if it has to be solved legally, we submit the case to the camp committee and they will form a legal body and give the man the punishment that he deserves.

1st woman: So the first thing we need to do is work to get women into the [camp] committee. But lately even though we don't have women on the committee, we do have a women's organization. So we can go to the camp committee as the members of the women's organization and take action there. CINT 102

GOVERNMENT PROGRAMS ON DOMESTIC VIOLENCE

Violence against women is not a major issue in Myanmar, but since it is an area of concern for women's health and advancement of women, it has been included in the six areas taken up by the Myanmar National Committee for Women's Affairs. Rather than use the term "elimination" in the strategic objectives, the term "reduce" will be used. It

would be difficult to eliminate violence against women, which is a social ill and thus not feasible to achieve.⁵⁶

- "Initial report of States Parties: Myanmar"

[The MMCWA] has done some studies on domestic violence, but the researchers have connections to the government and thus underrepresent the actual situation in terms of seriousness and geographical coverage, because the government wants to protect the country's image. The research does acknowledge that the problem exists but minimizes its scale and says that it only occurs in certain socioeconomic classes. It does not address all the related issues, and neither do the researchers when they speak about it in public. CINT 254

Burmese government officials have been keen to publicize, on the international front, the various organizations and committees which have been created to promote the rights of women. As a part of these, reportedly the SPDC has begun to implement programs to deal with violence against women in the home, including shelters in some major urban areas. However concrete information about these projects is not easy to access. Only one woman we spoke with had heard that there are Women Protection Centers in cities, set up primarily to assist "orphans and women abandoned by their husbands. There is nothing in the rural areas." While she believed these Centers offer some skills training for income generation, she did not know what kind of services, if any, were provided to women, nor what capacity the facilities had. (CINT 136) It is therefore unclear at present whether there are any centers with the capacity to provide secure temporary living arrangements, counseling or medical treatment for women suffering from abuse in the home.

Women from Rangoon and Mandalay reported that they participated in government surveys on domestic violence conducted by the MMCWA, but that they found the questions intrusive and sometimes irrelevant to the topic of violence. For example, one young woman related that the surveyor asked teenage girls the prevalence with which they received love letters from fellow students. (CINT 244) Reportedly in some wards in the city of Mandalay, ward leaders have been told to arrest and detain any men found to be fighting with their wives. After this order was issued, several women said privately that they were afraid to have verbal disagreements with their husbands, because they did not want to risk losing the family's primary income-earner. (CINT 77)

At the CEDAW Committee meeting, government representatives stressed that they would “enforce existing legislation against the perpetrators of violence against women,” ignoring the fact that the laws on the books have been largely inefficacious to date. They also claimed that programs addressing violence against women generally were to include training of police, prosecutors, judicial personnel, and prison officials in 45 townships by the year 2000. A drop-in center was also to be provided in the year 2000 with medical, psychological and counseling services. To our knowledge, neither of these programs has yet been implemented. Information and education on violence against women was also to be provided to health centers and practitioners. However it is unclear what kinds of violence were to be included and whether the government was taking responsibility for implementing this program, or whether another organization such as the World Health Organization would be primarily involved.

Clearly more government action needs to be taken to ensure that women who do face domestic violence are given adequate protection and monetary support to allow them to extricate themselves from these situations. Furthermore, any programs undertaken must gain the trust and confidence of women in the community if they are to be of help to them. If groups operating under government auspices are consistently viewed with fear and suspicion, they will be inefficacious even when they operate with the best of intentions. Greater success may be achieved by grassroots women’s groups, for example survivor networks, as they often have a more complete insight into what actions are most effective in terms of advocacy and educational projects. They are also more likely to be able to implement integrated programs, which deal with women’s lives as wholes and address the various interrelated factors that contribute to their dependence. Some NGO members have commented that following trainings, members of the MMCWA have attempted to narrowly apply the *pro forma* of the World Health Organization and other organizations for working with women on domestic violence. However, since these approaches may not be specifically adapted to conditions in Burma, they often leave women’s problems relating to violence in their homes, for example poverty and substance abuse leading to food insufficiency, unaddressed. (CINT 292)

FINDINGS & RECOMMENDATIONS

We have to change attitudes of society in general so that women feel brave enough to go to court when such a situation arises. Of course, what is more important than this, we’ve got to work towards a society where rape is, I would like to say, non-existent....

– Daw Aung San Suu Kyi, December 1999

The Committee urges the Government to prosecute and punish those who violate the human rights of women and to carry out human rights education and gender-sensitization training, in particular for military personnel.

- Concluding Observations and Recommendations of the CEDAW Committee

CEDAW General Recommendation No. 19 instructs governments to take urgent steps, including punitive and preventative measures, to end all forms of violence against women, and to provide appropriate support services for survivors. This recommendation also recognizes that certain situations serve to marginalize women and make them more vulnerable to abuse. In this respect, special consideration should be given to the situations and needs of rural women, women in armed conflict, refugees, trafficked persons, and sex workers. With regard to prosecution and punishment of perpetrators, regardless of whether they are state actors (in which case such acts breach both the CEDAW Convention and other standards of international law) or private individuals, if the government does not apply due diligence (that is, rightful attention) to rectify the situation, it is liable.

Conspicuously absent from the regime’s plans for women are any programs to address and punish rape by military forces. Until the government acknowledges the use of rape as a weapon of war, and the prevalence with which military personnel engage in sexual violence as a means of subjugating ethnic peoples, any claims that they are working to end violence against women must be seen as simulation. At the very least, steps should be taken immediately to bring an end to these practices, prosecute offenders under the existing laws, and ensure that they receive the maximum sentences. Given that soldiers are also public servants and representatives of the state, the government should also consider amending the law to provide specific penalties for these offenders. Furthermore, commanding officers should be held accountable for the offenses com-

mitted by their soldiers, and should be punished for failing to ensure offenders are prosecuted.

Witnessing the successes of the International Criminal Court in charging soldiers from the former Yugoslavia with war crimes for their rape of Kosovan women, representatives of Burma's women at the Women's International War Crimes Tribunal, held in Tokyo in December 2000, mooted the idea of similar action for Burma. Tribunals, international or domestic, charging those from the military who commit rape in the course of their duties, would be one way of bringing restitution to those women whose rights have been violated at the hands of those supposedly entrusted with providing state security.

At the same time, it must also be acknowledged that also women experience rape, harassment, sexual intimidation and battery by non-military personnel and in non-conflict situations. Socio-cultural norms regarding sex and women's honour work to degrade women, and lead to their further victimization as the survivors of crimes. War only amplifies this underlying discrimination in grosser manifestations. That men who sexually intimidate and assault women in their communities and batter women in their homes also go unpunished is evidence of women's lesser status in their societies. Too often men's violent actions go unquestioned, are excused as resulting from substance abuse, or are said to be simply expressions of men's natures. In order to eradicate violence against women, it will be necessary not only to end the ongoing conflict and take action against military perpetrators, but also to address the fundamental attitudes towards women and men that currently tolerate and perpetuate violence. Programs need to be created targeting the population at various levels and in different situations concerning violence against women, including domestic violence.

Under the current climate of impunity, women remain largely unable to charge perpetrators, military or civilian, because they have more to lose than to gain from coming forward with assault cases. Programs are unlikely to have any effect unless they provide adequate mechanisms for recourse that account for the power differences in the relationships between perpetrators and survivors. Until women receive concrete assurances in the form of successful cases that their disclosures will have effect, they are unlikely to seek recourse in legal processes.

Legal review is urgently needed to enact legislation that more accurately reflects women's experience of violence, and to ensure that women are not punished through the use of practices like forced marriage. Laws should be changed to make it possible for women to press charges in cases of violence in the home and to receive specific redress for offenses now tacitly permitted, such as marital rape.

In order that the laws are actually executed in practice, programs need to be implemented to educate police officers and government officials, and to provide an ombudsperson or complaints procedure when officials fail to take appropriate action. It is hoped that the government will proceed with its said plans to provide women's human rights and sensitivity trainings to its own personnel with regard to violence of all kinds.

Awareness also needs to be raised in the population at large that acts of violence against women in their various forms are crimes under domestic and international law. Customary norms that tolerate violence or prohibit discussion of violence of a sexual nature must be changed. General education on women's human rights at a local level has been suggested by Burmese women's groups as an important component in stemming the incidence of both sexualized violence in the community and domestic violence. Introduction of women's human rights issues in school curricula would ensure that children become familiar with concepts of women's human rights at an early age.

In terms of combating domestic violence, while admittedly government programs currently in place are in their infancy, there appear to be considerable gaps in the services in place. Besides simply addressing women's physical safety, there is a need for appropriate counseling for women, as well as for offenders, to change their abusive behaviour.

Some international organizations and NGOs are working to address violence at a community level, but there is still much to be done in the way of research, community awareness-raising, and provision of services to survivors. Under the present conditions, women who have suffered violence have few opportunities to establish their own survivor networks, share their experiences, access the expertise of women from other countries, or design programs aimed at helping other women, such as counseling

centers, emergency shelters, and medical programs. Women must have the right to found and receive funding for their own legal aid groups, aid centers, and women's organizations if real change is to occur. Appropriate services, including peer counseling, need also to be provided to the refugee and internally displaced women who have survived rape and other kinds of sexual assault. It is essential that women themselves play a role in deciding what services are most suitable for them and for their communities.

While the government has referred to trafficking as a form of violence against women, little has been done to examine the root causes of trafficking or address the specific forms of violence that women are subjected to when they are trafficked or engage in consensual sex work. Violence perpetrated against sex workers continues to be condoned and ignored, leaving these women with no place to turn for redress.

The failure to date to provide women with ways to charge perpetrators of violence or to establish appropriate systems of assistance to women who experience violence is evidence of the lack of importance accorded to these crimes and to women's suffering. Systematic attempts to eradicate violence against women must be undertaken in concert with programs that work to increase women's status relative to men. The presence of women in positions of authority, in the justice system and in decision-making, would increase the probability that crimes of violence against women do not continue to go unheeded and unpunished.

NOTES

1. UN Special Rapporteur on Myanmar, Report to the General Assembly, 1999, Paragraph 54.
2. Nusara Thaitawat and Subin Khuenkaew, "Victims of the Burmese Dictatorship," *The Bangkok Post*, 6 December 1999.
3. This is edited and condensed from an interview in the annex to the Karen Human Rights Group report, "Death Squads and Displacement," May 1999.
4. United Nations High Commission For Refugees, "Reproductive Health In Refugee Situations: An Inter-Agency Field Manual," UNHCR, Geneva, 1995, p. 26.
5. In addition to the accounts provided here, human rights abuses in the context of relocation in Burma have been extensively documented by indigenous documentalists. See, for example, reports by the Shan Human Rights

- Foundation and the Karen Human Rights Group.
6. Amnesty International, "Myanmar: The Kayin State: Militarization and Human Rights Abuse," June 1999, AI Index: ASA 16/12/99.
7. Burma Ethnic Research Group, "Internal Displacement in Myanmar," Chiangmai, July 1999, p. 3.
8. See reports from the Shan Human Rights Foundation: *Uprooting the Shan* (1996), *Dispossessed* (1998), and *Displacement in Shan State* (April 1999), all printed by SHRF in Chiangmai. See also the video, "Dispossessed," 1999, for footage of relocation sites in Shan State and interviews with survivors. Estimates from 2001 also come from the Shan Human Rights Foundation.
9. Shan Herald Agency For News, "Thousands of Wa perishing," in BurmaNet News Issue #1914, November 7, 2001.
10. Amnesty International, "Myanmar: Aftermath: Three Years after Dislocation in the Kayah State," June 1999, AI Index: ASA 16/14/99.
11. See Amnesty International/Images Asia, "Myanmar: Atrocities in the Shan State" (video press release), April 1998 for footage of 1997 massacre; see Shan Human Rights Foundation June 2000 monthly report for details of massacre that month.
12. United Nations Division for the Advancement of Women, "Sexual Violence and Armed Conflict: United Nations Response," *Women 2000*, April 1998, <http://www.un.org/womenwatch/daw>
13. This includes not only Mon, Karen, Karenni and Shan States, but also states and divisions on the western border. See Images Asia, Karen Human Rights Group & Open Society Institute's Burma Project, *All Quiet on the Western Front?* (Chiangmai: authors, January 1998).
14. Karen Human Rights Group, "Starving Them Out," March 2000.
15. Betsy Apple, *School for Rape: The Burmese Military and Sexual Violence* (US & Thailand: EarthRights International, February 1998).
16. All these accounts reported in ABSDF, *Terror in the South* (Bangkok: ABSDF, November 1997), p. 31. This paragraph is a summary of the information.
17. Mon Information Service (in cooperation with Karen Information Committee and the Tavoyan Human Rights Foundation), "Atrocities against Mon, Karen and Tavoyan villagers in Southern Burma: An Independent News Report," January 1999, p. 12.
18. Karen Human Rights Group, "Central Karen State: New Refugees Fleeing Forced Relocation, Rape and Use as Human Minesweepers," KHRG Information Update, 27 August 1999.

19. Shan Human Rights Foundation, Dispossessed (Chiangmai: SHRF, 1998), p. 5.
20. Shan Human Rights Foundation, "Rape Of Schoolgirls In Lai-Kha," November, 1999, BurmaNet News Issue #1413, 1 December 1999.
21. Shan Human Rights Foundation, "Monthly Report," April 1999.
22. Shan Human Rights Foundation, "Monthly Report," August 1999.
23. This information is summarized from Mizzima News Group, "A teenage girl gang-raped by Burmese soldiers in Western Burma," 17 July 2000, www.mizzima.com.
24. See the ILO Commission of Inquiry, Forced Labour in Myanmar (Burma) (Geneva: ILO, 2 July 1998). The Commission considered more than 10,000 pages of documentation and interviewed 245 witnesses as evidence for its findings.
25. Human Rights Foundation of Monland, "The Mon Forum," Issue 3/98, April 1, 1998, p. 11. The English has been edited slightly from the version which appears in "The Mon Forum."
26. Images Asia and Forum Asia, Arakan Project, Interview No. 1, Cox's Bazaar, August 2000.
27. Shan Women's Action Network, "Kennari Newsletter," September 1999, No. 1, p. 6, and personal communications with SWAN, MAP and other NGOs.
28. "Burmese Troops Raped 15," Bangkok Post, 8 November 1999.
29. Images Asia, "Trafficked from Hell to Hades: The Plight of Rohingya Women from Burma trafficked to Pakistan," November 1999, p. 14.
30. Images Asia, "Trafficked from Hell to Hades," p. 14.
31. Tushar Kona Khandker & Zulfiquar Ali Haider, "Protection to Refugees: The Case of Rohingya Women," presented at the National Seminar on Refugees, Migrants and Stateless Persons in Search of a National Consensus, by Oxfam (UK & I) Bangladesh, 29 December 1997.
32. Chris Beyrer, "The Health and Humanitarian Situation of Burmese Populations along the Thai-Burma Border," Burma Debate, Vol. VI, No. 3, Fall 1999, p. 7.
33. United Nations High Commission For Refugees, "Reproductive Health In Refugee Situations: An Inter-Agency Field Manual," UNHCR, Geneva, 1995, p. 8.
34. Unpublished circular by a community health educator working in a refugee camp in Thailand, August 1998.
35. Images Asia and Forum Asia, Arakan Project, Interview No. 18, Karachi, November 1999.
36. UNHCR staff, personal communication to Images Asia researcher.
37. Images Asia and Forum Asia, Arakan Project, Interview No. 7, Karachi, November 1999.
38. Images Asia and Forum Asia, Arakan Project, Interview No. 8, Karachi, November 1999.
39. Images Asia and Forum Asia, Arakan Project, Interview No. 4, Karachi, November 1999.
40. Images Asia and Forum Asia, Arakan Project, Interview No. 11, Karachi, November 1999.
41. Images Asia and Forum Asia, Arakan Project, Interview No. 18, Karachi, November 1999.
42. Images Asia and Forum Asia, Arakan Project, Interview No. 2, Cox's Bazaar, August 2000.
43. Unpublished circular by a community health educator working in a refugee camp in Thailand, August 1998.
44. "Preliminary report submitted by the Special Rapporteur on Violence against Women, its Causes and Consequences," Commission on Human Rights, Fiftieth session, November 1994, U.N. Document E/CN.4.1995/42, p. 64.
45. The Union of Myanmar, "Report on Convention on the Elimination of All Forms of Discrimination Against Women," March 1999, p. 17.
46. Union of Myanmar/WHO, Women's Health and Development Country Profile (New Delhi: WHO, 1997), p. 86.
47. Muslim Information Centre of Burma, News story 21, 14 August 2000, by email.
48. Shan Human Rights Foundation, "Monthly Report," November 1998.
49. See also School for Rape p. 18 - 20 for a discussion of rape in the context of war and the "naturalization" of it; p. 41-45 on the patterns and uses of rape by the *Tatmadaw*, and p. 94 - 97 on forced marriage.
50. Shan Human Rights Foundation, "Monthly Report," May 2000.
51. Karen Human Rights Group, "Continuing Fear and Hunger: Update on the Current Situation in Karenni," May 1999, p. 11.
52. Karen Human Rights Group, "Death-squads and Displacement," May 1999, p. 29.
53. Betsy Apple, School for Rape, p. 96.
54. Daw Ei Ei Tin, "Statement by Member of the Myanmar Observer Delegation to the 55th Session of the Commission on Human Rights under 'Agenda Item 12: Human Rights of Women,'" 13 April 1999, p. 3.
55. Daw Khin Win Shwe, "Violence Against Women: Global and Myanmar Perspectives" (pamphlet), Yangon, 1999, p.5.
56. United Nations Convention on the Elimination of All Forms of Discrimination Against Women. "Consideration of reports submitted by States parties under article 18 of the Convention of All Forms of Discrimination Against Women: Initial report of States parties: Myanmar," CEDAW/C/MMR/1, 25 June 1999, p. 8.