

Chapter (1)

Introduction

1. The Union of Myanmar shares borders with Bangladesh, India, the People's Republic of China, Laos PDR and Thailand. It cooperates with neighboring countries as a good neighbor based on friendship and mutual understanding in political, economic, social and security matters. Moreover, it has been cooperating with neighboring countries based on mutual understanding in various issues, such as the prevention of trafficking in persons, eradication of drug abuse and migrant workers, and also seriously on regional peace, stability and development. Myanmar's population according to 2006 estimates is (56.5) million, (28.1) million of which is male and (28.4) million is female. The population under (18) years of age is (21.4) million, 37.87% of the total population.
2. The Government has been making relentless efforts systematically in all spheres for the emergence of a peaceful, modern and developed nation. (24) special development regions, the development plan for the border areas, and the rural areas development project have been laid down to build the economic foundations which were actually needed, the basic fundamentals for human resources and all round development of the State, and have been consistently realized with high aspirations.
3. The agricultural sector is the mainstay of Myanmar's economy and constituted 40.2 per cent of the national economy in 2005-06, the last year of the third five-year short-term plan. (204) dams, (305) river pumping projects, and (7569) wells and (1023) tanks have been built. In 1988 irrigated area was (1.487) million areas but now increased up to (4.9) million areas. The cultivation capacity in 1988 was only 121 per cent, but now it is 161.8 per cent. The Government has been endeavouring for all-round development of all sectors, agricultural sector as the base while development of the industrial sector is encouraged with the objective to become a modernized and wealthy country. The industrial sector constituted 15.4 per cent of the total GDP in 2005-06 and is the second largest of the productive sectors. In order to promote the development of industries, (18) industrial zones have been opened and assisted private industries to progress. (791) Government factories and (101,000) private factories have been established.
4. As an infrastructure development is crucial for economic development, necessary development works are being carried out for the infrastructure development in every region of the State. Hence, the Government has accorded high priority to infrastructure development projects, such as construction of irrigation networks, roads, bridges, railway lines, port facilities, airports, electrical power and communication facilities. In education sector, (156) universities and colleges have been opened up to now. Such progresses in education, health, transportation and communication not only benefit directly to human resources development but also support the reduction of poverty. Moreover, the development of national races has been enhanced.
5. For the emergence of a peaceful, developed and disciplined democratic nation and the perpetuation of the Union, relentless efforts have been made in momentum to lay strong

foundations for the prevalence of peace and tranquility in the country, uplifting the dynamism of the Union spirit, a strong national economy, widening the scope of knowledge of the people and narrowing development gap among the States and Divisions. The Government is endeavoring for the community peace and prevalence of law and order throughout the country, including border areas.

6. The Government is implementing the seven-step Road Map based on national objectives in order to build an enduring State that is consistent with Myanmar's prevailing history, traditions, customs and cultures. The State is implementing the nation development tasks with momentum in accordance with (12) political, economic and social objectives. The Ministry of Social Welfare, Relief and Resettlement undertakes the activities of social welfare and development according to social objectives. In doing so, disabled persons and older people are being taken care through preventive, protective and rehabilitative measures by using social methods to reintegrate into the society.
7. Myanmar regards children as leaders of the future and, therefore, the Myanmar National Plan of Action for Children (2006-15) in conformity with the provisions of the CRC, the Child Law, the Millennium Development Goals (MDGs), A World Fit for Children (WFFC) and various regional plans of action has been adopted and being implemented.

Chapter (2)

General Measures of Implementation

Measures to make national laws and policy in line with the provisions of the CRC

8. The Myanmar National Committee on the Rights of the Child set up a ten-member Task Force on 20 May 1999 to review the Child Law, 1993. The Task Force reviewed whether the provisions of the Child Law are in conformity with the provisions of the Convention on the Rights of the Child.
9. The recommendations of the Task Force that some provisions of the Child Law be amended to bring them in line with the CRC were forwarded to the Ministry of Social Welfare, Relief and Resettlement and the Office of the Attorney General. Following respective review processes and consultations, these two bodies have decided to make as many amendments as possible in the Rules relating to the Child Law.
10. In the exercise of the authority vested with in accordance with section 74(a) of the Child Law, the Ministry of Social Welfare, Relief and Resettlement adopted the Rules relating to the Child Law (the Rules) on 21 December 2001. The Rules contain (17) Chapters, (109) Rules and (36) Standardized Forms covering all aspects of the rights of the child.
11. Following are some provisions of the Rules that give better effect to the Child Law:
 - (a) Rules 16, 17 and 18 of the Rules have established a mechanism by which complaint of acts committed against the child can be pursued by the relevant Rights of the Child Committee.
 - (b) Rule 79 of the Rules provides clarification mentioned below on child imprisonment under section 46 of the Child Law, which stipulates that a child shall only in extraordinary cases be imprisoned:
 - “(1) A child shall not ordinarily be sentenced to imprisonment.
 - (2) Only if the Juvenile Court is satisfied that the child has committed an offence which is punishable with death or transportation for life under any existing law and that the child is of so unruly or depraved a character or absolutely uncontrollable, he shall be sentenced to imprisonment.
 - (3) Such sentence of imprisonment shall not exceed a term of (7) years.”
 - (c) Rules 75 and 98 of the Rules relating to the Child Law provide that Office of the Attorney General and respective law offices shall appoint a lawyer at the expense of the government to defend an indigent child accused of an offence punishable with death sentence.
12. In order to review the Child Law and other relevant laws, the Supreme Court has been cooperating with other related departments, such as the Office of the Attorney General, the Department of General Affairs, the Department of Social Welfare (DSW), Myanmar Police Force (MPF), the Prison Department and the Department of Health (DOH).

Measures taken to reinforce administration

13. Rule 3 of the Rules relating to the Child Law provides the duties and powers of the National Committee on the Rights of the Child, and section 74(b) of the Child Law stipulates that relevant Ministries, Departments and government organizations may issue orders and directives as may be necessary. Rule 5 provides the duties of the Working Committee and Sub Committee, Rule 7 provides the duties and functions of the State and Divisional Committees on the rights of the Child, Rule 9 the duties of the District Committees and Rule 11 sets out duties and functions of the Township committees.

Mobilization of the community

14. The Deputy Minister for Social Welfare, Relief and Resettlement, Chairman of the Working Committee on the Rights of the Child, gave educative talks on the prevention of recruitment of under-age children, the provisions of the CRC, CL and child protection, particularly child abuse, neglect and exploitation, at the following workshops;
 - (a) Child Protection Workshop, Ayeyawaddy Division,
 - (b) Child Protection Workshop, Tanintharyi Division,
 - (c) Child Protection Workshop, Kayin State,
 - (d) Child Protection Workshop, Mon State.
15. Secretary of the National Committee on the Rights of the Child and Director-General of the Department of Social Welfare provides advocacy on the CRC at the following workshops;
 - (a) Child Protection Workshop, Seikphyu Township, Magway Division,
 - (b) Child Protection Workshop, Wundwin, Nahtogyi, Taungtha, Tatkone Townships, Mandalay Division,
 - (c) Child Protection Workshop Mawlamyaing Township, Mon State,
 - (d) Child Protection Workshop, Pa-an Township, Kayin State.
16. In order to give widest possible public awareness of child rights and for the children to enable them to enjoy their rights best, the National Committee on the Rights of the Child re-printed copies of the Child Law both in Myanmar and English languages with the support of UNICEF and distributed at the related training courses and workshops. Furthermore, pamphlets on the CRC and the Child Law and posters are also distributed.
17. Lectures on the CRC and the Child Law are being given at the social welfare training courses which are conducted at the Social Welfare Training School under the Department of Social Welfare.
18. The Department of Social Welfare is the focal point for the implementation of the Convention on the Rights of the Child and has been implementing the tasks of the National Committee on the Rights of the Child. Hence, in order to raise public awareness of the provisions of the CRC, particularly among members of the CRC, and for the effective implementation of the CRC, workshops on child protection and on child abuse, neglect and exploitation are being conducted under the Myanmar-UNICEF Country Programme (2000-2005). The objectives of the workshops are as follows:
 - (a) To generally realize the Convention on the Rights of the Child,
 - (b) To raise awareness on child protection among community leaders,

- (c) To identify ways and means to eradicate child abuse, neglect and exploitation in the community.
19. Under the leadership of the Department of Social Welfare, training course manuals are written, mobile teams consisting of staffs from the Department of Social Welfare, Myanmar Literacy Resource Centre and members of the Myanmar Red Cross Society have been formed and training courses for the trainers have been conducted. Such mobile teams have been conducting awareness raising workshops in (16) States and Divisions, (24) Districts and (127) Townships since 2002 with the collaboration of UNICEF.
 20. In doing so, they also travelled to remote areas in the Kachin, Kayah, Chin, Shan (North), Shan (East) and Rakhine States. These remote areas include Putao and Machanbaw in Kachin State, Demoso in Kayah State, Konlone in Shan State (North), Mongyan and Mongkhat in Shan State (East), Kanpetlet and Tonzan in Chin State and Man-aung in Rakhine State.
 21. Target groups of the workshops are the CRC members, community leaders, representatives from non-governmental organizations and local authorities. The workshops raise awareness among local people of the prevention, protection and rehabilitation services, which leads to mobilization of social forces in the community concerned and effective implementation of family-based and community-based programmes.
 22. In these workshops, pamphlets on the CRC and the Child Law and posters, comics and notes are distributed with the support of UNICEF. After attending workshops, the participants conduct multiplier courses among their families and within the community concerned, and coordinate with the Divisional Social Welfare Offices and the Township CRC members regarding children in need of protection in their communities.
 23. The workshops provide interactive discussions on child protection; definitions of types and impact of abuse, neglect and exploitation; corporal punishment; prevention of trafficking in persons and the recruitment of under-age children into military service. In doing so, interactive discussions, role play and case studies are also carried out.
 24. In order for the children to understand the child rights themselves, human rights educational lessons are included in the Moral and Civics subject taught in the Basic Education Schools from Grade 5 to 9.
 25. Under the human rights knowledge programme, the right to stay with both parents, the right to freely express their thoughts, the right to play freely, the right to participate and the right to be protected, the right of school-age children to get access to education, the facts concerning the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and Myanmar's activities relating to CEDAW are taught in Grade 5 to 9.
 26. In Grade 8 and Grade 9, the concepts and special characteristics of human rights enshrined in the Universal Declaration of Human Rights, economic, social and cultural rights, and the right of every country to participate freely in accordance with its own traditions and

the International Covenant on Economic, Social and Cultural Rights are being taught. In giving human rights education, brain storming, group discussion, discussion within the class and assessments are carried out, practicing participatory discussion method.

27. Furthermore, programmes which facilitate the expression of child's wishes are included in the songs, videos and movies produced under registration.

Chapter (3)

Definition of "Child"

(CRC Art - 1)

Definition of Child (CRC Art. 1)

28. The definitions of child and youth in accordance with section 2 of the Child Law were mentioned in the second national report. In July, 2006, the National Committee on the Rights of the Child recommended the amendment of the Child Law, 1993, and preparation to amend the age of a child to be (18) years is under way.
29. Regarding exemption from the penal action, preparation is being made to amend the age of a child from (7) years to (10) years in section 28(a) and to amend the range of age of a child from (7) to (12) years to (10) to (12) years in section 28(b) of the Child Law as a child under 10 years of age is considered not to have sufficient knowledge and maturity to be able to make sound judgement of the nature and consequences of his conduct.
30. In order to protect child employees in accordance with the Child Law, preparation is also being made to amend section 24 (a)(3) that only a child who has attained the age of (15) years can be employed with the exception for those who work in income generating business of the family concerned.

Chapter (4)

General Principles

Non-discrimination (CRC Art. 2)

Relevancy with the law

31. Measures relating to equal enjoyment of the child rights were mentioned in the second national report.

Implementation

32. The State has been energetically carrying out five rural development tasks—smooth transportation, clean water supply, education development, health care and economic growth— in order to narrow the gap between hilly regions and lowlands and between rural and urban areas.
33. In Myanmar, every citizen has the right to freedom of religion, freedom of thinking and freedom of belief. All national groups have the privilege of adorning their respective traditional costumes, vernacular languages, and practicing their respective customs and traditions.
34. The National Health Committee, in providing comprehensive health care services, has adopted the National Health Policies giving emphasis on both rural and border areas has been providing health care in border areas. Nursing training courses are conducted, volunteer health workers are given training and basic health care courses are conducted at regional hospitals.
35. The Rural Health Development Plan (2001-06) for the rural areas where majority of the people reside has been adopted under the guidance of the Head of State and primary health care services are provided to children of the rural communities, including border areas. The National Plan for Border Area Health Development has also been developed and implemented for the promotion of health status of communities in border areas. New clinics and hospitals have been opened in rural and border areas, basic health staffs are appointed and medicines and medical apparatus are supplied to these clinics and hospitals.
36. The Ministry of Education has been endeavoring for all citizens to have access to basic education. Children from rural to urban areas as well as in border areas are provided with opportunities to learn pre-school education to high school education. The last week of May is designated as a School Enrolment Week during which enrolment for school-age children is carried out throughout the country as a national movement. In these activities, personnel concerned from the Ministry of Education, local authorities, members of the Union Solidarity and Development Association (USDA), members of the Myanmar Women's Affairs Federation and members of the Myanmar Maternal and Child Welfare Association participated actively. Well-wishers and social organizations donate various educational materials. Such enrolment activities resulted in 97.84 per cent enrolment in 2006.

37. Disabled children have been given education under the inclusive education programme. (21,520) disabled children are studying under the programme. The children who cannot attend formal schools for various reasons can learn through the non-formal education program.
38. Mobile schools have been opened for children who have to accompany their parents who move from time to time because of the nature of their work as they are employed with forest projects, or at project sites and construction sites. Altogether (43) mobile schools have been opened and (58) teachers have been appointed providing education to (1,603) students in (15) townships. All students from border areas, rural areas and urban areas have equal access to education.
39. In the education sector, the border area development programme in collaboration with the Ministry of Education constructed (85) primary schools, (90) middle schools and (92) high schools. Moreover, INGOs, partners of this project have provided school buildings and books. The students whose parents have abandoned poppy growing have been provided with rice and learning materials under the "Food for Education" programme carried out with the collaboration of UNDP. In addition, the Department of Education and Training under the Ministry of Progress of Border Areas and National Races and Development Affairs has established (27) training schools along border areas for poor children from various national groups who have been deprived of opportunities to receive formal education.
40. The Ministry of Progress of Border Areas and National Races and Development Affairs has conducted vocational domestic trainings and income generating and public awareness courses in collaboration with relevant ministries and local authorities.

Best interests for the child (CRC Art. 3)

Relevancy with the Law

41. For the best interest of children, the 1993 Child Law and the 2001 Rules related to the Child Law have been promulgated. It was described in details in the second national report.

Implementation

42. Myanmar delegates to the 27th UN General Assembly Special Session on Children held a meeting on 31 May, 2002, to share experience regarding the Special Session. In accordance with the decision of the meeting to draft a National Plan of Action to implement "A World Fit for Children" Declaration under the guidance of the Minister for Social Welfare, Relief and Resettlement, drafting of a national plan of action(NPA) for children has been undertaken. The task force to draft the NPA consisting (17) members under the leadership of the Director General, Department of Social Welfare was formed.
43. The Myanmar National Plan of Action for Children includes four sections; Health and Nutrition, Water and Sanitation, Education and Early Childhood Development and Child Protection.

44. Each section has seven subtitles; Justification, Objective, Strategies, Plan of Action, Resource requirements, International cooperation and collaboration, Monitoring, Evaluation and Expected Outcome.
45. The status of implementation, achievements, challenges and needs are included in the Justification. In line with "A World Fit for Children" and with the targets of the MDGs and decisions of regional meetings, objectives and strategies till 2015 have been formulated based on the accomplishments in 2004.
46. The implementing programme is drafted, taking into consideration of the programmes which are suitable for the country, practicable procedures and fixed time frame in order to achieve the goals.
47. In the section of resource mobilization and international cooperation, the requirements of funds, technology, manpower and resources are to be met through increased state budget, cooperation of international organizations and internal and external donors.
48. Monitoring and evaluation are to be carried out through information and data collection, regular reports, field studies, and assessments on effectiveness and adaptability of the plans, projects and programmes.
49. To improve the standard of child's health; to prevent diseases that occur due to unsafe water and poor sanitation, to improve access to quality education and to improve protective system for the children in need of protection and prevention and rehabilitation programmes are the objectives of expected outcome. Family-based and community-based child protection measures are more emphasized and indicators for respective sections are provided.

Survival and development of the Child (CRC Art. 6)

Implementation

50. Measures for survival and development of children have been mentioned particularly in paragraphs 24, 28, 29 and 31 of the CRC.

Respect for the children to express his/her own views (CRC Art. 12)

Relevancy with the Law

51. It was mentioned in the previous national report that section 13(a),(b), and (c) of the Child Law clearly allow children to express their views, section 33 (c) (iv) of the Law allows to listen to explanation by children, section 35(b) of the Law allows to respect wishes of children and section 36 (d) and (e) of the Law allow to provide help to children in solving their personal problems.

Implementation

52. Section 21(f) of the Rules relating to the Child Law prescribes that poem reciting competitions, song competitions, story telling competitions, round table talks, and

impromptu debates are held occasionally, section 21(g) provides trainings for children to learn poem composition and essay writing skills, and section 21(h) provides arrangements for singing, music and dancing programmes performed by children themselves.

53. The Ministry of Education and other related ministries have been working in accordance with the rules mentioned above to place emphasis on the opinions of children. Competitions for extempore talks, essays, reciting poems, composition of songs, short stories, painting and puzzle games are held in commemoration of significant anniversaries, national and international events.
54. Starting from 1998-99 academic year, a day of the first week of January is designated as School Family Day on which students, teachers and parents meetings are held. Children's physical, intellectual, and moral capacity and all round development, as well as children's opinions are expressed on that occasion. During the ninth School Family Day held on 6 January 2006, over (300,000) personnel, including teachers, school heads, parents, community members, well-wishers and (7.8) million students participated by conducting students' capacity shows, competitions, funfairs and prize distributions for outstanding students.

Chapter 5

Civil Rights and Freedoms

Name and nationality (CRC Art. 7)

Relevancy with the law

55. The Myanmar Citizenship law stipulates as follows:-

“Section 9 - A person born in the State shall have his birth registered either by the parent or the guardian in the prescribed manner, within one year from the date he completes the age of ten years, at the organizations prescribed by the Ministry of Immigration and Population.

Section 10 - A person born outside the State shall have his birth registered either by the parent or the guardian in the prescribed manner, within one year from the date of birth at the Myanmar Embassy or Consulate or organizations prescribed by the Ministry of Immigration and Population.”

Implementation

56. In Myanmar, every child has the right to have his or her own name and there is no restriction in giving names.

57. When a child is born, parents or guardians must notify his birth to the Ward Peace and Development Council concerned to obtain a birth registration certificate. The Ward Peace and Development Council compiles the list of the birth registration certificates issued and sends them to the Township Immigration Office on a monthly basis.

58. The Township Immigration Office includes the name of the new born in the Household List of the parents on application by the parents or guardians enclosing a copy of the Birth Registration Certificate, the Household List, name of the new born, the application with the name of the new born and identification cards of the parents within 7 days from the date a child was born.

59. A person born of parents of nationals and ethnic groups residing in the State and of citizens on the date this law comes into force and their offsprings qualified to be a citizen under this Law are issued the Citizenship Scrutinization Card on reaching the age of (10) and (18) years.

60. Midwives (MW) from the Sub Rural Health Centres are primarily responsible for collection of data on births under their jurisdiction and for reporting to the Health Assistant (HA) at the Rural Health Centres (RHC). The HAs at the RHCs are responsible for sending the data to township medical officer (TMO). The draft entries coming from RHCs and urban wards compiled by TMO office are sent to the CSO directly or through respective State and Divisional Health Office. The incoming forms are checked, coded, processed and tabulated by the Central Statistical Organization (CSO). Data related to vital statistics are annually published by CSO in collaboration with DOH.

61. The Modified Vital Registration System (MVRS) using revised eight different VRS Forms was successfully pilot tested in four townships in four States and Divisions in 1999 with the assistance of UNICEF. The MRVS has been implemented nationwide under the 2001-05 Myanmar-UNICEF country programme. The implementation of MVRS to Urban and Rural Areas of entire country was completely done on April, 2006.
62. The Inter- Agency Birth Registration Working Group was formed and monthly meeting was held to discuss ways to undertake in order to strengthen VRS. For the rapid assessment, the three groups of IAWG members toured nine States and Divisions to monitor and supervise. Having rapidly assessed and analyzed the operational gaps, weaknesses and constraints, the IAWG group held a seminar together with TMOs from all townships in respective State and Division including one HA and one midwife from RHC and sub RHC of each different township that the team visited. At the seminar, the team clarified the procedure for children under one, under five and above five years of age to get birth certificate. Moreover, the team encouraged those who attended the seminar to give multiplier training to all basic health staffs at their respective townships.

Preservation of national identity (CRC Art. 8)

Relevancy with the law

63. It was mentioned in the previous national report that sections 8 and 9 of the Child Law stipulates that the State recognizes the rights of children and a child is recognized as a citizen in accordance with the Citizenship Law.

Implementation

64. Section 24 of the Rules relating to the Child Law prescribes that parents/guardians must carry out registration of a child at the time of his/her birth, (10) years and (18) years of age. Section 25 prescribes that a child must have the right to become a citizen or associate citizen in accordance with the Citizenship Law.
65. About 89.37 per cent of the population profess Buddhism. Most of Myanmar children are nurtured under the teachings of Theravada Buddhism, and receive guidance from elders, parents and teachers.
66. One of the significant characteristics of Myanmar society is to relay from generations to generations teaching for self restraint, loving and cherishing national prestige and integrity, ethics and family values of that heritage.
67. Unique characteristic of Myanmar children who inherited such good heritage is looking after old parents and grandparents.
68. They possess good national prestige and integrity and national characteristics such as patience, tolerance, and forgiveness.

Freedom of Expressions (CRC Art. 13)

Relevancy with the Law

69. Article 15(a) of the Child Law stipulates that every child has the right to freedom of speech and expression in accordance with the law.

Implementation

70. In Myanmar, not only parents or guardians but also local authorities and stakeholders always encourage children to freely express their views and ideas. Competitions of extempore talks, poem reciting, song singing, song composition are held in schools at Township, District, Division and State levels. Nowadays, Myanmar children use Information Technology (IT) widely and they communicate freely through the Internet with children all over the world.
71. The Myanmar media carries the programs, such as *Chit Sa Ya Aywai Kasagyamai* (Let's Play Lovely Kids) and (38) Blessings (The (38) rules for a successful life) to express or bring out children's wishes. The *Shwe Thway*, *Paloke Toke* and Child journals for children are published.

Freedom of thought, conscience and religion (CRC Art. 14)

Relevancy with the Law

72. It was mentioned comprehensively in the previous national report.

Implementation

73. All Myanmar citizens enjoy the freedoms of belief and worship. Children, with the guidance of their parents and by abiding the rules and regulations of the State, are encouraged to think, belief and worship freely.
74. Every citizen, in accordance with each one's respective traditional culture and belief, enjoys fundamental rights by law. As Myanmar's specific national characteristics are forgiveness, sympathy, loving-kindness and tender-heartedness, there has never been any suppression or discrimination among them based on race, nationality, religion, belief or gender throughout Myanmar history.
75. In the Union of Myanmar, the Ministry of Religious Affairs has been constituted. Buddhism is professed by the majority of Myanmar people. Buddhism, Christianity, Islam, Hinduism and Animism are officially recognized by the State. The Ministry of Religious Affairs gives necessary assistance to all the religious followers for the development of their respective religion.
76. Buddhism is professed by the majority of Myanmar people. (12) monthly celebration and Buddha Pujaniya festivals are celebrated throughout the country. Peoples from different walks of life irrespective of race and religion participate the Thingyan Festival, the merry event which ushers in a new year. The specific holy days of Buddha, Dhamma and Sangha Order are Public Holidays. Adults as well as children participate in these festivals. Pilgrimage

to the Budhgaya of India, where Lord Buddha attained Nirvana, is arranged by the State in coordination with respective countries.

77. Muslim mosques can be found in different parts of Myanmar. Praying in these mosques by Muslim families or individuals, participating in masses, worshiping and fasting are freely allowed. Bakkari Idd, the birthday anniversary of Prophet Mohammed, is also a Public Holiday. Haj pilgrimage for Muslims to Mecca is arranged by the State, in cooperation with other respective Islamic countries. The Minister, the Deputy Minister and the Director-General of the Ministry of Religious Affairs usually grace with their presence at Muslim celebrations and ceremonies.
78. Christmas, which falls on 25th December every year, is also a Public Holiday. Missionary works by native priests and of foreign missions in Myanmar and their foreign visits are officially allowed and are arranged in accordance with the existing rules and regulations of the State. Also Free Pass is provided to eminent Christian leaders for domestic trips. Annual Christian celebrations and special occasions of the four eminent Christian Associations are officially recognized by the State and officials from the Ministry of Religious Affairs participate in these events.
79. The Hindu Religious Special Events, such as Dipavali Festival, Lighting Festival, Mother Lashmi Puja, etc. annually held by Hindus are allowed to be performed in accordance with the existing rules and regulations. Responsible personnel from the Ministry of Religious Affairs attend the special religious and social occasions held by the eminent Hindu Associations. Dipavali Day is also a Public Holiday.
80. Permission of publication and distribution of religious literary works concerning Buddhism, Christianity, Islam, and Hinduism is given in conformity with the rules and regulations of the Literary Supervision Board of the Government.
81. The State freely allows its citizens to enjoy the freedoms of belief and worship. The indigenous races also enjoy the freedom of worship. They freely practice their respective traditional customs and cultures. On special religious occasions, religious talks and discourses are broadcast on the television and radio. The children as guided by their parents have the privilege to go to monasteries or mosques or churches or temples and learn and practice what their religious mentors and instructors teach them.

Freedom of association (CRC Art. 15)

The Relevancy with the Law

82. According to section 15(c) of the Child Law, every child has the right to participate in organizations relating to children, social organizations or religious organizations permitted under the Law.

Implementation

83. Children take part freely in social organizations or religious organizations permitted under the law, such as art associations, swimming clubs, Myanmar traditional dance clubs, *Mingalar Byu Har* Association (religious association), Sunday Alms Donation Teams, the

Union Solidarity and Development Association(USDA), Myanmar Women's Affairs Federation, Myanmar Maternal and Child Welfare Association, the Auxiliary Fire Services and the Myanmar Red Cross Society to promote the interests of the people, the community and the State.

Protection against privacy (CRC Art. 16)

Relevancy with the Law

84. With regard to convicted children, it is mentioned in section 42 of the Child Law as follows:-
"Section 42: The juvenile court shall abide by the following in trying juvenile cases:-
(a) shall try the case in a separate court or a separate building or if there is no separate court or building, in a building or room other than in which the ordinary sittings of the court are held;
(b) no person other than the parents, guardians, staff of the court, Law Officers, members of the People's Police Force on duty and not in uniform, persons directly concerned with the case and persons who have been granted permission by the juvenile court shall be present at the place of trial."
85. In addition, the Supreme Court issued the Directive Number 1/2004 on 7-10-2004 as follows:
"(a) If there is no separate court or building, Township Court shall try the juvenile cases in a building or room other than the one in which the ordinary sittings of the court are held,
(b) Hold a signboard of "Juvenile Court" at the room where juvenile cases are tried,
(c) Section 42(b),(c),(d) and (e) shall be abided where juvenile cases are tried,
(d) Juvenile Court shall abide by the provisions laid down under the sections 43,44, 45,46,47,48 and 49 in trying juvenile cases,
(e) Arrange a separate register book for juvenile cases and collect the data and prepare separate report in order to submit to the superior courts respectively.

Implementation

86. Proceedings for cases tried under the Child Law are held in a specific building. At the place of trial only staff members of the Court, law officers, members of the People's Police Force on duty in plain clothes, persons directly concerned with the case and persons who have been granted permission by the Court are allowed to access the trial. Juvenile cases are handled in a family spirit. Personal data of the child offender is kept confidential.
87. Personal history and the situation of the family concerned of children in need of protection who are taken care of in institutions are kept systematically and confidentially.

Access to relevant information (CRC Art. 17)

Relevancy with the Law

88. It was mentioned in details in the second national report.

Implementation

89. The Ministry of Information broadcasts children programmes extracting from newspapers and journals in which child education, protection and prevention are included. Moreover,

mass media channels are used for the interest of children in social and cultural sectors.

90. The Printing and Publishing Enterprise, *Sarpay Beikman* and the *Myawady* Press have been publishing weekly journals as well as books and periodicals from time to time aiming at knowledge enhancement of children. Children literatures, such as cartoons, stories and *Mingalar Maung Mei*, etc. are made available in children reading rooms at (377) libraries of the Information and Public Relations Department. Moreover, for knowledge enhancement for children, children literature awards are presented at the Myanmar National Literature Award Competition and the *Sarpay Beikman* Manuscript Award Competition.
91. The Myanmar Radio and Television, the Printing and Publishing Enterprise and the News and Periodicals Enterprise have planned to produce and broadcast more children literature, children programmes and TV programmes.

Abuse, torture and deprivation of liberty (CRC Art. 37)

Relevancy with the Law

92. The legal right to prevent torture and deprivation of liberty is provided in the Penal Code, the Narcotic Drugs and Psychotropic Substances Law, 1993; the Control of Money Laundering Law, 2002; and the Anti-Trafficking in Persons Law, 2005.
93. It is provided in section 361 of the Penal Code that taking away or enticing any minor male under (14) years of age or minor female under (16) years of age or any person of unsound mind from his or her lawful guardian without the consent of the guardian is considered abduction.
94. It is provided in section 363 of the Penal Code that whoever kidnaps any person from the Union of Myanmar or from lawful guardian shall be punished with imprisonment of either description for a term which may extend to seven years, and shall also be liable to a fine.
95. It is provided in section 369 of the Penal Code that whoever kidnaps or abducts any child under the age of (10) years, with the intention of taking dishonestly any movable property from the person of the child, shall be punished with imprisonment of up to seven years, and shall also be liable to a fine.
96. It is provided in section 372 of the Penal Code that whoever sells, lets for hires, or sell off any person under the age of (18) years with an intention that such person shall at any age be employed or used for the purpose of prostitution or illicit intercourse with any person or for any unlawful and immoral purpose, or knowing that such person will at any age likely be employed or used for any such purpose, shall be punished with imprisonment of either description for a term which may extend to (10) years, and shall also be liable to a fine.
97. It is provided in section 373 of the Penal Code that whoever buys, hires or otherwise obtains possession of any person under the age of (18) years with intent that such person shall at any age be employed or used for the purpose of prostitution or illicit intercourse

with any person or for any unlawful and immoral purpose, or knowing it to be likely that such person will at any age be employed or used for any such purpose, shall be punished with imprisonment of either description for a term which may extend to (10) years, and shall also be liable to a fine.

98. Moreover, it is provided in sub-section (c), section 22 of the Narcotic Drugs and Psychotropic Substances Law that if any of the acts provided in Sections 16 to 21 is committed by making use of the child who has not completed the age of (16) years in the commission of the offence, the offender shall be liable to a maximum punishment provided for such offence.
99. Moreover, it is provided in clause(2), sub-section(a), section 5 of the Control of Money Laundering Law, 2003 that this law shall apply to the offences of illegally converting, transferring, concealing, obliterating or disguising of money and property obtained from the commission of trafficking in and smuggling of women and children.
100. Under sub-section (a), section 26 of the Anti-Trafficking in Persons Law, 2005, whoever is guilty of adopting or marrying fraudulently any person for the purpose of committing trafficking in persons shall, on conviction, be punished with imprisonment for a term which may extend from (3) years to (7) years and may also be liable to a fine.
101. Similarly, it is provided in section 27 that whoever is guilty of making use or arranging with a trafficked victim for the purpose of pornography shall, on conviction, be punished with imprisonment for a term which may extend from (5) years to (10) years and may also be liable to a fine.
102. Furthermore, it is provided in sub-section (a), section 11 of the Anti-trafficking in Persons Law that in order not to adversely affect the dignity of the trafficked victims, if the trafficked victims are women, children and youth, the relevant court shall, in conducting the trial of offences of trafficking in persons, do so not in open court but in camera for the protection of their dignity, physical and mental security.
103. It is provided in section 12 of such Law that the Central Body shall, if the trafficked victims are women, children and youth, make necessary arrangements for the protection of their dignity, physical and mental security.
104. It is provided in section 16 that the Central Body and relevant working groups shall, with respect to the trafficked victims who are women, children and youth:
 - (a) Provide special protection of their dignity and identification and necessary security and assistance,
 - (b) Carry out to send them back to their parents or guardian if after scrutiny it is found that it is the best condition for them.

Implementation

105. Measures with regard to torture and deprivation of liberty are mentioned in details under the CRC Article 19, 34 and 35.

Chapter (6)

Family Care and Alternative Care

Parental guidance and the child's evolving capacities (CRC Art. 5)

Relevancy with the Law

106. Section 30 of the Child Law prescribes that every child shall abide by ethics and discipline, corresponding to his age.
107. Likewise, section 31 of the Child Law states that parents, teachers and guardians shall give children guidance to ensure that the practice of abiding by the ethics and discipline mentioned in section 30 is infused into children.
108. Chapter 9 of the Rules relating to the Child Law provides for the establishment of pre-primary schools and voluntary day-care centres in the implementation of ECCD systematically and widely. Rule 50 of the rules relating to the Child Law prescribes in detail the objective, rules, disciplines, monitoring mechanism and technical matters on the establishment of private pre-primary schools and voluntary day-care centres.

Implementation

109. Myanmar customs and traditions are deeply rooted. Children are regarded as jewels of the family and cherished. In line with the traditions, customs and religious teachings, children are nurtured to become good citizens in order for them to become a new generation of the 21st century for the nation. Myanmar society is characterized by enduring family preservation of fine traditions and customs which contribute significantly to the stable and peaceful society. Myanmar people value and take pride in high family values and family spirit in this regard. It can be found that most Myanmar people live in an extended family. According to the 2001 and 2002 statistics, an average household size is (5.2).
110. In accordance with the Myanmar saying 'parents are the very first mentors of children', it is the duty of parents not only to nurture their children to be healthy, intelligent, wise and polite but also to educate them to be able to differentiate between right and wrong and good and bad. In Myanmar tradition, culture and religion, the duties of parents and children have been prescribed traditionally and practiced since long ago, which are the guiding norms of Myanmar customs and traditions. Every parent wishes that their children become well established and well-to-do, a Myanmar saying in this sense is "riding elephants besieged by horses". As there is a Myanmar proverb which says that "parents are responsible for misconduct of their child", parents give children guidance relating to high moral values. Relatives and family friends also contribute in this aspect.
111. The Government, in collaboration with UNICEF, has been accelerating the momentum of ECCD programmes through centre-based, family-based and community-based methods in order to nurture children as early as possible for their all round development.



Celebrating sport competition for all round development of children

112. In order to have access to quality basic education by all children, the Child Friendly School Project was started in 2001 by the Ministry of Education in collaboration with UNICEF. The Child Friendly School Project has been implemented in (94) project townships up to 2007. In so doing, it is mainly focused on the completion of primary education by out-of-school children, especially girls; exemption from school entrance fees and monthly tuition fees for poor children and bringing school-age children in rural areas to school.

Responsibility of parents or guardians (CRC Art. 18)

Relevancy with the law

113. It was mentioned in the previous national reports that section 11 (a) and (b) of the Child Law stipulate responsibilities of parents or guardians.

Implementation

114. In Myanmar tradition, culture and religion, duties of parents and children have been prescribed since long ago.
115. Following are the duties of parents, which have been preserved and carried out till today:
- (a) Prevent children from misconduct,
 - (b) Teach children good conducts,
 - (c) Make children learn arts and science,
 - (d) Give children inheritance at an appropriate time, and
 - (e) Marriage to suitable person.

Separation from parents (CRC Art. 9)

Relevancy with the Law

116. It was mentioned in the previous national report that parents and children are usually not separated as the bonds between them are very strong.

Implementation

117. The causes of children's separation from parents are death of both parents or divorce between parents or inability of both parents to take care of their child or unmanageable

or uncontrollable condition of children or law violation, and such children are taken care of by the DSW and also by voluntary organizations, which is encouraged by the State.

118. Children at the institutions of the DSW and voluntary homes are provided with conditions which contribute to personal hygiene, necessary immunization and nutritious food. They are given education as well as vocational training, taught good and polite manners and to behave well in accordance with Myanmar culture, which contribute to both physical and mental development. (9,276) children at the institutions were given training courses on cultivation, livestock breeding, mechanics and others in 2001-06. (1,678) children at similar institutions were assisted to obtain jobs at farms and factories and in the civil service and other services.
119. A convicted mother serving a prison sentence is allowed to keep her child with her. This was mentioned in the previous national report. The Prisons Manual allows female prisoner, if she so desires to keep her accompanying child with her if there is no one outside to take care of the child, to keep her child until the child reaches four years of age normally and six years of age, if necessary. Pre-primary schools are established in the prisons for such children and they are taught poems and basic language. Necessary facilities are being provided for children who are born from pregnant women by Myanmar Maternal and Child Welfare Association. The Department of Social Welfare is looking after (25) such children.



Food and necessary facilities are being provided for children who are born from pregnant women in prison.

Education learning opportunities are given to pre-school children.



Family reunification (CRC Art. 10)

Relevancy with the Law

120. Regarding family reunification, section 35(c) of the Child Law states as follows;-
“to entrust the child to the care of the parents or guardian, with or without execution of a bond, in the case of a child who is found, on scrutiny to have complied with the arrangement for at least one year and whose moral character has improved”
121. In accordance with section 10 of the Anti-trafficking in Persons Law, the functions and duties of Repatriation, Reintegration and Rehabilitation of Trafficked Victims are as follows: It prescribed that “coordinating and cooperating with relevant government departments, organizations and non-governmental organizations for the repatriation of the trafficked victims to their native place, enquiring the circumstances of the relevant family, medical examination of trafficked victims with their consent, consolation and education and other necessary assistance”.

Implementation

122. Repatriation, rehabilitation and follow-up programmes for trafficked children have been systematically carried out. There were nine trafficked children under (6) years of age in 2006. After systematic coordination with the country concerned, they were repatriated to Myanmar and reintegrated with their parents/guardians. In this regard, the Department of Social Welfare has been cooperating with other organizations, such as the Myanmar Women’s Affairs Federation (MWAF), the World Vision (Myanmar) and Save the Children (Myanmar).
123. In line with the Child Law, 1993, the Department of Social Welfare is taking care of children who are in need of protection and have violated the law through institution-based and community-based programmes.
124. Children who are in need of special protection, such as orphans, street children, abused children, working children and handicapped children, are provided with essential social care and protection by the Department of Social Welfare in line with the Child Law and the Rules related to the Child Law.
125. Reintegration of children who have been taken care of in the institutions into their families is the most important part of the institution-based programmes. For the children who have completed one year and behaved well during the period, probation officers make field visits to wards, townships, families and relatives of the children and reintegration process for them is carried out.

Illegal transfer and forbidding the return (CRC Art. 11)

Relevancy with the Law

Implementation

126. It is mentioned in details in the report under Article 35 of the Convention on the Rights of the Child.

Standard of Living (CRC Art. 27 para. 4)

Relevancy with the Law

127. It is provided in section 11(b) of the Child Law, 1993 that a child shall be entitled to a monthly allowance from parents who fail or refuse to support him.
128. It is provided in section 13(c) of the Child Law that a child shall have the right to make complaint, hearing and defend at relevant Government department, organization or court either personally or through a representative in accordance with the law, in respect of his rights.
129. It is provided in section 25(C) of the Child Law that every child has the right to sue and be sued in accordance with the law.

Implementation

130. Sub-Article (4), Article 27 of the Convention on the Rights of the Child provides that the rights mentioned in the domestic law are to be enjoyed in respect of child maintenance allowance.

Protection of children deprived of family environment (CRC Art. 20)

Relevancy with the Law

131. It was mentioned in the second national report that section 32 of the Child Law provides for protection and care for children who do not have parents or family.

Implementation

132. For street children who do not have, or are separated from, parents or guardians, probation officers conduct investigation and contact parents, if they are located, and educate them. Then the child is reintegrated with the family concerned. Children who are in need of protection and care are sent to respective institutions. (976) children in residential nurseries, (3,985) children in boys training schools, (630) children in training schools for girls, (1,041) girls in vocational training schools for women, altogether (6,632) children were looked after in 2002-06. The list of children who were with such institutions till 2001 was provided with the second national report.

Adoption (CRC Art. 21)

Relevancy with the Law

133. The provisions and regulations of the Myanmar Adoption law were mentioned in the first and second national reports and in the clarifications thereafter.

Implementation

134. In accordance with the Child Law and the Rules relating to the Child Law, orphans who are taken care of in residential nurseries under the Department of Social Welfare are allowed to be adopted for their best interests. From 2001 to 2006, a total number of (48) orphans were adopted. Similarly, the Department of Health permitted adoption of (44) orphans in accordance with the rules and regulations. Adoption is also undertaken by local authorities legally in the community. The data relating to adoption will be provided in next report.

Periodic review of placement (CRC Art. 25)

Relevancy with the Law

135. Section 35(c) of the Child Law provides that if a child sent to a training school of the Department of Social Welfare in accordance with section 34(a) of the Child Law improves and behaves well after completion of one year at the school can be entrusted to the parents or guardians.
136. Similarly, section 48(b) of the Child Law provides that Juvenile Courts may issue an amending order to entrust the convicted child, who has improved and behaved well after completion of one year at the training school of the Department of Social Welfare, to his/her parents or guardians.

Implementation

137. Data on children reintegrated with parents or guardians after completion of one year at the institutions is as follows:

No.	Year	Number of Children
1.	2001	336
2.	2002	464
3.	2003	548
4.	2004	421
5.	2005	246
6.	2006	168
	Total	2,183

Chapter (7)

Basic Health and Social Support

Health and Health Services (CRC Art. 24)

Relevancy with the Law

138. There are a number of legislations regarding health policies and health development plans in Myanmar to provide effective health care services to the entire population.
139. In order to promote and protect public health rights, the following policies, laws and regulations have been adopted.
- Public Health Law
 - Myanmar Maternal and Child Welfare Association law
 - Prevention and Control of Communicable Disease Law
 - National Food Law
 - National Health Policy
 - Myanmar Reproductive Health Policy
 - Myanmar Health Vision (2030)
 - National Health Plan
 - National Plan of Action for Food and Nutrition
 - Rural Health Development Plan (2001-06)
 - Five-Year Strategic Plan for Child Health (2005-09)
 - Five-Year Strategic Plan for Reproductive Health (2004-08)
 - Five-Year Strategic Plan for HIV / AIDS (2001-06)

Implementation

Health Care System

140. The Ministry of Health is a major provider of comprehensive health care covering prevention, cure, rehabilitation and promotion. Public as well as private sector involved in allocation of funds and giving health services to the population. The Department of Health, under the Ministry of Health, plays a major role in providing comprehensive health care throughout the country, including remote and hard-to-reach border areas.
141. The Ministries of Defense, Railways, Mines, Industry (1), Industry (2), Energy, Home and Transport are providing health care, mainly curative, for their employees and their families.
142. The private sector is mainly providing ambulatory care by provision of institutional care in Yangon, Mandalay and some large cities and is expanding in recent years. The General Practitioners' Section of the Myanmar Medical Association through its branches in townships provides links between private practitioners and their counterparts in public sector so that private practitioners can also participate in public health care activities.
143. One unique and important feature of Myanmar health system is the existence of traditional medicine along with allopathic medicine. Traditional medicine hospitals and clinics have been set up all over the country. There are quite a number of private traditional practitioners and they are licensed and regulated in accordance with the provisions of related laws.

144. In line with the National Health Policy, NGOs such as the Myanmar Maternal and Child Welfare Association (MMCWA) and the Myanmar Red Cross Society (MRCs) are also taking part in service provision which contributes to more effective health care services.
145. Recognizing the growing need for involvement of all relevant entities and the community at all administrative levels, health committees have been established in various administrative levels down to the wards and village tracts. These committees are headed by chairman or responsible person of the local organs of power concerned and the members include heads of related government departments and representatives from social organizations.
146. The Ministry of Health has been working closely with WHO, UNICEF, UNFPA and other UN agencies, international organizations, 34 international NGOs and domestic NGOs.

Child Health

147. Child Health, including newborn care, has been accorded priority aiming at reducing maternal, newborn, infant and children morbidity and the Ministry of Health has put emphasis on achieving the MDGs by 2015 with its own available resources. Efforts by the Ministry of Health and partner agencies have increased effective interventions such as regular vitamin A supplementation, national nutrition week and increased immunization coverage and thus increase an access to Primary Health Care. IMCI strategy has been adopted and applied since 1998 with the addition of maternal portion and it has been implemented as Integrated Management of Maternal and Childhood Illness (IMCI) project in (322) townships. For sustainability and wider coverage, IMCI strategy has been integrated into pre-service curriculum of Medical, Paramedical, Nursing and Midwifery Schools in 2002. Then from 2001 onward, in line with innovative life cycle approach, Women and Child Health Development project was launched by the Department of Health. A five-year strategic plan (2005-09) for child health has been formulated by DOH with technical inputs from different stakeholders aiming to intensify the already implemented interventions for child health for reduction of mortality according to the MDGs.
148. Although vital rates vary with study design, method and coverage applied, all sources show that the child mortality rate is lowering. According to the nation wide cause-specific under-five-mortality surveys (1994-95 and 2002-03) by DOH, U5MR declined from 82.4 /1000 LB in 1995 to 66.1/1000 LB in 2003. However, infant mortality rate was not significantly changed and it was 49.7 / 1000 LB in 2003. Mortality among infants contributed 73% of under-five deaths and 87% of deaths occurred in rural areas. Leading causes were ARI 25%, brain infections 14%, diarrhoea 13.4% septicaemia 10.5%, malaria 5.7%, and beri-beri 5.5%. Major causes of neonatal deaths are prematurity 30.9%, sepsis 25.5% and birth asphyxia 24.5%.
149. The main gaps are neonatal health, rural health development and some key family practices. DOH planned to strengthen these areas in coming years. New formula ORS and Zinc supplementation also has been introduced and introduction of Hepatitis B vaccine to routine EPI schedule will be considered. Continuum care of Maternal, Newborn and Child

health approach will be implemented in coming national health plan period (2007-11) to obtain more cost effective benefit.

Expanded programme of immunization

150. Expanded programme of immunization was launched in May, 1978 with the commencement of 1st People's Health Plan (1978-82), implemented in (104) townships. By 1997 EPI covered the whole country. From 1998 onwards, installation of solar-powered refrigerators and conducting crash programme for the hard to reach and remote border areas during favourable season made the EPI operationally cover the whole country (total (325) townships).
151. Morbidity and mortality from (6) vaccine preventable diseases is visibly declining, and targets for Polio Eradication and Neonatal Tetanus Elimination were set in 2000.
152. As Myanmar EPI Program is accelerating OPV immunization activities in risk areas with mopping up OPV immunizations, Myanmar was certified Polio-free in 2003 and achieved the Regional Certification in 2005.
153. Although Myanmar is free from wild Polio Virus, the processing of reintroduction of wild virus as well as Vaccine derived Polio Virus are continuously alarming, and the Acute Flaccid Paralysis (AFP) Surveillance System and the system is being strengthened with setting increased target for active case search among under (15)year old children.
154. From 2003, Mass Measles Campaign was conducted throughout the country in a phased manner for (3) consecutive years, immunizing children aged between 9 months and 5 years.



Immunization activity for infants in mountainous region

155. Hepatitis B vaccine had been introduced in National Immunization Programme in 2003 in a phased manner, totaling vaccine preventable diseases to seven.



Immunization activity for infants in far remote area

Neonatal care

156. According to the nation wide cause-specific under-five-mortality surveys (2002-03), neonatal death contributes 25% of under-five deaths. Without implementing special interventions for essential newborn care at all levels it may not be possible to reach the MDGs goal (4) to reduce child mortality. Both five year strategic plan for child health (2005-09) and five year strategic plan for reproductive health emphasize the essential package for newborn babies and it planned to implement as phased-manner approach based on availability of resources.

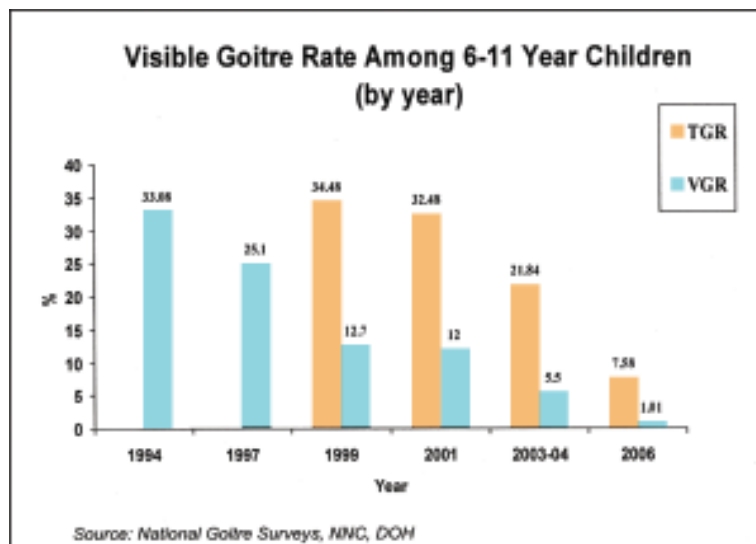


Immunization activity for infants in Delta region

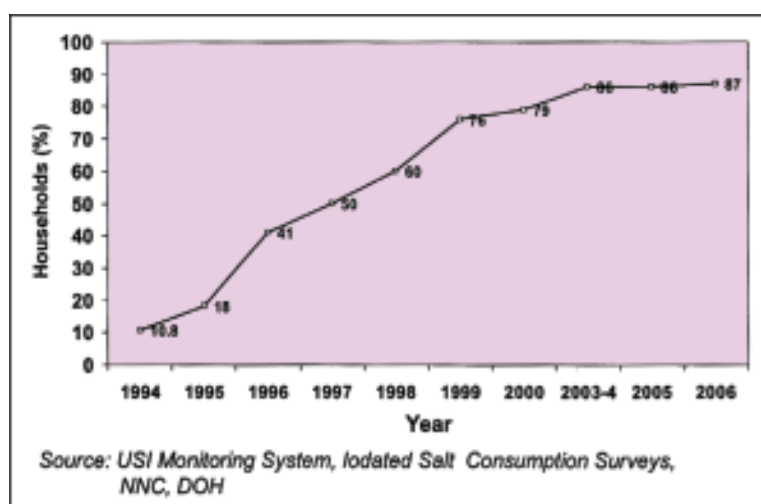
Child and Maternal Nutrition

157. Myanmar has identified protein energy malnutrition (PEM) and micronutrient deficiencies (Iron deficiency anaemia, Iodine deficiency disorders, and vitamin A deficiency) as its major nutritional problems.

- Prevalence of under-weight among children below five years of age declined from 35.3% in 2000 to 31.5% in 2003. (MICS Surveys, Dept. of Health Planning); MDGs goal for under-weight prevalence is 19.3% by 2015.
- Visible Goitre Rate among (6-11) year old school children dropped from 12% in 2000 to 5.5 % in 2003- 04. (Target< 5%).



- Proportion of household consumption of iodated salt was 86% in 2003. (Target >90%) Median urinary iodine excretion for the whole country was 236ug/l in 2003- 04 (Target>100 ug/l).

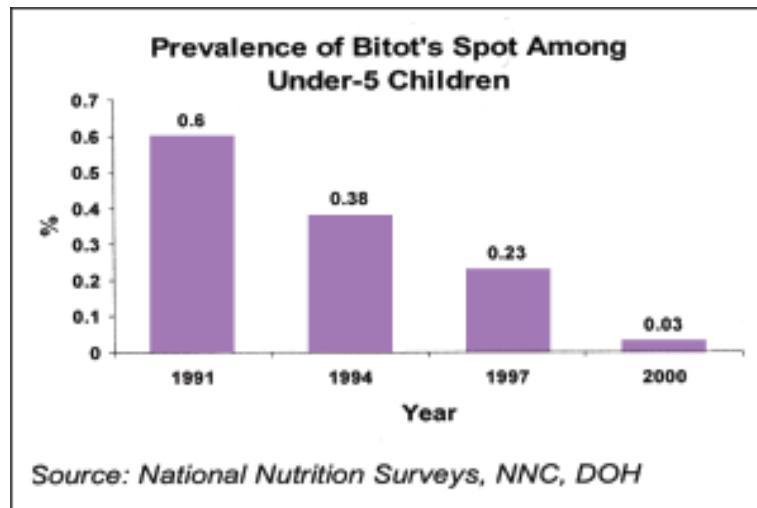


Iodized salt consumption rate (yearly)

- Prevalence of Bitots spot (ocular sign of vitamin A deficiency) among children under five years decreased from 0.23% in 1997 to 0.03% in 2000.

**Prevalence of Vitamin A deficiency rate among children under 5 years
(Bitot's Spot rate)**

- Prevalence of Iron Deficiency Anemia was 45% in reproductive aged non pregnant women (2001); 26.4% in adolescent schoolgirls (2002) and 51% in pregnant women residing in the hilly region (2003).



158. According to the findings of under-five-mortality survey, one of the main causes of death in children aged (28) days and above is Beri Beri, a disease due to deficient vitamin B1 in food. Therefore, vitamin B1 deficiency Surveillance System was launched in 2005. Multivitamin tablets containing vitamin B1 were distributed to the risked groups, especially to lactating mothers.
159. Growth monitoring and promotion (GM/P) for under-3 children is the major control activity for PEM that take place throughout the country. There are also nutrition rehabilitation activities in some selected areas, community nutrition centers in urban and village food banks in rural area. Iron supplementation is the nation-wide program against anaemia during pregnancy while supplementation for under-five children and adolescent school girls is implemented in some selected areas.
160. Universal salt iodization has been adopted for sustained elimination of iodine deficiency disorders while biannual supplementation with high potency vitamin A capsules forms the major intervention against vitamin A deficiency.
161. In Myanmar, breast feeding practices is 93.4%, mixed feeding is 5.7%, initiation of breastfeeding within one hour is 83.9%, Colostrums feeding is 96.4%,and exclusive breastfeeding under six months is 16% (NNC, 2003).
162. Under guidance of breast feeding policy, Baby-Friendly Hospital Initiative (BFHI) was launched in 1995, and by the end of 2005 it is projected nearly all hospitals and health centers. The number of facilities designated as "Baby Friendly" increases and the outstanding hospitals and health centers are awarded every year.

163. Although "International Code of Marketing of Breast-milk Substitutes Law" is still under processing, awareness training for advocates has been given in (12) States & Divisions since 2005.
164. During the 2nd National Immunization Day in 2001, high potency vitamin A was given to children between (6) months and (5) years of age after oral polio vaccination. Nutrition promotion week campaign was launched since 2003. During the campaign, various nutrition promotion activities are carried out. Vitamin A capsules are distributed to children between (6) months and (5) years of age; iron tablets are distributed to the pregnant women; and iodine content of salt is testing at the markets and houses. Various nutrition education programmes are broadcast and telecast. Testing of iodine in salt is demonstrated for the schoolchildren and essay competitions for schoolchildren and cooking competitions for mothers are held. During the campaign, activities are conducted with major partners, such as Myanmar Salt Enterprise of the Ministry of Mines, the Department of Basic Education, the Ministry of Information, and the Department of General Administration.

Maternal Health

165. As in most developing countries, complications due to pregnancy and childbirth are the leading causes of death for women aged (15-49) years.
166. The chance that a woman will die due to pregnancy-related causes is (1) in (33) in Myanmar. Skilled attendants at births are present at only 60% of deliveries nationwide and only just over 20% of deliveries take place in a hospital or health centre. Most deliveries take place in homes.
167. In order to reduce maternal and neonatal morbidity and mortality, safe motherhood initiatives have been expanded into a national movement. Continuum of quality care for maternal and newborn health has then been focused as a priority in preventing maternal and newborn deaths and morbidities. In response to this challenge, the essential package of reproductive health interventions emphasize emergency obstetric care and neonatal care. Emphasis is also given to improvement of safe obstetric practices and reduction of the occurrence of harmful traditional practices.
168. Myanmar Reproductive Health Policy was formulated in 2002 and implemented at the country level. The five-year reproductive health strategic plan (2004-08) was developed and implemented with support and contribution from many sectors.
169. Birth spacing services were provided in 1991 with the assistance of a number of international agencies. At the end of 2006, this programme provides services in (112) townships as a component of reproductive health package.
170. Antenatal care service emphasizes in giving anti-tetanus vaccine to pregnant mothers and more than 75% were immunized against tetanus for (2) times during pregnancy.

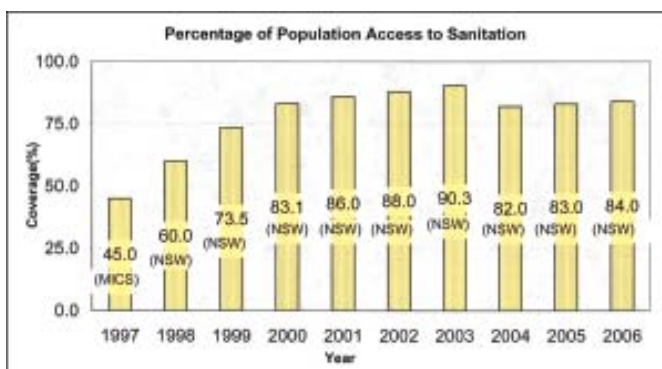
171. Maternal and child health services were given in cooperation and collaboration with WHO, UNICEF, UNFPA, international nongovernmental organizations and local organizations such as MMCWA and MWAFA.

School Health

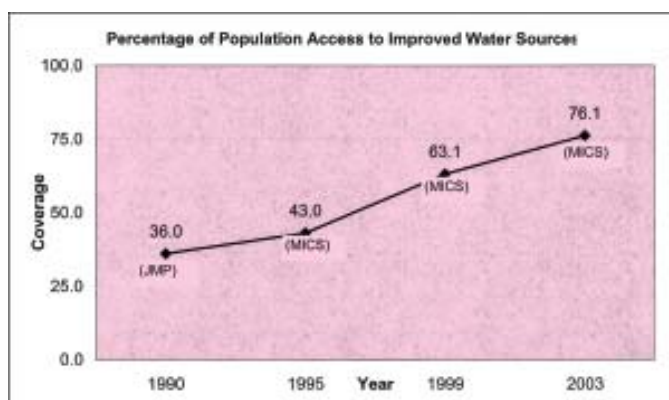
172. Since 1998, Health promoting school programme has been implemented with the objective of promoting the health standard of students with the support of WHO. By 2006, all schools in the country were covered by health promoting school programme.
173. Myanmar commenced its school de-worming programme in 2002. A baseline survey was conducted in the delta area which is one of the four major ecological zones in the country and the survey showed a level of high prevalence and a high intensity of soil-transmitted helminthiasis (STH) among school-age children, which requires regular deworming two times a year. The findings lead to training of school teachers in the area on giving health education and treatment for STH to the school-age children.
174. During December 2005, (4.8) million school-age children and (2.1) million preschool-age children from all over the country were de-wormed as an integrated approach with the support of WHO and UNICEF. New IEC materials were developed and distributed to all schools. Advocacy meetings on integrated de-worming programme were held in all States and Divisions.
175. Myanmar school-based STH control programme is gaining momentum with active involvement of related health projects such as School Health Project, Nutrition project, Maternal and Child Health Project and Lymphatic Filariasis elimination programme and Ministry of Education as well as WHO and UNICEF.

Safe drinking water and sanitation

176. Improved water supply and improved sanitation are among the development indicators directly related to health.
177. Although many agencies involved in carrying out improved water supply, rural water supply was taken care of by the Department of Development Affairs.
178. The Environmental Sanitation Division (ESD) has carried out water supply and sanitation for health centres in rural areas and maternal and child health centres in urban areas and for some township and station hospitals. Awareness promotion and building the capacity of the community through trainings, workshops, and I.E.C materials are priority activities for all the projects.
179. National Sanitation Week was initiated in 1998 which is the most effective advocacy campaigns and it brings about great success in boosting community awareness and consequent increasing sanitation coverage. In 2006, proportion of people with access to improved sanitation is 81% in rural area, 88 % in urban and 84 % for the whole country.



180. According to progress report, population accessed to safe water supply was also increased from 63.1% in 1999 to 76.1% in 2003.



HIV/ AIDS Prevention

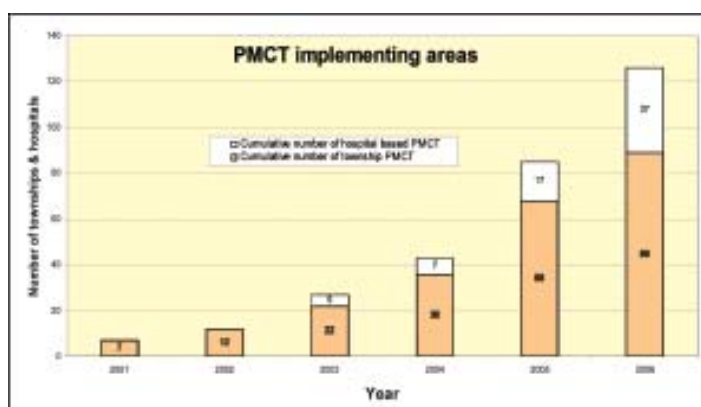
181. AIDS is the disease of national concern and it is one of the priority diseases of the National Health Plan of Myanmar. The National AIDS Programme (NAP) includes HIV/AIDS prevention and care activities in coordination with related Ministries and NGOs, both national and international, and UN Agencies.
182. Health Education is one of the fundamental activities for raising awareness about HIV/AIDS and has been implementing aiming at the general as well as targeted population, including youth and women, as high-risk populations. Different types and forms of mass media, including folk-media, print media, have been used with the assistance of the Ministry of Health, non-governmental organizations (NGOs), UN agencies, private sector, and related public organizations for increased perception of HIV/AIDS.
183. For students, adolescents and youth, School-based Healthy Living and HIV/AIDS Prevention Education Programme (SHAPE) has been implemented in collaboration with the National AIDS Programme and School and Adolescent Health Project under the Department of Health, Department of Education Planning and Training and UNICEF, since 1998 to 1999. Beginning with (30) townships, it has now been expanded to (137) townships. Based on SHAPE, National Life skills Curriculum was also introduced in 1998 and has now been expanded to the whole nation.
184. For out-of-school adolescents and youths, community-based HIV/AIDS and drug abuse prevention and education activities as well as peer education programmes are being

implemented in coordination with national NGOs, such as the Myanmar Red Cross Society, Myanmar Maternal of Churches, Pyinnya Tazaung and international NGOs, such as Medecins du Monde, World Vision International and Save the Children.

Prevention of mother to child transmission (PMCT)

185. The Ministry of Health in partnership with UNFPA and UNICEF, has embarked on the Prevention of Mother to Child Transmission of HIV (PMCT) Programme by administering Nevirapine to HIV-infected pregnant women since 2000 in Myanmar.
186. After conducting initial assessments and taken into account of the fact that 70% of country's population resides in rural areas, community based PMCT programme has been introduced. Currently, there are a total of (89) townships with ongoing PMCT activities.
187. Institutional based PMCT services were made available to those women receiving AN care at these institutions since 2003, and currently there are a total of (37) hospitals with ongoing institutional based PMCT programme.
188. During 2005 alone, (69,440) pregnant women did HIV testing and 629 HIV positive mother-baby pairs received Nevirapine.

189. Several NGOs, including Myanmar Maternal and Child Welfare Association (MMCWA), the Myanmar Red Cross Society (MRCS), CARE, Save the Children-US, Save the Children-UK, World Vision, Marie Stopes International (MSI), and Medecins du Monde (Mdm), have been



implementing programmes with adolescent health components in a number of townships. programme, Aedes free school programme and health promoting school programme with the aim to establish model schools in various townships in all states and divisions.

Programmes implemented by Myanmar Maternal and Child Welfare Association (MMCWA).

190. The Myanmar Maternal and Child Welfare Association (MMCWA) has been providing health care services to expectant mothers under Safe Motherhood Initiative program at the (112) maternity clinics owned by the association. It is also providing immunization services, distributing iron and folate supplementation and iodized salt and also conduct health talks on nutrition promotion and cooking demonstration on nutritious food.
191. The Myanmar Maternal and Child Welfare Association (MMCWA) has operated construction and staffing of maternity waiting home in (5) selected townships and collaboration with UNFPA in 2006 to allow rural women greater access for safer and timely delivery. These

are planned to extend this activities to cover more township in 2007. Auxiliary mid-wife trainings are being conducted for (6) months course. These are conducting in all states and division under the guidance of MMCWA.

192. To prevent pre-natal mother to child HIV transmission (PMCT),MMCWA endeavors to increase access to prevention of mother to child transmission (PMTCT) through its maternity homes in collaboration with National AIDs program of MOH. In 2006,PMCT projects has been launched in (5) selected townships and one PMCT center at the central MMCWA. The agreement has been made to extend this program to cover more townships in 2007.
193. MMCWA members have been oriented and trained to participate in services for immunization of children against (6) major childhood diseases. Growth monitoring program for under three children has been carried out in community based nutrition centers and village food banks for supplementary feeding. (1,656) preschools, including MMCWA center, are being established for overall development. In this program, the activities are medical examination at the beginning of the school years, provision of care, treatment and referral, preventive and educative talks to parents and guardians, training for healthy life style practices and training for the preservation of cultural norms.



Immunization children for mass measles campaign

194. MMCWA is actively participating in the implementation of school health program in cooperation with the Ministry of Health. They endeavors in the implementation of tobacco- and narcotics-free school program, Aedes free school program and health promoting school program with the aim to establish model schools and healthy children in various townships in all states and divisions.

Children with Disabilities (CRC Art-23)

Relevancy with the Law

195. Facts relating to the provision of the law were mentioned in the first national report.

Implementation

196. The Department of Social Welfare provides special school-based and community-based rehabilitation services for the physically disabled, visually impaired, hearing impaired and intellectually disabled children in and is trying to raise awareness among the general public on disability issues in community-based rehabilitation.

197. Regarding the special school-based service, there are (5) government schools and (10) NGO schools providing Educational and Rehabilitation Services.
198. For educational rehabilitation of disabled children, such as blind, deaf and intellectually disabled children, primary level education is given in their schools and secondary level education is given under the Education for All system in basic education schools.
199. For vocational rehabilitation, pre-vocational training such as handicraft, baking are provided. Massaging, cane weaving, and wool knitting skills and computer training are provided for visually impaired persons. For hearing impaired and physically disabled persons, tailoring, embroidery, computer and silk screen printing trainings are provided.
200. At the schools for all deaf run by government and NGOs, sign language trainings are given to the teachers from the Basic Education Department every year. Sign Language Dictionary volumes I and II have been published with the approval of the Myanmar Education Committee.
201. Regarding Community Based Rehabilitation (CBR), vocational trainings for the hearing impaired persons are provided. The CBR programs for physically disabled persons include home-based rehabilitation, such as physiotherapy exercises, formal education, and non-formal education. Moreover, income generating for the family, providing nutrition, medical treatment and necessary facilities are being also carried out.
202. For PWDs' participation in sports competitions, the Myanmar Sports Federation for Disabled Person has been established and is conducting annual local sports competitions for the disabled. The International Day of Disabled Persons which falls on 3rd December has been celebrated yearly as a national level ceremony and outstanding PWDs are honoured.
203. The Department of Social Welfare is providing rehabilitation services for disabled children in cooperation with NGOs' schools for disabled. With the collaboration of INGOs, such as Japan International Cooperation Agencies (JICA), Asia-Pacific Centre of Disability (APCD), Enfants du Monde-Droits de L'Homme (EMDH), New Humanity FOCSIV (Myanmar), the Department has provided rehabilitation services for disabled children. In collaborating with JICA, 3- year project will be implemented to enhance the capacity of the deaf community and awareness raising among general public. With the collaboration of the Department of Social Welfare and JICA, the 3-year projects which are to promote social participation of the deaf community and to implement the Standardized Sign Language. This project is a great support for deaf community, families, sign language interpreters, school for the deaf and deaf associations.

Social Security (CRC Art. 26)

Relevancy with the Law

204. The rights of children that can be enjoyed according to the Social Security Regulation Article 52 (1) (d) is provided as follows:

- (a) "Pediatric care for newly born child of an insured woman for a period of not more than six months after birth".
- (b) It is defined that in Myanmar Social Security Regulation Art. 141 (1) provides that "In case of death of an insured person resulting from an employment injury, survivors' pensions shall be paid to the following members of his family"
In Myanmar Social Security Regulation Art.-141 (1) (b) provides that " his legitimate or illegitimate unmarried children legally adopted before the injury occurred, until they have completed (13) years of age, or (16) years if they continue a course of education considered satisfactory by the Board (Orphan's pension)".

Implementation

- 205. Insured women workers registered under the Social Security Board have the right to enjoy medical care during confinement, and pediatric care for new-born child of insured women is given for a period of not more than six months after birth. If necessary, newly born children are referred to children's hospital where the cost of treatment is borne and the cost of diapers is reimbursed by the Board.
- 206. According to Art. 141(b) of the Myanmar Social Security Regulation, in the case of death of an insured worker resulted from injuries sustained while working, pension may be paid to his/her child/children until they have reached (13) years of age, or (16) years of age if they are continuing their education.

Living Standard (CRC Art. 27)

Relevancy with the Law

- 207. The Law for Development of Border Areas and National Races (1993) and the law amending the Law for Development of Border Areas and National Races (2006) have been enacted and implemented in order for all regions in Myanmar to develop proportionately.

Implementation

- 208. To raise the living standards of national races, the Ministry for Progress of Border Areas and National races and Development Affairs has set the following objectives and implemented them;
 - (a) ensuring smooth and better transportation in the rural areas,
 - (b) securing water in the rural areas,
 - (c) uplift of the education standard of the rural people,
 - (d) uplift of health-care system for the rural people,
 - (e) development of the economy in the rural regions.
- 209. Moreover, (24) special development regions spanning (14) states and divisions have been designated and developmental works have been carried out. These works include reparation of roads and bridges, construction of roads connecting districts to districts and urban water supply projects to provide safe drinking water to rural people.
- 210. Apart from providing basic needs, such as road transportation and safe drinking water, construction of suitable accommodation for rural people, upgrading of small towns into big towns, etc. have been systematically carried out for the improvement of health,

education, social and economic conditions of rural people. Moreover, model village projects and housing complex projects are being systematically implemented for the development of rural people.

211. The Ministry for Progress of Border Areas and National races and Development Affairs, in collaboration with the UN agencies, International Organizations, Non-Governmental Organizations, and neighboring countries, has also been working for the eradication of poppy cultivation and substitute-crops cultivation and providing assistance to families who have abandoned poppy cultivation.

Chapter(8)

Education, Leisure, Recreation and Cultural Activities

(CRC Art. 28, 29 and 31)

Education, Vocational education and guidance (CRC Art. 28) and Our Vision and Educational Objectives (CRC Art. 29)

Relevancy with the Law

212. It was mentioned comprehensively in the first national report.

Implementation

Our vision and Educational Objectives

213. The Ministry of Education has been endeavouring for the educational development effectively in line with Our Vision of Education and Educational Objectives for the Development of Education in the Basic Education Sub-sector as well as in the Higher Education Sub-sector.

Our Vision

To create an education system that can generate a learning society capable of facing the challenges of the Knowledge Age.

Educational Objectives

- (1) To ensure accessibility to education for all school age children and young people,
- (2) To promote quality of Myanmar education standard.

The Long-term Education Development Plan

214. Since 2001-02 FY, the Thirty-Year Long-Term Basic Education Development Plan consisting of six five-year medium-term plans has been implemented with the following ten broad programmes:

- (a) Emergence of an education system for modernization and development,
- (b) Completion of basic education by all citizens,
- (c) Improvement of the quality of Basic Education,
- (d) Opportunity for pre-vocational and vocational education at all levels of basic education,
- (e) Providing facilities for e-education and ICTs,
- (f) Producing all-round developed citizens,
- (g) Capacity building for educational management,
- (h) Broader participation of the community in education,
- (i) Expansion of non-formal education, and
- (j) Development of educational research.

215. The target goals for completion of basic education for all citizens have been laid down and implemented in the long-term plan. The expected targets are as follows:

- (a) To ensure universal primary education by 2005-06,
- (b) To ensure universal lower secondary education by 2015-16,
- (c) To ensure universal upper secondary education by 2030-31.

Education for All

216. In line with the long-term education development plan and the framework of the Dakar EFA Goals and working to achieve the Millennium Development Goals (MDGs), the Myanmar Education for All National Action Plan (EFA-NAP) 2003-15 has been formulated and implemented with the following six goals:

- (a) Ensuring that significant progress is achieved so that all school-age children have **access** to and complete free and compulsory basic education of good quality by 2015,
- (b) Improving all aspects of the **quality** of basic education — teachers, education personnel and curriculum,
- (c) Achieving significant improvement in the levels of functional **literacy** and continuing education for all by 2015,
- (d) Ensuring that the learning needs of the young people and adults are met through non-formal education, **life skills** and preventive education programmes,
- (e) Expanding and improving comprehensive **early childhood care** and education, and
- (f) Strengthening education management and **EMIS**.

Ensuring more Accessibility to Education

217. **Expansion of basic education schools:** More basic education schools have been opened nationwide in order to provide better and easier access to basic education for all school-age children. The total number of basic education schools between 1988 and 2006 is as follows:

No.	Opened schools	1988	2006	increase %
1.	High school	722	2,047	183.5
2.	Middle school	1,696	2,605	53.6
3.	Primary school	31,329	35,896	14.6
	Total	33,747	40,548	20.1

Therefore, (3) out of (5) villages have basic education schools and there is one basic education school within (1.4) miles in distance.

218. **Education in Border Areas:** Measures to provide educational opportunities to children of national races in border areas have been taken since 1989-90. As a result, (185,552) children are now studying in (1,034) schools.

219. **Post-primary schools:** Beginning from the 2001-02, suitable primary schools have been upgraded to post-primary schools enabling to provide education up to Grade (8) to students who have completed primary education to pursue middle school education. The number of post-primary schools and students attending these schools are as follows:

No.	Academic Year	Post Primary School	Students
1	2001-02	696	31,881
2	2002-03	2,401	134,711
3	2003-04	3,829	238,814
4	2004-05	4,736	303,171
5	2005-06	5,545	359,088
6	2006-07	5,935	419,387

220. As a result of upgrading post-primary schools, the transition rate from the primary school level to the middle school level was 68.5 percent in 2000-01 and increased to 78.35 percent in 2006-07.

221. **Expansion of affiliated schools and branch schools:** To enable students to attend higher classes in their existing schools and to increase the transition rates, schools have been up-graded to higher level as affiliated schools or branch schools. As a result, students have the opportunity to continue education of higher level at their existing schools.

222. **Pre-school Education:** Since 1948, the Department of Social Welfare has been given responsibility as a focal department for the development of children aged (3) to (5) years. There are (65) pre-schools at present and (9,750) children are being nurtured in these schools. These schools have been given technical supports and monitored by the DSW. There are 813 self-help pre-schools, run by volunteer organizations, and being attended by (40,650) children. The measures taken by the DSW are as follows:

- Implementing of integrated Early Childhood and Development Project in collaboration with the related departments, NGOs and UNICEF.
- Attending training workshops to collaborate and exchange experience and techniques in the region.
- Developing ECCD curriculum and manual for using the whole nation and formulating guideline for caring of children under 3 years old.
- Developing rules and regulations for registration of day care centers and pre-schools.

Starting from 2007, the DSW has been carrying out the community-based ECCD activities according to the parental education program. There are 50 mother cycles looking after (500) children under five years old at (5) townships in Bago (West), Sagaing, Magwe and Yangon division.

A lovely dance of pre-primary school children's participation in art competition



223. In 1998, the Ministry of Education developed the ECCD curriculum and Teachers' Manual in line with the Education Promotion Program and opened pre-primary classes in suitable basic education schools. Up to now, there are (1,772) basic education schools with pre-primary classes attended by (36,235) children. The Department of Educational Planning and Training in collaboration with Pyin Nyar Ta Zaung, non-governmental organization, is implementing ECCD project by opening Mother circles with the assistance of the UNICEF. In 2006, (1,000) mother circles are nurturing (10,000) children. The Ministry of Education and UNICEF has been jointly implementing ECD project in (109) townships up to now 2001.



Participation of pre-primary school children at poem reciting competition

224. **Activities carried out by non-governmental organizations:** The ECCD activities are also carried out by local NGOs and INGOs. The Myanmar Maternal and Child Welfare Association has been establishing pre-schools countrywide and nurturing children. There were (821) pre-schools nurturing (30,476) children in 2001, but there were (1,656) pre-schools and (62,440) children in 2006. Therefore, a total of (290,069) children have been nurtured. The MMCWA is also carrying out activities for all round development of children under five years of age, including nutritional program, vitamin A capsule distribution, immunization, de-worming and personal hygiene activities.
225. The *Pyin Nya Tazaung*, local non-governmental organization, in collaboration with the Ministry of Education and UNICEF is carrying out the ECD Network Project by forming mother circles, publishing and distributing the IEC materials, such as illustrated books and magazines for education of Early Childhood Care and Development.
226. The international non-governmental organizations, such as Save the Children (Myanmar) and World Vision (Myanmar), are also carrying out the community-based and family-based ECCD programs in cooperation and collaboration with the Government Departments, local NGOs and INGOs. From 1999 to 2005, community-based ECCD programs were implemented by Save the Children (UK) at (46) villages in (11) project townships and by Save the Children (US) also at (49) villages in (2) project townships. Between 2006 to 2009, (3) years short term project is implemented by Save the Children (Myanmar) in collaboration with the Department of Social Welfare and the ECCD centers are opened in remote and hard to reach areas for the poor children (age under 5). In order to get access to Early Childhood Care and Education for under (5) year-old poor children in these areas, (184) ECCD Centers are opened with (6000) (age under 5) who are poor children in (9) townships. In addition to that, Save the Children (Myanmar) is providing training for the community ECCD committee, carrying out parental education, giving practice to ECCD management committees to enable them to take responsibility for ECCD activities.

227. World Vision (Myanmar) also implements the ECCD activities by giving trainings for volunteers and interested persons from villages, conducting awareness raising workshop for ECCD at 22 townships in 10 States and Divisions. There are (122) ECCD centers running by World Vision (Myanmar) and 4,943 children are being nurtured in these centers.
228. Furthermore, Faith Based Organizations, Social Service Organizations, Monasteries, Christian Churches from urban areas and private schools are also implementing the ECCD activities by opening (2,634) pre-schools with (145,153) children attending. Totally, there are (8,124) pre-schools nurturing (316,849) children. In carrying out the ECCD activities, out of over (7) million under (5) year-old children in the entire country, the percentage of children who have access to pre-school education has increased from 10 % in 2002 to over 12.95 % in 2006. The extension and expansion of Early Childhood Care and Education program will be continued in the whole country.

229. All School-age Children in School

Program: Beginning from 1999-2000, the last week of May is designated as a Whole-Township-Enrollment Week and enrollment activities have been conducted in collaboration with the authorities concerned, education personnel, the Union Solidarity and Development Association, Myanmar Women's Affairs Federation, Myanmar Maternal and Child Welfares Association, well-wishers and Local Community as a National mass Movement. As a result, the enrollment rate of (5) year-old children in Grade (1) increased from 91 percent in 1999-2000 to 97.84 percent in 2006-07. The rate of completion of primary education increased from 43.5 per cent in 1999-2000 to 70.68 per cent in 2006-07.



Enrollment Week Activity

230. **Collaboration with parents, well-wishers and social organizations:** In accordance with the All School-age Children-in-School Project, the Ministry of Education, Social Welfare Organizations, local communities and well-wishers made donation of textbooks, exercise books, stationery, school uniforms and cash for the needy children to attend the schools at the Enrollment Day Ceremonies as well as during academic year. From 2002-03 to 2006-07, the value of cash and kind is (3116.334) million kyats in total.



Social organizations donate various educational materials

231. To enable all school-age children to go to school, Maternal and Child Welfare Association made donation of text books, stationery, school uniforms and cash to needy children and students to attend pre-primary schools, basic education schools and universities from States and Divisions. From 2001 to 2006, (876.06) million kyats worth cash and kind donation has been made to (1,255.963).



Myanmar Maternal and Child Welfare Association donates text books for children with disabilities

232. More benches and chairs were needed because of the increasing number of students. Therefore, the benches and chairs were provided to middle schools and high schools by the Ministry of Education totaling cash value of (144.91) million kyats and to primary schools by the Union Solidarity and Development Association totaling cash value of (407.972) million kyats.

233. **Inclusive Education:** To enable every citizen to complete basic education, the inclusive education program was initiated in basic education schools for those with intellectual disabilities, physically handicaps, visually impairment and hearing impairment those having difficulty school, those who are members of socially excluded families, and those children who dropped out before completing primary education in accord with this program, learning centers under the non-formal education have been opened for them.



A child with disability attends the school according to inclusive education

During 2006-07, by the Inclusive Education program, (11,080) children were enrolled in formal schools, (873) children were enrolled in the special schools for the blind and deaf, (9,567) children were attending non-formal learning circles, totaling (21,520). Among these children, 40.7 percent of girls have access to inclusive education.

234. **Opening Mobile Schools:** Local authorities and social organizations are collaborating for the realization of the Mobile Schools programs under which teachers accompany migrant workers to provide education to their children. During 2006-07, there were (43) mobile schools with (1,603) students in (15) townships.



A teaching view at mobile schools

235. **Special Program for Over-aged Children:** With the aim to ensure that all school- age children are in school, a special program for over-aged children is being implemented in 2003-04 at the Basic Education Schools. The accelerated program enables children of age 7+ or 8+ years to complete primary education in (3) years and those of age 9+ years to complete primary education in (2) years. Between 2003-04 and 2006-07, (119,555) over-aged children have opportunity to learn primary education.
236. **Monastic Education:** The role of the Monastic Education is also important for all school-age children go to schools. The children who did not attend schools for various reasons have been attending monastic schools where teaching is carried out in accordance with the curriculum of basic education. In 2006-07, (184,749) children including novices and nuns are studying at (1,291) monastic schools for basic education.
237. **Voluntary Night Schools:** For out of school children and youths, communities opened the voluntary night schools by the supervision of DSW. In 2006-07, (87) voluntary night schools have been opened with (6066) primary students also by the supervision of MWAF and MMCWA, the voluntary night school are opened. In 2006, the number of voluntary night schools run by State and Division WAOs are (222) and (12535) students had access to Basic Education in those schools.
238. **Non-formal Education:** In order to access to Basic Education for All, it is being implemented not only by formal education sector but also non-formal education sector. The Department of Myanmar Education Research is implementing non-formal education activities such as basic literacy and continuing education for out of school children, youth and adults by carrying out and opening the literacy circles and community learning centers. The youth (15 to 24)Literacy rate in 1990 is 80.9% and it is increased to 96.8% in 2005.MMCWA is also implementing Non-formal Education activities by opening basic literacy learning circles, reading circles, libraries, community learning centers. In 2001, there were (3177) basic literacy learning circles, (2733) reading circles, (553) libraries and (25) community learning centers. However, in 2006, there were (6467) basic literacy circles, (6747) reading circles, (20484) libraries and (927) community learning centers. Thus, from 2001 to 2006, (496278) illiterates become literates who got basic literacy skills.

Ensuring Quality of Basic Education

239. **Upgrading curricula and syllabuses:** To upgrade curricula and syllabus of the basic education, curricula and syllabus have been modified and also being taught beginning from 1998-99. In order to revise and upgrade to that of international level, seminar on upgrading of the curricula and syllabus for upper secondary level was held in 2006, and according to the decision of that seminar, the upper secondary level syllabuses and contents are revised and upgraded. The revised syllabus and contents were discussed at the Basic Education Seminar (2007) and are being finalized to be introduced in 2008-09.
240. **Extension of teaching Life Skills Subjects:** In order to get skills for solving the problems faced in human society and for right decision making, the Life Skills Subjects were introduced to teach in primary level in 1998-99, and in secondary level in 2000-01. In this Life Skills Subject, there are five keys areas such as Healthy Body Prevention of Diseases,

Skills needed for life, Mental Health and Preservation of Environment. In line with the modernization, the primary Life skills curriculum is reviewed and revised by the Department of Educational Planning and Training in collaboration with UNICEF in 2004. In 2006, the Life skills Education is implemented by using revised curriculum in (144) townships. Yearly, the new townships will be identified to implement with new revised curriculum to be covered the whole nation.

241. **The Teaching of Human Right Education Lessons:** To understand the right to get based on their age level and responsibilities related to those rights by the students and to practice them, the Human Right Education Lessons have been taught as a portion of Moral and Civic Subject in lower and upper secondary level starting 2004-05. The Human Right Education Lessons are developed focusing on the five key areas(a)Knowledge about right,(b)Values and attitudes for individual, development for respect to rights,(c)Civic responsibilities,(d)Legal framework,(e) Peace Education.By learning the Human Right Education Lessons the students can have the right to express their thinking,opinions, concepts to ask each other, to discuss in groups, to present, to participate, to solve the problems and to learn by doing freely. The teaching method is mainly focused on using 5 senses as well as child center approach.
242. **Change of teaching and assessment methods:** In order to promote children's initiative, creative, analytical skills, critical thinking and problem solving skills, Child-centered Approach have been adopted since 2004-05. Moreover, beginning of 1992, the Continuous Assessment and Progression System was conducted instead of examination-centered system to promote quality of education.
243. **Upgrading teachers' quality:** Before 1998, there were only in-service trainings for teachers who were uncertified in service. Starting from 1998, all training colleges and schools for teachers have been upgraded to Education Colleges introducing pre-service teacher training courses, in-service teacher training courses and refresher courses to ensure high teacher qualities. Besides, senior teachers are produced as well-trained teachers, and Master's and Ph.D. courses are provided at the three institutes of education.
244. To narrow the teaching quality gap between the teachers of urban and rural schools, refresher courses for senior assistant teachers of English, Mathematics and Physics were conducted in summer 2006 at the (30) Universities and Degree Colleges and all together, (6,857) teachers were trained to become well-qualified teachers. And then, refresher course for teachers of Chemistry, Biology and Economics was conducted in summer 2007 at (34) Universities and Degree Colleges, training (5,374).
245. To improve teaching and learning quality of primary teachers and junior teachers in the whole nation, from January to August 2007, central level instructors training courses, refresher courses and multiplier courses were conducted. By these courses (171587) primary teachers and (57558) junior teachers have been trained well. Thus, the quality of almost all of Basic Education Teachers has been improved.

246. **Child Friendly Schools Project (CFS):** To have access to quality basic education to all schools going age children and complete basic education by all children, the Child Friendly School Project is being implemented by Ministry of Education in collaboration with UNICEF. Starting from 2001, Child Friendly School Project was implemented in (19) townships and then yearly extended to implement as (21) townships each in 2002 and 2003, (13) townships in 2005 and (20) townships in 2007. Totally, Child Friendly School Project has been implemented in (94) townships up to now. To become Child friendly Schools, the project is conducted by focusing on (5) key dimensions such as, inclusiveness, effectiveness, Healthy, safe and protective environment. Gender sensitiveness and responsiveness and participation. For the implementation of the Child Friendly Schools Project the various trainings concerned with CFS for primary teachers from the project townships, the capacity building trainings for instructors. Townships Education Officers, PTA Members and Community Members are being conducted. The provision of teaching and learning materials for students, distribution of training manuals and handouts, the renovation of classrooms in border area child friendly schools are also carried out by the project.
247. **Strengthening morale and discipline:** Since 1999-2000, the Union Spirit and patriotic spirit and to obey laws, rules and regulations, lessons on physical education, sports and aesthetic education (Arts and Music) have been taught to enhance awareness and follow discipline and moral.

Chapter(9)

Children in Need of Special Protection

Children in difficult circumstances (Art. 22)

248. There is no refugee children in Myanmar.

Children in Armed Conflict (CRC Art. 38)

Relevancy with the Law

249. Myanmar Tatmadaw is an organization of those who have joined on voluntary basis. The rules and regulations for the recruitment of new soldiers have been in place since 1947, and at present the Military Orders with respect to the recruitment of new soldiers, such as the War Office Council Directives No. 13/73, 8/74 and 8/75 of are followed. It is strictly restricted to accept the following as new recruits;

- (a) Must be a Myanmar citizen,
- (b) Must attain (18) years old and beyond (25) years old,
- (c) Must be healthy according to the regulations of military service,
- (d) Must be qualification of education.

250. Moreover, the Committee for the Prevention of Military Recruitment of Under-age Children consisting (10) members was established on 5 January 2004 with the Secretary (1) of the State Peace and Development Council and the Adjutant General as its Chairman, and adopted the three objectives, which are as follows:

- (a) To prevent forced recruitment of under-age children as soldiers.
- (b) To protect the interests of under-age children; and
- (c) To ensure strict compliance with the orders and instructions with respect to the protection of under-age children.

Implementation

251. In order to implement the above objectives, a Task Force comprising (4) cabinet ministers has been formed and a plan of action has been formulated. A Working Committee for the Prevention of Military Recruitment of Under-age Children was also formed on 10-2-2007 for more effective implementation. The (8) member Working Committee is headed by the Director of the Directorate of Military Strength of the Ministry of Defence.

252. Since its inception in 2004 and until 2006, the Committee has handed over to respective parents/guardians (122) under-age, (268) ineligible and (177) medical unfits, totaling (567) who were already attending basic military trainings.

253. Actions have been taken against perpetrators of ineligible recruitments — (17) including one Warrant Officer in 2002, four including one Sergeant in 2003 and five soldiers including one Major in 2006, totaling (27) officers and other ranks.

254. The Committee has also cooperated with UN Agencies, including UNICEF, as follows:
- Observation visit and briefing sessions each at No.1 and No.2 Military Recruitment Centres in 2004,
 - Observation visit and briefing sessions on the issuance of national registration cards at Sitpin Kwin village and Myaing Tharyar model village at Thanlyin Township, Yangon Division in 2005,
 - Briefing sessions for foreign military attaches at Military Guest-house, No.20 Inya Road, followed by an observation visit to No(1) Basic Military Training Camp and No(1) Military Recruitment Centre,
 - Observation visit and briefing session at No (2) Military Recruitment Centre in 2006.
255. The Chairman of the Committee and Secretary (1) of the State Peace and Development Council explained to the Ambassadors, Resident Representatives of UN agencies and responsible officials from INGOs about the activities of the Committee at the Tatmadaw Guest-house, No.20, Inya Road on 6 February 2007, followed by a visit to the Recruitment Centre No (1) and Basic Military Training Camp No(1).

Children in conflict with the Law (CRC Art. 40)

Relevancy with the Law

256. The rights of children who have violated the law were mentioned in the first national report and matters concerning court proceedings for legal action against children were mentioned in the second national report.

Implementation

257. In order to implement the Convention on the Rights of the Child, the Child Law was promulgated in 1993. In accordance with Section 3(f) of the Child Law, juvenile offences are tried separately with the objective of reforming the character of such children. Juvenile courts have been established in Yangon and Mandalay, and the judges in other townships have been entrusted with special powers to try juvenile cases, proceedings of which are to be conducted in a separate building. In Myanmar, the number of cases tried by juvenile courts up to 2001- 2006 are as follows;

Sr. No.	Year	Number of cases	Number of offenders	Male	Female
1	2001	1137	1237	983	254
2	2002	1347	1446	1157	289
3	2003	1142	1389	1103	286
4	2004	1096	1233	1015	218
5	2005	1094	1225	1011	214
6	2006	1130	1120	938	182
	Total	6946	7650	6207	1443

258. A national level juvenile justice workshop was conducted with the collaboration of UNICEF on 12-13 July, 2004, and was attended by relevant Departments, INGOs and NGOs related to juvenile justice. As a result of the workshop, the Juvenile Justice Inter-Agency Working Group was formed and monthly meetings of it have been held regularly. Furthermore, training courses on child protection and juvenile justice were provided to personnel from relevant departments, including judges, police, prison officers and officers from the Social

Welfare Department. From 2005 to 2006, (4) training courses for the police, (6) for the general administrative staff, one for the municipal staff and one for the staffs of various Departments were conducted, totaling (12) training courses.

259. In accordance with section 40(a) of the Child Law, the Supreme Court has established one special Juvenile Court each for Yangon metropolitan area covering (20) townships and Mandalay metropolitan area covering 5 townships. For other townships, in accordance with the Section 40(b), the Supreme Court issued the Notification Number 25/93 on 29-7-1993 by which the township judges are vested with the power to try juvenile cases. Arrangements have been made for separate court building and places for juvenile cases.
260. Before court proceedings can be started, the child concerned is looked after by the training school and, where there is no training school, the child is looked after by the Child Protection Sub-Committee or Township Organization for Women's Affairs or a police officer of lieutenant rank the lowest.
261. As township judges have attended advance training courses conducted by the Supreme Court, workshops and symposiums on Child Law, they are well trained in the fields of Juvenile Justice System and awareness programmes relating to the child rights. Moreover, they have been attending regularly in-service training courses according to the Judge Education Norms. These training courses cover the Juvenile Justice System and the Convention on the Rights of the Child, Beijing Rules, Riyadh Guideline and the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (JDL). The Supreme Court also successfully organized a National Workshop on Juvenile Justice and Child Protection jointly with the UNICEF from 12 to 13 July 2004 at the Sedona Hotel, Yangon.

Drug abuse (CRC Art. 33)

Relevancy with the Law

262. Section 32(g) of the Child Law prescribes that a child who uses narcotic drugs or psychotropic substance shall be considered a child in need of protection and care. Section 33(a) also prescribes that whoever is of the opinion that the State should provide protection and care to a certain child who uses narcotic drugs or psychotropic substance and is in need of protection and care may intimate the relevant social welfare officer stating the facts of the case.

Implementation

263. The Central Committee for Drug Abuse Control has been carrying out measures to prevent children from drug abuse. During the reporting period, although children who are of a perverted character and also in conflict with the Narcotic Drugs and Psychotropic Substances Law are being sentenced to a death or transportation for life, sentence of imprisonment shall not exceed a term of (7) years according to the Child Law. However, with the aim of the best interests of the child, children are being sent to any training school for youths under the Department of Social Welfare to reform their character.
264. Myanmar has been implementing (15) year Drug Eradication Plan (1999 to 2014). The New Destiny Project, part of the (15) year Drug Eradication Plan, was started in April 2002.

The target of this plan is to totally eradicate poppy cultivation by 2004 and crops substitution. It is estimated to spend (117.28) million kyats and the crop substitution has been done in 92.48 percent of an estimated area of (10,581) hectares.

265. UNODC's 2005 annual report mentions that poppy cultivation in Myanmar declines 60 per cent during 2001 to 2005. narcotics. The UN Counter Narcotics and Crime (CNC) also reported that both poppy cultivation and opium production declined 80 percent during 1996 to 2004. These reports testify that Myanmar's drug eradication efforts have resulted in significant success.
266. Moreover, Special Region (4) of Monglar, Kokant and northern Shan State, special region of Wa were announced drug-free regions in 1997, 2003 and 2005 respectively.
267. Since 1998, confiscated narcotic drugs have been burned yearly. The total value of destroyed narcotics till 2006 is US\$ 436 million in current price.

Protection from abuse and neglect (CRC Art. 19)

Relevancy with the Law

268. Regarding the protection of children from abuse and neglect, section 13(c) of the Child Law prescribes that, a child shall be given the opportunity of making a complaint, being heard and defend himself or herself in the relevant government department, organization or court either personally or through a representative in accordance with Law in respect of his rights.
269. To protect the child from abuse and torture, section 32(d) of the Child Law specifically prescribes that a child in need of protection and care is one who is in the custody of a cruel or wicked parents or guardian.
270. Penalties for offences regarding the abuse and torture of children are prescribed in section 65(a) of the Child Law, " Whoever commits any of the following acts shall on conviction be punished with imprisonment for a term which may extend to (6) months or with a fine which may extend to kyats (1,000), or with both."
"employing or permitting a child to perform work which is hazardous to the life of the child or which may cause disease to the child or which is harmful to the child's moral character.
271. Section 66(d) of the Child Law prescribes that willful maltreatment of a child, with the exception of a kind of admonition by a parent, teacher or person having the right to control the child for the good of the child, shall be punished with imprisonment for a term which may extend to (2) years or with fine which may extend to kyats (10,000), or with both. Necessary measures have now been taken to amend this provision, willfully maltreating a child, physically abuse, sexually abuse, exploitation by parent, teacher (or) guardian.

Implementation

272. In Myanmar, regarding abuse and neglect on children, not only provisions are enacted in Child Law but also practices are being taken. Awareness training courses on prohibition of all kinds of child abuse for the staffs of the institutions and those who are involved in taking care of children have been conducted.
273. The Ministry of Education issued instructions in 2000 to the Departments of Basic Education and Township Education Officers in order to prevent children from physical and emotional abuse and corporal punishment. All Basic Education Schools have been following the instructions since then.
274. The personnel concerned working for child protection were sent to the East Asia and Pacific Regional Consultation on Violence against Children held on 14-16 June, 2005, in Bangkok, Thailand. Besides the Ministry of Social Welfare, Relief and Resettlement, in collaboration with UNICEF, a workshop on violence against children was conducted on 19-20 October, 2006, in Yangon, Myanmar. The Government organizations, NGOs, INGOs and other relevant persons attended the workshop.

Sexual exploitation and sexual abuse of children (CRC Art. 34)

Relevancy with the Law

275. In this regard, Child Law, 1993, prescribes the following:
- “Section 66(a); neglecting knowingly that a girl under his guardianship, who has not attained the age of (16) is earning a livelihood by prostitution,
 - Section 66(b); permitting a child under his guardianship to live together or to consort with a person who earns a livelihood by prostitution,
 - Section 66(f); using the child in pornographic cinema, video, television or photography, whoever commits any of the following acts shall, on conviction be punished with imprisonment for a term which may extend to (2) years or with fine which may extend to kyats (10,000) or with both.”
276. Furthermore, the Anti-Trafficking in Persons Law prescribes the followings:
- “Section 26; Whoever is guilty of any of the following acts shall, on conviction be punished with imprisonment for a term which may extend from a minimum of (3) years to a maximum of (7) years and may also be liable to a fine.
- (a) adopting or marrying fraudulently for the purpose of committing trafficking in persons,
 - (b) causing obtaining unlawfully the necessary documentary evidence documents or seal for enabling a trafficked victim to depart from the country or enter into the country.
- Section 27; whoever is guilty of making use arranging with a trafficked victim the purpose of pornography shall, on conviction be punished with imprisonment for a term which may extend from a minimum of (5) years to a maximum of (10) years and may also be liable to a fine.”

Implementation

277. Sexual exploitation of children has been given special attention. Measures have been taken to protect children in accordance with the Child Law 1993. Concerning child protection, police officials have been trained and assigned to different States and Divisions to surveillance tourist from abusing and exploiting children and tourism related crimes while ensuring their safety."
278. Relating to sexual exploitation and abuse of children, the Ministry of Hotels and Tourism, in cooperation with the Australia-based Child Wise Tourism Organization, has conducted (5) workshops for the staffs of relevant Ministries. Similarly, the Ministry of Home Affairs since 2005 has conducted (2) workshops in cooperation with the British Criminal Investigation Department and (6) workshops in cooperation with UNICEF to enhance their knowledge and capacities on suppressing trafficking.
279. Under the leadership of the Ministry of Home Affairs, an international seminar on the Rights of the Child was held four times; twice at the Sedona Hotel, Yangon, in November 2001 and in July 2002, once each in Mawlamyaing in February 2003 and in Myitkyina in February 2003.
280. In collaboration with the Ministry of Home Affairs and the Ministry of Hotels and Tourism, IEC materials were disseminated as part of the prevention of sexual abuse on children. In this regard, the directory of ASEAN Tourism, posters, pamphlets and stories have been published. In 2006, the Ministry of Home Affairs conducted research training on studying the situation of sexual abuse on children. Technical workshops were held for the National Plan on sexual abuse of children.
281. Through the public awareness workshops on the Child Law, child abuse, neglect and exploitation conducted in cooperation between the Department of Social Welfare and UNICEF in States / Divisions, Districts and Townships, members of the CRC and the social organizations have been educated. From 2002 to 2006, these workshops were held in (16) States/ Divisions, (24) Districts and (127) townships.
282. In 2004, a workshop on commercial sexual exploitation and trafficking was held in Yangon. The attendants were representatives from governmental organizations, NGOs, UN agencies, such as UNICEF, UNIAP and INGOs and programmes related to prevention, protection and rehabilitation were laid down.
283. Social rehabilitation services are provided for sexually abused children being looked after at the institutions under the Department of Social Welfare.

Sale, Trafficking and Abduction of Children (CRC Art. 35)

Relevancy with the Law

284. In order to combat trafficking in persons in Greater Mekong Sub-region (GMS), countries comprising Cambodia, China, Laos PDR, Myanmar, Thailand and Vietnam the Memorandum on " Coordinated Mekong Ministerial Initiative against Trafficking – COMMIT" was signed on 24 October, 2004 in Yangon, Myanmar and measures on anti-trafficking have been

implemented. Myanmar has become a member country signing on United Nations Convention against Transnational Organized Crime- UNCTOC on 30 March, 2004, Protocol to Prevent Suppress and Punish Trafficking in Persons, especially Women and Children – TIP Protocol against smuggling of Migrants by Land, Sea and Air- Som Protocol to effectively combat and take action on the offences of trafficking in Persons, the Anti-Trafficking in Persons Law was enacted on 13, September, 2005 focusing on combating trafficking.

285. This Law provides in details for the formation of a Central Body and its functions and duties; of working groups; the protection of the rights of trafficked victim; the special protection of trafficked victims, women, children and youth; repatriation, reintegration and rehabilitation; establishment of the fund; and penalties for offences. With respect to the trafficked women and children, it states as follows:-
 “Section 24. Whoever is guilty of trafficking in person especially women, children and youth shall on conviction be punished with imprisonment for a term which may extend from a minimum of (10) years to a maximum imprisonment for life and may also be liable a fine.
 Section 25. Whoever is guilty of trafficking in persons other than women, children and youth shall on conviction be punished with imprisonment for a term which may extend from a minimum of (5) years to a maximum of (10) years and may also be liable to a fine.”
286. In accordance with the TIP Law, trafficking is identified as a serious crime and a maximum penalty is death sentence. Moreover, protection, assistance, compensation for trafficked victims and establishment of the fund are prescribed in the law.
287. Myanmar has enacted the Control of Money Laundering law in 2002 and the Mutual Assistance in Criminal Matters law in 2004 for cooperation in judicial matters in the region, which are related to the Anti-Trafficking in Persons Law.

Implementation

288. To cooperate in the activities of Anti-Trafficking in Persons in all its aspects, Myanmar has laid down a five-year National Plan of Action based on five technical strategies, such as policy and cooperation, prevention, prosecution, protection, rehabilitation and capacity building.
289. As trafficking in persons has a negative impact on Myanmar values, prestige and integrity, combating trafficking has been designated as a national task. As most of the trafficked victims are from vulnerable groups, particularly women and children, education programmes were carried out throughout the country in 2001 in order to prevent illegal travels to abroad. Repatriation centres have been set up to receive trafficked victims and measures relating to repatriation and rehabilitation are carried out. After replacing the illegal migrants from foreign countries, Anti-Trafficking Task Force has identified whether trafficked victims or not and carried out the follow-up services if they are victims.
290. ‘The Trafficking in Persons Prevention Committee was formed in 2002 to take more effective legal measures against trafficking in persons. Similar committees have been formed at the state/division, district, township and ward/ village track levels.

291. To effectively implement the Anti-trafficking in Persons Law, the Central Body for Suppression of Trafficking in Persons was formed on 11 February, 2006. It is chaired by the Minister for Home Affairs and comprises of the Deputy Attorney General as Deputy Chairman, the Deputy Minister of Home Affairs, the Deputy Minister of Social Welfare, Relief and Resettlement, the Director General of Myanmar Police Force as Secretary and heads of relevant Government Departments and Organizations, representatives from the Non- Governmental Organizations and relevant experts as members.
292. Protocol between the Ministry of Home Affairs of the Union of Myanmar and the Ministry of Public Security of the People's Republic of China on Cooperation in Border Areas was signed on 12 December, 2001. Summary of the important facts from this protocol that are being carried out has been noted down at the First Ministerial Meeting of two countries. An Agreement on Myanmar-China Transnational Crime and Peace and Tranquility in Cross-border was signed on 15 January, 2005 and the two countries have been cooperating in this regard.
293. In order to undertake comprehensive measures for the overall development and personal safety of women, the Myanmar Women's Affairs Federation(MWAF) was formed on 20 December, 2003 and, since then, it has been working towards prevention of women and children from being trafficked.
294. The Department of Social Welfare is undertaking physical and mental rehabilitation programs for trafficked women and children who are transferred back from foreign countries. In so doing, victims are provided with necessary health care, social counseling, formal education and vocational training.
295. A total number of (34) children, consisting of a boy and (33) girls under (18) years of age, were repatriated between 2004 to 2006 and (29) of them have been sent back home. Five girls, whose families were unable to take care of them, were accepted by the Department of Social Welfare. Four of these girls have being provided formal education at the Training School for Girls (Yangon) and the other one has been looked after and given 3Rs and vocational training at the Vocational Training Center for Women, Yangon.
296. As part of preventive measures, information on the nature and modes of human trafficking are being disseminated widely and discussions and educational sessions together with counseling teams have been conducted. Rehabilitation-related activities for returnees, including providing advice, rehabilitation programs, health care and sending the returnees back to their families, follow-up programmes are in close cooperation with other NGOs and INGOs.
297. In order to emphasize on trafficking in persons, the Department against Transnational Crimes (DTC) of the Myanmar Police Force, in collaboration with ARCPPT Project implemented under the agreement signed between the governments of Australia and Myanmar, formed strong anti-trafficking unit in 2004 with police officials. Similarly, members of task force trained by internationally recognized experts are assigned to (9)

major and border towns like Muse, Tachileik, Myawaddy, Mawlamyaing, Kawthoung, Bhamo, Kalaay, Mandalay and Yangon and high risk areas to suppress trafficking.

298. The Department of Social Welfare has been carrying out programmes on repatriation and rehabilitation in collaboration with the Myanmar Women's Affairs Federation, UN agencies such as UNICEF and UNIAP, INGOs such as World Vision (Myanmar) and SC(UK). Trafficked women and children are being brought back by contacting with the cooperation of the foreign countries concerned. For repatriation and rehabilitation purposes, education, counseling and vocational training are also being provided, and returnees are reintegrated into the society. In addition, trainings are being given to the staffs from the Department of Social Welfare to repatriate the trafficked women and children systematically. (21) education programmes were conducted under the sponsorship of Myanmar Women's Affairs Federation from 2001 to 2006. The Department of Social Welfare conducted four training courses with the collaboration of UNIAP.
299. During 2006, there were altogether (32) trafficked victims, including (9) children under (6) years and (23) children under (18) years of age, (5) under (6) years and (23) under (18) years of which were transferred back to Myanmar. Trafficked children under (6) years of age are (8) from China and (2) from Thailand and under (18) years are (14) from China and (9) from Thailand.
300. The Ministry of Home Affairs has planned to organize special police force for child protection under Myanmar Police Force in collaboration with UNICEF;
- (a) To assist for protection of child rights in accordance with the Convention on the Rights of the Child and Child Law,
 - (b) To protect violence, abuse, neglect and exploitation on children,
 - (c) To protect children in conflict with the law in line with the Child Law,
 - (d) To provide assistance for the correction of delinquent and street children.
301. Myanmar has been striving for the advancement of women, including the girl-child, by establishing the Myanmar National Committee for Women's Affairs in 1996 and the Myanmar Women's Affairs Federation in 2003.
302. All round development of the girl-child adopted at the Fourth World Conference on Women held in Beijing, has been carried out as a specific area of the said activities.
303. Although violence against women including the girl-child is not a big issue in Myanmar, research work as well as preventive measures for violence against women in the society and family, sexual exploitation, physical and mental violence have been undertaken by the Myanmar Women's Affairs Federation as follows:
- (a) Since girls are constituted as the strength of future Myanmar, in order to achieve the true vision, right ideas and concept, in order to be protected against various forms of violence and it's consequences which will hinder their advancement as well as in order to develop the physical, mental and moral character, workshops and educational talks are being carried out continuously.



Myanmar Women's Affairs Federation holds advocacy talk

- (b) In the light of trafficking in women and children problem is constituted as the global issue, to prevent Myanmar women against this process, Myanmar Women's Affairs Federation is carrying out the preventive measures such as awareness raising from the media, convening talks on the nature of trafficking, raising the morality so as to resist against the persuasion of the traffickers and the consequences of trafficking. Additionally Myanmar Women's Affairs Federation is providing physical and mental rehabilitation of the victims, reintegration of the victims to the family providing health care, counseling, vocational training, providing fund for investment, seeking for jobs and reunification of the victims to their families and the follow-up services.



Holding educational talk for Anti-Trafficking

Working Children (CRC Art. 32)

Relevancy with the Law

304. It was already mentioned in the 2nd National Report relating to the implementation of the United Nations Convention on the Rights of the Child regarding the protection of working children in Myanmar.

305. Working Children are protected according to the provisions of the existing labour laws such as the Factories Act, 1951 and the Leave and Holidays Act, 1951.
306. Legal provisions of the Factories Act, 1951 are as follows:
- “Section 36(1) No woman, adolescent or child shall be employed in any factory to lift, carry or move any load so heavy as to be likely to cause injury.
 - Section 52(a) Specify the operation and declare it to be dangerous;
 - Section 52(b) Prohibit or restrict the employment of women, adolescents or children in the operation.
 - Section 75 No child who has not completed his required or allowed to work in any factory.
 - Section 79(1) No child shall be employed or permitted to work in any factory:-
 - (a) for more than four hours in any day; and
 - (b) between the hours of 6 p.m and 6 a.m.”
307. Legal provisions of the Shops and Establishments Act, 1951 are as follows:-
- “Section 8(1) No young person who has not attained the age of (13) years shall be required or permitted to work in any shop, commercial establishment or establishment for public entertainment.
 - Section 8(2) The President may fix an hour beyond which young persons who have not attained the age of (18) years shall be allowed to work in any shop, commercial establishment or establishment for public entertainment.”

Implementation

308. Working hours, leave of absence, holidays and other entitlements for working children in Myanmar are mentioned in the Factories Act and the Shops and Establishments Act. Relating to minimum working age, children under (13) years of age are restricted to be employed in factories. Children from (13) to (15) years of age must obtain a certificate of fitness from a certifying surgeon to work in a factory. No child shall be permitted to work in factories between (6) p.m. and (6) a.m and for more than four hours a day. The Ministry of Labor has been monitoring the compliance of these restrictions. Furthermore, it is also monitoring that children under (18) years of age are not allowed for labor registration and submission for appointment in accordance with the procedure under the Employment and Training Act, 1950, and the Employment Restriction Act, 1959.
309. As in other societies, children in Myanmar usually take part in their family household business although the types of work and their roles may differ, such as cleaning, cooking, baby sitting, helping at farms and contributing in family businesses.
310. By participating in family house-hold business, they learn various skills and sense of responsibility and dignity of work. Parents can also teach their children such skills. There has a difference between child workers and such the above children. Some of children have occasionally participated in shops, factories and services for family income generating if necessary.

Exploited Children (CRC Art. 36)

Relevancy with the Law

311. To prevent other kinds of exploitation regardless of CRC 32, 33, 34, and 35, section 16(a) of the Child Law prescribes that “In order that every child shall not be subjected to arbitrary infringement of his honor, personal freedom and security, relevant Government departments and organizations shall provide protection and care in accordance with the Law”.

Implementation

312. Some children have to work to help or earn for their families, mostly in farms and not in dangerous worksites. They are protected from exploitation and abuse in accordance with the Child Law.

313. Therefore, children learn skills and sense of responsibility. Some work in shops, worksites and factories. They are protected by the Labor Act, 1951, the Factories Act, 1951, and the Leave and Holiday Act, 1936.

Rehabilitation of Children in Need of Special Protection (CRC Art. 39)

Relevancy with the Law

314. In order that the children may fully and equally enjoy their rights, section 26 of the Child Law provides as follows:

- “(a) the Government departments and organizations shall perform their respective functions as far as possible,
- (b) voluntary social workers or non-governmental organizations also may carry out measures as far as possible, in accordance with the Law.”

Implementation

315. For abused and exploited children who are in need of protection from the Government, the Department of Social Welfare has established (8) training schools for boys and girls to provide physical and mental rehabilitation services and reintegration programme. (1,298) children are being taken care for all round development. In doing so, they are given formal education and vocational education and returned to parents/guardians and reintegration programmes are implemented. In addition, (13,836) children are being looked after in (158) Youth Development Centres.



The girl-child are learning vocational education at Training School for Girls under DSW

316. The Department of Social Welfare is also focusing on rehabilitation for persons with disabilities. For the rehabilitation, specialized training schools have been established for the physically handicapped, visually handicapped, hearing handicapped and mentally retarded — two schools for the blind, a school for the deaf, a vocational training school for the disabled adults and a school for disabled children.
317. (27) youth development training schools have been established for the children in border areas to enable them to have access to education. (34) women vocational training schools have also been set up to provide vocational trainings to girl-children. The Nationalities Youth Technical Schools have been established for the youths from national races in border areas.

Ethnic Children (CRC Art. 30)

Relevancy with the Law

318. The Ministry of Progress for Border Areas and National Races and Development Affairs has been implementing the following objectives in accordance with section 3 of the Development of Border Areas and National Races Law:-
- (a) to develop the economic and social works and roads and communication of the national races at the border areas, in accordance with the aims which non-disintegration of the Union, non-disintegration of the national solidarity and perpetuation of the sovereignty of the state
 - (b) to cherish and preserve the culture, literature and customs of the national races,
 - (c) to strengthen the amity among the national races,
 - (d) to eradicate totally the cultivation of poppy plants by establishing economic enterprises,
 - (e) to preserve and maintain the security, prevalence of law and order and regional peace and tranquility of the border areas."

Implementation

319. In the education sector, essential for the capacity building of youths from national races in border areas, (852) primary schools, (90) middle schools, and (92) high schools have been built for which (461,377) million kyats have been spent up to 2006-07. In Shan state, (82) schools have been built by the Nippon Foundation from Japan.
320. (27) training schools have also been built for poor youths from national races in border areas who had no access to education before.
321. In these training schools, primary, middle, and high school education are provided. There are (18) boys-only schools, one girls-only and (8) mixed schools. In 2006-07 academic year, there are (2,083) schoolboys and (458) schoolgirls, altogether (2,541) students. From 1999 to 2006, a total of (13,289) students have attended. Mosquito nets, pillows and pillow cases, quilts, bed sheets, mats, towels, school uniforms, sweaters, exercise books, ball point pens, pencils, textbooks, entrance fees, scholarship, medical treatments and special lesson books for matriculation students have also been supplemented.

322. The Ministry of Progress of Border Areas and National Races and Development Affairs has been working with UNICEF for the students in border areas to get free school books. In the Golden Triangle area where drug elimination measures are being carried out, the Ministry is cooperating with WFP (Food for Education Programme) in providing rice and aid to children whose parents have abandoned poppy cultivation, which contributes to increase school entrance rate in border areas. While there were only about (1,000) students previously, there are now (185,552) students in 2006-07 academic year.
323. Since 2000, two Nationalities Youth Resource Development Degree Colleges have been opened in Yangon and Mandalay to provide higher education. Then employment opportunities for (783) youths from national races have been given at different Ministries concerned.
324. Youths from national groups who will be working in health and education sectors for the development of national groups in border areas are assisted to be able to study at the University for the Development of the National Races, Institute of Nursing and Nursing Training Schools.
325. Health care services are provided not only in rural areas but also in the border areas in accordance with the national health policy. While there were only (8) hospitals and (6) dispensaries in 1988, there are now (79) hospitals, (105) dispensaries, (58) rural health centers, and (140) sub-rural health centers, the cost for which in total is (1766.02) million Kyats. Besides, (200) bedded hospitals have been set up in each special development areas.
326. In accordance with section 8(h) of the Development of Border Areas and National Races Law, which provides for the establishment of schools for giving vocational education for the future of the youths of the national races in the development areas, (34) Vocational Domestic Training Schools for women have been set up, and young women from national groups have been given training courses to enable them to earn their living with the expense of the Ministry of Progress of Border Areas and National Races and Development Affairs. The training courses include basic sewing, advanced sewing, wool knitting, gems cutting and mother of pearl art, hand-loom weaving, cookery, and wickerwork (cane/ bamboo). (19,359) persons have been given training up to 2006. After they have completed the course, sewing machines are sold to them in installment to make their living. So far, (681) sewing machines have been sold to them for reasonable prices.
327. In 2006, the Nationalities Youth Technical Training Schools were set up at Lauck Kai, Mong Lar, Pan Sang (Near the Thai border) and Sittwe (in Rakhine) to give vocational training courses on carpentry, masonry, engine repair and welding for the youths of national races.
328. To raise the living standards of youths from national races, suitable brick buildings with good water supply system and electricity have been constructed. They are given physical and sports trainings, fed with available nourishing food and necessary health care. For

moral and personality development and upgrading, youths are given trainings on leadership, Union spirit and cultural studies.

329. At the training schools, friendship and understanding of cultures among youths from different national races are nurtured. Emphasis is given to the preservation of their cultures, traditions, good customs and practices and national heritages. Freedom of religion is enjoyed by them. Students from small ethnic groups not only practice theirs but also learn about religions, cultural traditions, and customs of other groups, which is made possible by the objectives of these schools.

Chapter (10)

Conclusion

330. The relevant Ministries have been implementing measures relating to child rights, such as protection, survival, development and participation of children in accordance with the Child Law.
331. In line with the Myanmar National Plan of Action for Children (2006-15), concerted efforts for survival, development, protection and participation of children are being made by relevant Ministries, non-governmental organizations and regional organizations.
332. The implementation of the National Plan of Action for Children will contribute to the achievement of the objectives of A World Fit for Children and the Millennium Development Goals, as well as to the implementation of the provisions of the UN CRC, the Child Law of Myanmar and the Rules and Regulations related to the Child Law.

Abbreviation

CEDAW	- Convention on the Elimination of All Forms of Discrimination Against Women.
DOH	- Department of Health.
HA	- Health Assistance.
IAWG	- Inter –Agency Working Group.
IEC	- Information, Education and Communication.
IMCI	- Integrated Maternal and Childhood Illness.
MWAF	- Myanmar Women’s Affairs Federation.
MWAOs	- Myanmar Women’s Affairs Organizations.
NPA	- National Plan of Action.
PMCT	- Prevention of Mother to Child Transmission.
PTA	- Parents and Teachers Association.
SHAPE	- Shape-based Healthy Living and HIV/ AIDS Prevention Education Programme.

CONTENTS

No	Subject	Page
1.	Chapter (1) Introduction	1
2.	Chapter (2) General Measures of Implementation - Implementation on the Rights	3
3.	Chapter (3) Definition of "Child"	7
4.	Chapter (4) General Principles - Non Discrimination - Best interests for the Child - Survival and development of the Child - Respect for the children to express his/her own views	8 8 9 10 10
5.	Chapter (5) Civil Rights and Freedoms - Name and nationality - Preservation of national identity - Freedom of expressions - Freedom of thought, conscience and religion - Freedom of association - Protection against privacy - Access to relevant information - Abuse, torture and deprivation of liberty	12 12 13 14 14 15 16 16 17
6.	Chapter (6) Family Care and Alternative Care - Parental guidance and the child's evolving capacities - Responsibility of parents or guardians - Separation from parents - Family reunification - Illegal transfer and forbidding the return - Standard of living - Protection of children deprived of family environment - Adoption - Periodic review of placement	19 19 20 20 22 22 23 23 23 24

7.	Chapter (7)	25
	Basic Health and Social Support	
	- Health and health services	25
	- Children with disabilities	35
	- Social security	36
	- Living standard	37
8.	Chapter (8)	39
	Education, Leisure, Recreation and Cultural Activities	
	- Education, vocational education, guidance and our vision and educational objectives	39
	- Leisure, recreation and cultural activities	
9.	Chapter (9)	48
	Children in Need of Special Protection	
	- Children in difficult circumstances	48
	- Children in armed conflict	48
	- Children in conflict with the law	49
	- Drug abuse	50
	- Protection from abuse and neglect	51
	- Sexual exploitation and sexual abuse of children	52
	- Sale, trafficking and abduction of children	53
	- Working children	57
	- Exploited children	59
	- Rehabilitation of children in need of special protection	59
	- Ethnic children	60
10.	Chapter (10)	63
	Conclusion	

Union of Myanmar

**Third and Fourth National Report
on
the implementation of
the Convention on the Rights of the Child**

(2001-2006)