

13. ABUSE OF WOMEN

13.1 Background

Burma is a signatory to the 1952 UN Convention on the Political Rights of Women and also became a State party to the Convention on the Elimination of All Forms of Discrimination against Women in July 1997. Although the SPDC has made some token changes, establishing women organizations and limiting some forms of violence against women, discrimination against women is still pervasive, and fundamental changes which are necessary to uplift the status of women and improve the human rights situation in general have not occurred.

There are many indicators of male dominance and female subordination throughout Burmese society. Women and girls are educated less frequently, leading to a higher literacy rate for men than women. Women also have less access to power and decreased ability to make and implement policies, as evidenced by the fact that relatively few women serve in important government positions. Women are frequently exploited sexually and economically, as demonstrated by a growing sex industry in Burma. Highly restrictive access to contraception and abortion means that women lack control over their reproductive health. Additionally, women are either excluded from the official workplaces or relegated to low-paying, unskilled jobs in the national economy, as indicated by official statistics.

During the military's violent suppression of the mass pro-democracy movement in 1988, women in Burma were arrested, and killed by the military for their active participation in the movement. Between March and September 1988 hundreds of women were among the thousands shot dead when the troops opened fire at mostly unarmed demonstrators in Rangoon and other towns throughout the country.

With the formation of independent political parties after the military coup in September 1988, several women rose to leadership roles, including Daw Aung San Suu Kyi, General Secretary of the National League for Democracy (NLD) that won the 1990 general election but has never been recognized. Beginning in 1989 Daw Aung San Suu Kyi and other women activists were arrested for their peaceful political activities. Elections were held in May 1990, and 14 women belonging to the NLD were elected out of a total 485 members of parliament.

Although Daw Aung San Suu Kyi and other female political prisoners have been released, currently there are over 100 women still imprisoned for political reasons in Burma. Several young female students were arrested and sentenced to long terms of imprisonment after student demonstrations in Rangoon in December 1996. Wives and mothers of the hundreds of male prisoners in Burma have been harassed by members of MI and have also borne the responsibility of supporting their families in the absence of their husbands and sons.

There are no independent local non-governmental organizations (NGOs) in Burma today, although there are several international aid NGOs as well as UN program such as the UN Development Program (UNDP) and the UN Children's Fund (UNICEF). In accordance

with their international obligations and declarations, the SPDC have begun to implement a national program for women. Subsequent to the Beijing conference, a Myanmar national Women's Affairs Committee was established on July 3, 1996, chaired by the Minister for Social Welfare, Relief and Settlement, the ministry which has been designed the National Focal Point for Women's Affairs. Most of the other committee members are from the ministries overseeing related affairs, the police force, the judiciary, university faculties, and the Government Organized NGOs or GONGOs. Among the GONGOs are the Myanmar Maternal and Child Welfare Association (MMCWA), led by Dr. Khin Win Shwe, wife of Lt-Gen. Khin Nyunt, SPDC First Secretary. The Myanmar Women Entrepreneurs' Association (MWEA) was also established under the sponsorship of the SPDC in February 1995 and the Myanmar Women Sports Federation (MWSF) was founded in 1991. A National Working Committee was formed on October 7, 1996, and subsequently Women's Affairs Committees were established to the division and Township level. At the national level, both the chair and vice-chair are men; of the remaining 32 members, 16 are women. The state/division, district and Township level committees share a similar structure to the National Committee, but have fewer members; ten at state/division and district level and nine at the Township level. At all three levels, the wife of the Peace and Development Council administrators holds the second position.

Ethnic minority groups in Burma are often caught up in the SPDC's counter insurgency efforts against armed ethnic groups who have been seeking autonomy since the end of British rule in 1949. The SPDC has undertaken forced relocation in ethnic areas for a variety of political, military and economic reasons; to assert control over ethnic nationalities; to create "free-fire zones" under the "Four Cuts" policy of cutting sources of food, arms, intelligence, and recruits between civilian communities and opposition groups; to clear the way for infrastructure development projects. During the offensive against the ethnic armed groups, SPDC soldiers commit atrocities such as rape, extrajudicial executions, arbitrary arrests, torture, beatings, and forced portering. State-sanctioned violence is one of the most serious threats to women's well being, especially in rural and border areas. This violence may be directed at the population at large, as with the forced labor and forced relocation, but it could also be directed specially at women. Humiliation of and violence against women has been documented repeatedly as a tool used to terrorize communities. Women have been tortured, raped, and killed, and women who speak against injustice have also been subject to similar violence as examples of what happens to "trouble-makers". When justice is sought, it's always the communities and not the perpetrators not violence that suffer.

For at least a decade, ethnic women, most of whom live in rural areas are routinely taken for forced labor duties, including building roads and military barracks. As their husbands are often trying to farm or to work as day laborers, women frequently go in their place, as each family must 'donate' at least one of its members for forced labor. Teenage girls are also often taken for forced labor duties because both parents are busy working. If their husbands are not available, women are taken as porters for troops who are patrolling the mountainous countryside and made to carry heavy loads of equipment and ammunitions. Women who are unmarried or widowed often porter on a regular basic. These women are effectively detained by the army until they either escape or are released. As a result of these human rights violations (combined with severe economic difficulties, caused in part by the SPDC arbitrary tax policies) hundreds of thousands of people, mostly women and children, who suffer the majority of casualties, have sought refuge in neighboring countries. Currently

there are some 105,000 Karen and Karenni refugees in camps on the Thai-Burma border. Women and children account for 67% of the camp population with 49% of the population consisting of women and girls. Women in refugee camps are separated from their traditional homelands and for the most part cannot earn their living. Shan refugees, also numbering around 100,000 are not permitted by the Thai authorities to reside in camps. As a result they must find low-paying jobs in the agricultural or manufacturing sectors, where women and girls are more vulnerable to being lured into prostitution.

Due to continuing poor economic conditions and political instability in Burma, women from all ethnic groups often become migrant workers in Thailand and other neighboring countries. Many of these women are lured or trapped into prostitution where they are at a high risk of HIV infection. Most Burmese sex workers are in Thailand which has become a regional center for trafficking in women and children. Many female undocumented migrant workers have lost their jobs in Thailand since the 1997 economic crisis besetting Asia. Beginning in November 1999, thousands of them were arrested by Thai authorities in a massive crackdown on all undocumented migrant workers. These women, many of whom have a well-founded fear of persecution in Burma, have been pushed over the border to face an insecure future.

13.2 Health, educational, economic and social status of women in Burma

Gender roles deprived from cultural and religions stereotypes continue to underpin laws and practices that prevent women in Burma from enjoying their full rights to health, employment, education, freedom of movement, and participation in leadership, recreation and community activities.

Access to healthcare in general is limited, especially in rural area and conflict area. According to the report by the SPDC Ministry of Health in 1998, approximately 35 per cent of the population in Burma has no access to public primary health care services of any kind.

The armed conflict in Burma, at best, exacerbated the health problems women experience in a developing nation, and at worse, gives rise to a host of fresh medical troubles that women might not otherwise suffer in peacetime. The armed conflict in Burma elevates military matters while it renders insignificant the concerns of vulnerable civilian populations, particularly women. Such problems include insufficient access to family planning and prenatal care, inadequate nutrition, increased maternal morbidity and mortality, ineffective AIDS education, and the medical crises suffered by landmines victims. In Burma's many conflict areas, insuperable barriers prevent women's access to basic health care services for themselves and their families, including, actual and threatened armed warfare, an inadequate health care infrastructure, impassible or nonexistent roads, few communication structures, and the prohibitive cost of health care, where actually available. There are few medical facilities staffed by sufficiently trained health care personnel, and in fact, it is estimated that only 60 per cent of the population in Burma has access to hospitals or clinics, according to the International Planned Parenthood Federation Country Profile, 1998. Cost is yet another impediment to women's access to health care. While, in theory, health care in public hospitals is free, patients are often required to purchase medicines and medical supplies, as well as pay the bribes necessary to receive care in a corrupt system.

The general and reproductive health status of women suffers accordingly. Chronic healthcare under-funding over decades has resulted in too few trained health professionals, insufficient public health facilities, inadequate rural services, and meager health education programs. Problems also occur with poor medical facilities. Many women receive little or no pre-natal care. Many suffer anemia, resulting in complications during childbirth, which requires blood transfusions. Family planning programs are not widespread in Burma, and the consequences are dire for women: in many cases, complications at birth due to repeated pregnancy are a major cause of maternal mortality. Estimated maternal mortality rates for Burma have reached approximately 517 per 100,000 live births, compared with 80 in Malaysia and 10 in Singapore, according to the 1998 International Planned Parenthood Federation Country Profile. According to the UNICEF report, 'State of the World Children 1999', the under 5 mortality rate in Burma is 114. Burma ranks 42nd in the world, but 3rd in Asia behind Cambodia and Laos.

While the leading causes of maternal mortality are labor hypertension, post partum hemorrhage and retained placenta, abortion is also a major cause. At major teaching hospitals in Burma, the abortion delivery ratio has been cited a 1:3, according to the SPDC's Country Report to the CEDAW committee in 2000. Abortion is illegal in Burma according to Burmese Penal Codes S312 and S315 and can incur imprisonment of 7 to 10 years and/or fines, depending on the time of termination. This often leads women to seek assistance from untrained practitioners or traditional birth assistants. When abortions go wrong, women are sometimes afraid to seek care at the hospitals, especially if they are unmarried. UNICEF also estimated in 1992 that 58 women per week died due to illegal abortion and that fifty per cent of all maternal deaths result from illegal abortion. Education about and availability of contraceptives is limited, also contributing greatly to the numbers of abortions in Burma.

The number of commercial sex workers has also increased in recent years, some working in Burma, others trafficked or traveling to other neighboring countries. Lack of knowledge of HIV/AIDS and the exploitative working conditions make them particularly vulnerable to the disease.

According to the recent economic and social assessment of Burma by the World Bank, there are over one million HIV/AIDS cases. The severity of the HIV/AIDS situation in Burma is often denied by the SPDC. In October 1999, Lt-Gen. Khin Nyunt proclaimed that the AIDS scare was being used "to attack Myanmar". While the SPDC claims that only 25,000 people have tested positive for HIV in Burma, the UN AIDS program has cited 440,000 as a more realistic figure. While the number of HIV-infected individuals continue to rise in Burma, women in Burma remain woefully uninformed about its risks. Prostitution and the risk of HIV infection are widespread yet the SPDC-controlled media does not supply adequate public health information to the populace. SPDC's restrictions on the media, freedom of expression and the right to community participation are some of the main obstacles that face women from Burma who wish to educate themselves about the disease.

Education is beyond the reach of many girls in Burma. The state of education throughout Burma is so catastrophic that fewer than one-third of all girls who enroll make it through primary school, according to a Human Development in Myanmar report prepared by the UN Working Group in 1998.

The SPDC spends less than 1.1 per cent of its GDP on education. The SPDC's indifference to the importance of education is illustrated by the fact that most universities

have been shut down since the 1988 student-led civil uprising. While the SPDC insists on its commitment to “Education for All”, the paucity of SPDC’s spending and the chronic closure of universities suggests otherwise. Furthermore, the fact that the SPDC cannot supply accurate and updated information about the educational status of girls points to their indifference to this critical issue. Anecdotal evidence indicates that armed conflict and poverty are the two primary causes of Burma’s poor state of education. An emphasis on military spending has produced an atrophied educational system lacking in schools, trained teachers, supplies, and funds. In ethnic conflict areas, even if the schools were open, girls could not travel to school outside their village because of the presence of SPDC troops amassed there and because of their propensity for rape. The war has impoverished vast populations, particularly in ethnic minority regions, which prevents many girls from attending school because they simply cannot afford the costs. Where there is extreme poverty caused by that conflict, which is almost universally true in these areas, education is deferred to physical survival and the struggle for food security. The SPDC not only fails to ensure girls’ access to education, but also fails to respect basic right through its policies and practices of forced relocation, rape, extortion, forced labor, and warfare against ethnic minorities. These hardships disrupt schools and cause a climate of instability and fear severely detrimental to the educational process. Traditional gender stereotypes, which the State does little to eliminate, further hinder as there is little perceived social value in educating them beyond bare literacy.

The average rate of inflation during the last fiscal year, according to an assessment by the World Bank, was 49.1%. With extremely limited employment opportunities, especially women, the feminization of poverty in Burma is hardly a surprise. Women traditionally are not primary income earners but are responsible for making sure that the income their husbands bring home is spent appropriately and the family well cared for. As the economic situation continues to get worse, women as well as children are leaving their traditional family roles to look for paid employment. For women, this means carrying dual responsibilities for the family, the wage earner as well as the homemaker. Women in conflict areas often become primary income earners through default when their husbands are taken away for forced labor or killed.

Lack of employment opportunity often leads to trafficking of women from Burma, both domestically from rural areas to the cities and internationally. Women are trafficked into various fields including construction, agriculture, factory work, and sex work. Traveling through contacts with brokers is a common means for women to migrate for economic reasons, but it is neither a safe nor secure means often with devastating consequences. In its attempt to prevent women from being trafficked to neighboring countries, the SPDC created a law prohibiting women between the ages of 16 and 25 from crossing borders unless accompanied by legal guardians. The SPDC claims this law is to protect women, but in reality it only makes them more dependent on traffickers to get them through checkpoints and makes them more vulnerable to exploitation.

13.3 Women in Politics

At the preparation meeting for the Fourth World Conference on Women in Beijing on February 7, 1995, SAecretary-1 of the SPDC Lt-Gen. Khin Nyunt said, “Myanmar women are enjoying equal rights with men on political, economic, administrative, judicial,

and social aspects.” Yet, this is found to be contrary to the real life situations for the women of Burma in all spheres of the society. Burma signed the UN Convention on the Political Rights of Women in 1954, and under this convention, women are guaranteed equal rights with men. However, like many other social and political approved by governments in Burma, such declarations of intent conceal a very different social reality.

General Ne Win staged a military coup in 1962 by overthrowing the elected parliamentary government. Since then, the military has controlled the entire nation, and both political and administrative sectors are monopolized by current or former military officers. There has been a noticeable decline in the number of women reaching medium to high positions in their various careers after 1962. This makes sense, as the government is a military junta; women are not permitted to be a part of the military, and are therefore effectively blocked from all positions of leadership or power in the country. Despite the theoretical equality Burmese women are supposed to enjoy, few have ever reached senior positions. In the “people Assembly” of General Ne Win’s government there were a few women representatives, but they were not elected by the people. They were instead selected by the central administrative system. These women did not have a chance to express their opinion and views in the assembly, like their other male counterparts. They had to act and speak under the pre-planned programs and no criticism was allowed.

At present there are no women in the Cabinet of the SPDC, and very few occupy high positions in government ministries or the Peace and Development Councils at the states, district, Division or Township level, apart from the Committees for Women’s Affairs. At the district and Township level, administrators are military men, appointed by the state. In villages and remote areas, which often have little contact with the central machinery of the state, most village heads and councils are also men. While female staffs serve in the diplomatic corps, there are also no female ambassadors under the current administration.

Under the new and as yet unfinished national constitution, qualifications for the Head of State and Vice-President appear to introduce de facto constitutional restrictions on women standing for office. In the bicameral system proposed, a quarter of all seats is reserved for appointed military representatives. The President and Vice-President are elected not through popular vote but by the Presidential Election Body, composed of equal numbers of representatives of the two houses and the military. Qualifications require that candidates have ‘vision’ concerning national affairs, including the military, as determined by the representatives. According to the International League for Human Rights, “The extent to which women are prejudiced, in practice of not by law, from equal access to government service in elected and appointed posts is in doubt given the requirements of various experience, including military service, for the Presidency, other elected posts, and all reserved military posts in the legislative and executive bodies at all governmental levels.”

Though SPDC has claimed that women in Burma enjoy equal rights and equal status, their chronic hatred towards Daw Aung San Suu Kyi is the most undeniable sign of discrimination against women in politics and inequality with men. The main intention of the regime towards Daw Aung San Suu Kyi is to exclude her from Burma’s politics. From the very early stage to date, the SPDC has been attempting a countless number of times to defame her in any way as possible to keep her out of politics.

When the SPDC declared to hold the multiparty general elections soon after it came into power in September 1988, Daw Aung San Suu Kyi founded the National League

for Democracy party. Then the NLD became the largest legal political party among 236 political parties registered. But the military put various restrictions on the NLD and its leaders. Especially Daw Aung San Suu Kyi became the target of harassment during her campaign tour across the country. Finally, she was detained under house arrest on July 20, 1989. Despite the fact she was under house arrest, NLD won 82 per cent of the seats in the 1990 elections. Yet, the SPDC refused to recognize the election results. After her release, she has been physically attacked by the SPDC-sponsored UNDA. Slanderous statement by the SPDC are routine and her ability to move freely is severely restricted. These kinds of restrictions on and harassment of Daw Aung San Suu Kyi are clear evidence of the violation of both "Convention on the Political Rights of Women" and "Convention on the All Forms of Discrimination against Women."

Under the present military regime, women's political and social rights are still denied. Besides, those who confront the political system and fight of human rights are treated just as harshly as men. Many of the hundreds of thousands of women who joined the democracy movement were arrested and reportedly killed by the security forces. Today, women who become politically active, by expressing their opinion in favor of human rights or simply by aligning themselves with a particular political party, are systematically discriminated against and harassed. A number of women have been imprisoned with long sentences in Burma for their political beliefs and activities. Many have been harassed, interrogated and detained from time to time because of their family members' involvement in politics. Fear of vulnerability to abuses strongly discourages women's participation in political movements, or direct it into different areas from men's participation. The number of politically active women on the whole has been much smaller than that of their male compatriots, partly because political activities in Burma is seen as "dangerous," and both men and women and their families greatly fear custodial rape and other forms of sexual harassment. The SPDC maintains that all women prisoners are guaranteed the right to fair treatment during incarceration under the terms of the Prison Manual, which provides for maternity and women's health need. Testimonies of former prisoners indicate that women political prisoners are often tortured and that the nature of torture is often sexualized. Some female former prisoners state that a number of them were forced to give birth in their cells without medical assistance.

Often times being a relative or spouse of an activist is also enough to warrant detention, In one such case in 1999, authorities who could not locate activist Kyaw Wanna arrested her wife and six other family members, including their three years old daughter on July 19, 1999. She was later released in July 30 1999.

13.4 Violence against women

Women in Burma experience a continuum of gender-based violence as a result of government actions and failure to institute appropriate remedial measures. Some of this violence is systematic and sponsored directly by the state, especially in conflict areas where the military equates ethnic civilian women with ethnic armed forces. Other violence, both inside and outside Burma, is opportunistic and arises because the SPDC's policies such as forced displacement put women in situations of high vulnerability.

Military sanctioned violence against women is rampant in Burma. In Burma's ongoing civil war, women have been victims of the well-documented and pervasive human rights

abuses also suffered by men, including forced labor on SPDC's construction projects, forced portering for the army, summary arrest, torture and extra-judicial execution. These and other human rights violations are committed sometimes in the course of military operations, but more often as part of the military's policy of repression of ethnic minority civilians. It is exercised for purpose of making examples of those who challenge authority, for terrorizing communities, and demoralizing opposition groups. Violence can take place anywhere, but is particularly common during forced labor, in detention and in conflict areas or areas where there are large numbers of military troops. Seldom is any justice attained after violence occurs. Much more frequently, the victim, her family, or community suffers if they report the violence to higher authorities.

Rape and sexual violence against women

Hundreds if not thousands of individual incidents of rape by SPDC soldiers against the ethnic women in particular have been documented. The rape is perpetrated by both officers and rank-and-file soldiers, all of whom commit these crimes with impunity. While the rape targets women from the ethnic nationalities at war with the SPDC, including the Karen, Karenni and Shan, it clearly demonstrates a lack of respect for all women. The rape is purposeful in many cases; it is intended to send a signal to the communities that the women inhabit, and that signal is that the SPDC is more powerful than the ethnic peoples. It is also intended to demoralize ethnic communities by terrifying the potential victims, and by leaving the entire communities to feel powerless in their ability to "protect" the women and girls.

In their ongoing war against those ethnic communities that refuse to capitulate and 'enter the legal fold', the SPDC frequently resorts to brutal, impermissible attacks on civilian populations. The SPDC's military clearly sees all civilians, including non-combatant women, in ethnic areas of conflicts, as the enemy. A popular weapon in these violent encounters is rape against ethnic women. Through the numerous documented instances of rape, the SPDC soldiers seek to establish their dominance over all facets of the ethnic population, not just the men serving in the ethnic armies.

As a tactic of psychological intimidation, rape is not only a crime enacted against a person, but also violence against a community acted out through violence against individual women. The frequency of the rapes against ethnic women suggests that these rapes must be perceived as more than random acts perpetrated by rogue soldiers. By committing such acts regularly, the SPDC instills fear not only in the villages where women are actually raped, but also in all ethnic communities where women might be raped. This is particularly true because women are raped during their normal, daily activities. The message sent is that all ethnic women are at risk everyday, and that is impossible to avoid the circumstance under which the rape might occur.

Women are raped and gang raped by soldiers, sometimes in front of members of their families including husbands and children. Women as old as 80 and girls as young as 10 have been raped. Women who are raped, in particular pre-pubescent girls, often die of injuries sustained during the act of rape, while others are sometimes intentionally killed afterwards to prevent their reporting the acts to others. Bodies of women have been found in the forest, at times dumped in streams and ravines, at times burned, at times stripped naked, bound, or tied to tree, however, there are usually no witnesses or means of forensically

investigating these cases to confirm rape. Women have often been raped when soldiers raid or occupy their villages, or when caught by patrols on their way to fields or the forest to look for food. Women who are suspected of having contact with insurgent troops or whose male family members belong to opposition groups are often subjected to sexual violence. Women porters or women being temporarily held hostage have been raped by soldiers in the frontier areas and on military bases. Local women are raped during their forced labor duty on SPDC's development projects or at their places of work. Women who fled to neighboring countries to escape the situation in Burma are still not guaranteed safety. Some women are raped during the deportation process back to Burma or right after they are forced back to the country. Testimonies from women indicate that rape is a widespread form of torture. Women may be detained for their political activities, involvement in ethnic movements, or even simply perceived links to anti-regime groups. When women are detained, they are extremely vulnerable to rape and harassment. Police and Military Intelligence officials use rape and sexual harassment to torture women when they detain and interrogate women. These law enforcement officials use various forms of torture such as rape and sexual abuses to extract information from women detainees.

In general, survivors of sexual violence face not only the physical impacts of violence, but are also stigmatized for their experiences. Virginity is highly valued, and those who experience sexual violence are often too ashamed to speak about it. In cases where women do have the courage to speak out and file complaints against perpetrators who are military personnel, sometimes a small amount of money is given to the family to "compensate." More often, however, the perpetrators face no consequences and those who report the crimes are further harassed. Therefore whether reported or not, perpetrators of sexual violence are not held responsible for their actions. Sexual violence thus continues unabated. If civilians fail to believe that authorities will punish the wrongdoers, and therefore refuse to report these crimes, the effect is to grant impunity to the rapists. If there is no legal deterrent to such action, soldiers are free to engage in repeated acts of violence against women without repercussion. It is the responsibility of the State both to prevent those acts that cause discrimination against women, and to punish those acts when they nonetheless happen. The SPDC is failing in both ways to address sexual violence against women, and is therefore sending a tacit signal to its soldiers and its civilian population that women deserve the treatment they receive.

In one case in June 1999, four women were raped after interrogation about their allegedly links to Shan resistance forces. The father of the youngest victim complained to the headman and members of the Village Committee, so they all went to the battalion and filed a complaint with the commander. The commander lined up 70 soldiers and instructed the girl to identify her rapist. The man, however, had been purposely left out of the lineup, and therefore could not be identified. The headman and the committee members were then accused of defaming the military and were detained in the prison at the military base. This was not the end. The following day, the headman was beaten until he lost consciousness and the families were to pay 2,000 *kyat* each for the release of the detainees. Then the four women who had been raped were also fined 500 *kyat* each, according to the SHRF report.

Marriage is sometimes forced upon women, especially in conflict areas, when a military officer takes fancy to a local girl or women and demands her in marriage. Sometimes the women's family or community will encourage her to marry if they are afraid of the

repercussion of her refusal. Other times they may protest, but the women are taken away by the military and forced to marry. In other cases, village leaders will try to arrange for the marriage between a woman and a man who has raped her in an attempt to 'normalize' the situation.

Women and forced labor

During the past few years, increasing numbers of women, including young girls, those who are pregnant and aged, have been forced to work on SPDC infrastructure projects and to act as porters in ethnic war zones. Such uncompensated forced labor continues despite Burma's ratification of Article 11 of ILO Convention No. 29 in 1955, which confines the use of compulsory labor to able-bodied males between the ages of 18 and 45 under very limited circumstances.

SPDC's use of female porters to carry military supplies for soldiers, to stand on sentry duty, to build and maintain army bases and camps, and to act as human mine sweepers. SPDC troops prefer to use women and children in mine sweeper operations because it dissuades local women who are considered more versatile as forced laborers and as porters because, in addition to carrying goods, their rape provides a source of sexual entertainment for soldiers.

Forced labor leads to food scarcity in conflict areas in two different ways: first, by taking women and men away from their fields and preventing them from producing food; and second, by swallowing up a family's resources in order to avoid the labor. Whenever possible, people hire others to take their places as forced laborers, or they pay fines to avoid the labor. In this way, precious cash is unavailable where it is most needed, to purchase commodities. In many instances, money and time is also extracted when women or their family members incur injury or death during forced labor.

The practice of forced labor has an anticipatory as well as present impact. Not only are men absent from the households while engaged in such labor (the present impact), but also men flee their villages in order to avoid the labor (anticipatory impact). Women incur an increased burden in the absence of men. It is not uncommon for elderly women to serve as village heads, (who act as the first point of contact to the SPDC), under the mistaken belief that the SPDC troops will treat them more gently. This is frequently not the case, however, and demands for forced labor are made nonetheless.

Women and forced relocation

Forced relocation is not a practice directly at women because of their gender. Nonetheless, the impact of forced relocation is often more deleterious to women, because frequently women bear the brunt of relocating and caring for the family under difficult and changing circumstances.

Two of the most common reasons why women and their families are forcibly ejected from their land are the "Four Cuts" policy and military or development projects in border areas. Under the "Four Cuts" strategy, the SPDC orders entire tracts of villages to move from their land to a SPDC-designated relocation site. Villagers must leave rapidly, sometimes within hours and sometimes within days, their houses, livestock, food stocks, and large possessions. As a consequence, thousands of square kilometers of farming land are rendered

barren. These regions are then proclaimed “black areas,” in which SPDC troops shoot anyone, civilian or ethnic soldiers, on sight. To further discourage villager from returning to their homes the SPDC soldiers eat and steal what it needs before destroying all remaining food stocks.

Whether relocated as a part of the Four Cuts strategy or to pave the way for military or development projects, their choices are the same: women and their families may moved to the designated relocation site; they may move to another area; they may flee to refugee camps in neighboring countries; or they may hide in jungle and wait for SPDC troops to pass. None of these choices are desirable. Once their land is confiscated, villagers find short-term access to food and long-term food security very difficult. Women and their families must choose between starvation in the towns and relocation sites or a life of constant peril in the black zones. Prior to their arrival at the camps, many women and their families suffered malnutrition and anemia. For those who choose to leave Burma, they risk a dangerous and expensive journey across war zones to seek refuge in Thailand, where recent refugees have been rejected entry into camps along the border and have been forced back into conflict zones in Burma.

Villagers who avoid the relocation sites, for good reason, sometimes choose to hide in the forests close to their fields so they can try to plant crops on their own land. They live in hiding in small groups, usually near their home villages or their old hill fields, which have become black area. The SPDC troops, aware of this practice, repeatedly patrols these areas in an effort to drive villagers further into the forest. To the extent villagers have managed to stockpile food in hidden locations, it is generally discovered and destroyed by troops during these sweeps; if, by some chance, it survives the army, the food is often consumed by animals in the forest.

Women hiding in the forest submit themselves to a different set of danger from those present in the relocation sites, including competition for food from large animals, diseases such as malaria. They live with little or no convenient access to safe water supplies, and little access to adequate food. It is common for villagers hiding in the jungle to suffer from hunger, starvation, and other horrors. Women are subject to rape and sexual violence while hiding in the jungle.

13.5 The situation of refugee women from Burma

During the SPDC’s counter insurgency campaign, ethnic minority groups of Burma are often caught up. The SPDC has undertaken forced relocation in ethnic areas for a variety of political, military and economic reasons: to assert control over ethnic nationalities; to create “free-fire zones” under the “four-cut” policy of cutting sources of food, arms, intelligence, and recruits between civilian communities and oppositions; to clear the way for infrastructure development projects. During the offensive against the ethnic armed groups, SPDC soldiers commit atrocities. As a result of these human rights violations (combined with severe economic difficulties, caused in part by the SPDC’s arbitrary tax policies), hundreds of thousands of people have sought refuge in neighboring countries.

Refugees from Burma number around 161,000 in Thailand and 200,000 in Bangladesh. Large numbers of refugees are also in the borders with China and Indian borders. It is estimated there are a further one million internally displaced persons inside Burma. Many

refugees are initially internally displaced people. When they can no longer endure the conditions as displaced people, they cross the border to become refugees. The difficulties women face as internally displaced people are great. While some IDPs move from village to village, other must hide in the jungle. Yet others live in relocation sites designated by the SPDC. In those sites, food and employment are not provided, making life extremely difficult. Some people return to the areas they were relocated from, and harvest the crops. This is dangerous activities, however, as many women have been intercepted en route, accused of providing assistance to ethnic resistance groups, harassed and killed.

People who fled into the jungle face extreme difficulties finding food and fighting disease. Some are able to forage for food in jungle, and sometimes they sneak back to relocation site for rice. If there is not a good water source, then drinking water and hygiene are also serious problems. For fear of being found, people often do not build houses but cut leaves to make a floor. They are also careful about building fires, even when it is cold, for fear of alerting soldiers to their presence. When the IDPS decide to move across a border to become refugees, their journey is perilous. They have to travel at night if soldiers are near. Some areas have been mined by either the SPDC troops or by ethnic forces, creating an additional treat to the lives and safety of internally displaced people.

The condition in refugee camps can differ from one region to another, While people living in camps in Thailand generally are provided at least rice and salt, due to the increasing militarization in Burma, there are hundreds of people each month crossing the border seeking refuge. Most of the camps have reached their capacity, if not already gone beyond it. As NGOs are allowed to provide food for the number of people officially in the camps, new but uncounted arrivals in 1999 do not receive rations. They must either find food in the jungle or depend on the generosity of other refugees.

Refugee women often face the insecurity in the refugee camps due to attacks or threat of attacks on refugee camps by SPDC troops and SPDC-back armed groups. Refugee women often suffer abuses which are in violation of international standards established by the UN Convention Relating to the Status of Refugees. However, Thailand is not a party to the UN Convention; in fact, no one entering Thailand illegally from Burma is permitted to apply for asylum. As a result, there is no permanent international presence within the refugee camps, leaving the refugees, especially women, vulnerable to sexual abuses by the Thai Border Patrol Police and other authorities concerned. Thai authorities have agreed with the UNHCR's involvement in the protection of refugee from Burma along the border; however, it is not clear yet how the UNHCR will be involved and the degree of protection it can offer.

13.6 Trafficking of women from Burma

Every year, thousands of women and girls from Burma are trafficked into neighboring countries, and sometimes beyond to third countries. Men and boys are also trafficked, but in number far less than women. It is often difficult to term refugees, economic migrants and trafficked person from Burma because there is a great deal of overlap between these categories. Many refugees, in particular those from Shan State, Chin State and Sagaing Division, are not able to enter refugee camps, and therefore need to search for work. Many women, both refugees and economic migrants, are restricted in the ways that they can leave the country and seek the help of agents to do so. While some women and girls from Burma

have been kidnapped or sold without their consent, sometimes by parents or other relatives, the majority of women who are trafficked make the conscious choice to leave, either to escape forced labor and other human rights abuses suffered in the course of primary motivation. Some women who are trafficked are eventually able to find their way out of exploitative labor conditions and into situation where they enjoy greater self-determination; while others who migrate independently also often end up in work environments that restrict their freedom and exploit them. Age is an important factor in considering the situation of trafficked persons, since younger women and girls usually have relatively less chance to escape exploitation.

While trafficking is commonly associated with sex work, many of the women who leave Burma are also trafficked into other types of labor including factory work and domestic service. The greatest numbers of women and girls are trafficked to Thailand and via Bangladesh to Pakistan. Women are also trafficked from Kachin State to China, and Burma is a receiving and transit country for women from Yunnan, China, who are usually further trafficked to Thailand. A growing number of women are leaving central and western Burma for India, however most migrate individually or in small groups without brokers or agents and thus are not trafficked.

Although there are different destinations for the trafficking of women and girls from Burma such as Thailand and Pakistan and the situation in each country are somewhat different, most women share experiences of being exploited, insecurity due to lack of travel documents, no knowledge of the language, violence, arrest as illegal migrants, extortion, and poor health. Women are trafficked not only into the sex industry, but also into domestic work, factory work, sweat shops, and the service sector. In worse situations, women are sold into debt bondage where they are kept in slavery-like conditions with no access to help.

Traffickers are often powerful, and investigating and persecuting them is difficult. Despite growing publicity particularly of the trafficking of women from Burma into the sex industry in recent years, trafficking continues, because most agents and brokers maintain close ties with, or sometimes are themselves, police and other authorities. Complicity of border police and other officials who profit from trafficking not only allow the trade to continue, but also drives it further underground. Traffickers who wait at borders and enable women to pass through checkpoints directly into the hands of brothel owners ensure that migrating women have less access to other kinds of work.

Undocumented migrants in Thailand are at constant risk of arrest and deportation, and have little access to health care, legal or educational facilities. Women deported back to Burma as sex workers can be charged for both illegal departure and prostitution, with sentences of up to three years imprisonment.

Unknown numbers of Rohingya women in refugee camps in Bangladesh have been trafficked alongside Bangladeshi women through India into Pakistan, which is estimated to have more than 2000,000 Rohingya migrants. Successive waves of Rohingya refugees have fled Arakan State for Bangladesh since 1992 due to the persecution by the SPDC troops. In Bangladesh, economic conditions are scarcely better, and Rohingya women collect firewood, work as domestic servants, or beg for their families' survival. Economic uncertainty makes them more vulnerable to traffickers who offer to transport them and their families to Pakistan, usually promising work in carpet factories. En route, the women and their families are transported together with others from Bangladesh in large groups through India to Pakistan.

Little is known of the work conditions for Rohingya women who are trafficked, and sold into domestic labor or forced marriage. The situation for Rohingya women is of particular concern, since as stateless persons, they have no resource to protection in receiving countries, and have been denied re-entry to Burma except during organized repatriation under the UNHCR.

An unknown number of women have also migrated or been trafficked from Burma to China into sex work and other forms of labor. There is little documentation of brothel or other migrant work conditions in the Kachin State-Yunnan province, China. Local source in Ruili claimed in March 1999 that of the approximately 300 women from Burma working as sex workers in Gie Guo, China, 60 per cent were from military families. The other 40 per cent were from poor families in Central Burma.

Along the Indo-Burma border in Mizoram and Manipur State, increasing numbers of women from Chin State and Sagaing Division are migrating to work in domestic labor and handloom weaving. There are an estimated 40,000 Chin women in Mizoram, with 10,000 in Aizawl, the State capital. As migrant workers, they are still illegal, and while some handloom weavers enjoy a relatively high degree of protection from employers who value their labor, reports that women working as housemaids are raped by employers are common.

13.7 SPDC's policies to combat trafficking

There are some legal provisions to prevent trafficking and prostitution, claimed by the SPDC. Related provisions from the Penal Code include section 361 against kidnap, section 366(a) against procurement of minors, and 366(b) against importation of girls from other countries, section 369 against kidnap or abductions children under 10 years of age with the intent of stealing the child; section 370-1, against the slave trade, section 372 against sale of minors for prostitution, 373 against purchase of minors for prostitution, and 376 against sex with a girl under 14 irrespective of consent. Some of these laws are outdated and ineffective in addressing the problems faced by women in the growing sex industry in Burma. The 1949 Suppression of Prostitution Act defines brothels and criminalizes solicitation and procurement, and has recently been amended to increase sentences, from one to three years, to one to five years. It aims to "protect women from being ordered or coerced into prostitution;" however, coercion in other parts of the law is usually defined as threat to inflict bodily harm, and it is not known if a wider interpretation has been employed in prosecuting traffickers in Burma. Women can also be arrested under this act, and some are detained in special training centers. The legal provisions primarily address the situations of minors, and do not guarantee the rights of women who choose to migrate and are subsequently trafficked into sex work or other kinds of work. Moreover, they have been largely ineffective at reducing the flow of women trafficked or migrating into sex and other industries over international borders. Rather, women who suffer exploitation are further punished with imprisonment for illegal migration.

The SPDC has also imposed restriction on travel of women both domestic and internationally. In general, passports for women are much more expensive to acquire than for men, and under a new law initiated in 1995-6 women under 30 cannot obtain passport which allow them to work abroad. For travel within the country, women between the ages of 16 and 25 must be accompanied by a legal guardian. Traveling between towns also requires permits which are often expensive and expire after a short duration of time.

13.8 Situation of undocumented women migrant workers from Burma in Thailand

Thailand faces a problem with the undocumented migrant workers whose visibility and problems have become more sensitive and difficult. Undocumented labor- mostly Burmese -left their country for political reasons, or due to internal fighting and insecurity. Recent reasons are more economic. To escape hardship in their home country, they find work as unskilled laborers in three Ds- dirty- difficult and dangerous jobs in Thailand.

Unlike many other migrant labor situation where most migrants are young men, women constitute a significant segment of the approximately one million of migrant population in Thailand. Women from Burma who migrate to Thailand, much like other people migrating all over the world, move from their homes and families in search of job opportunities in more prosperous areas. Human rights violations in Burma often cause economic hardship. However, determining whether people leave Burma due to the hardships they suffer as a result of human rights violations is not always easy to distinguish from purely economic difficulty. Some migrant women have stated that they left Burma solely because of economic hardship. However, many other flee because of serious human rights violations. Many who have fled do not have enough to eat because unpaid forced labor under harsh conditions prevents them from earning a living. The distinction between economic hardship and violations of civil and political rights is not necessarily a clear one. Many of these people have been unable to make a living due to continuing unpaid forced labor and forced relocation from the homes.

With little knowledge of the country to which they are moving and working, its language and its laws, women migrating from Burma are in vulnerable position. Labor exploitation, sexual assault by their employers and law enforcement officers, abuse of power during detention and deportation against undocumented migrant women in Thailand are systematically documented.

The disproportionately high numbers of undocumented migrant workers in Thailand results largely from its geographical location. Thailand's shared borders with neighbors Burma, Cambodia and Laos are long and accessible. For example, Thailand shares a border with Burma that is approximately 2,532 kilometers long. A further 1,750 kilometers of Thailand's border is shared with Laos and an additional 789 kilometers with Cambodia. Despite the existence of six official border crossings between Burma and Thailand, there are countless unofficial ones. Government controls are difficult to maintain on both sides of the Thai-Burma border largely due to the presence of mountains and thick jungle terrain along a large part of the border that is only accessible by foot.

Anecdotal evidence suggests the overall number of Burmese migrants in Thailand to be somewhere in between 800,000 and one million. Within this number are numerous distinct ethnic groupings. The most highly represented Burmese ethnic groups in Thailand are the Shan, Karen, Burman, Mon, Arakan (Rakhine) Tavoyan³ and Karenni (Kayah). The differing ethnic populations pursue different occupations and lifestyles, and engage in different social and cultural worlds both in Burma, and while in Thailand. However, as the majority of Burmese migrants in Thailand are undocumented or illegal, it is difficult to determine

the exact population of Burmese migrants in Thailand, and their ethnic composition. Inadequate enforcement of Thailand's immigration and labor laws, while at times due to lack of resources, is very often the result of the collusion between elements within the Thai bureaucracy with labor recruiters and traffickers. Such practices are widespread and well-documented and further complicate the task of building a more precise population profile.

Cross border migration into Thailand has steadily increased in recent years. Increasing political and economic differences between Burma and Thailand, particularly Thailand's economic boom of the 1980's and Burma's worsening political and economic crisis culminating in the 1988 uprising, attracted large numbers of not only Burmese refugees and migrants, but large numbers of Cambodians and Laotians. Many argue that workers from Burma, Laos and Cambodia filled a widely felt labor shortage left by 300,000 - 400,000 Thais who went to work abroad.

A significant factor that continues to stimulate illegal migration into Thailand is its investment promotion policy during 1980s. The policy emphasized opening domestic markets and encouraging foreign investment, export businesses, and international tourism. The Thai export industry has grown by an average of 10 per cent annually since 1985. This export industry has required large numbers of unskilled, cheap, hard-working laborers to fill low-paid unskilled positions that Thai nationals were no longer prepared to do, leading to an influx of Burmese migrant workers who had come from predominantly border areas, some fleeing in the very wake of a worsening civil war. During 1995 and 1998 in particular, dramatic increases in human rights abuses and an ever worsening political and economic background forced many young men and women to leave Burma in search of a better life. Originally, Burmese people saw Thailand simply as a place of refuge from military harassment and forced labor, but the booming economy in Thailand also attracted them for potential employment.

Undocumented, illegal workers constitute the most vulnerable section of the work force because as illegal non-citizens, they are least protected by a nation's legal system. These workers have no job security, little access to social services, health protection or accident insurance. They are housed in substandard conditions and exposed to many health risks as result of the dangerous labor they perform, and the conditions in which they are forced to live. They are not compensated for injury, illness or death even when it is caused by employer negligence. They are usually treated as faceless laborers - economic tools - and not as human beings. Because they are foreigners, they are subjected to dehumanizing conditions and various forms of discrimination. Their human and labor rights are usually not recognized, protected or respected. A large numbers of undocumented workers, particularly women from Burma, who are rendered more vulnerable to certain kinds of exploitation, depend on the protection of Thai employers in order not to be arrested and deported from Thailand. Such dependence on employers often leaves undocumented workers, particularly women, at risk of abuse, exploitation, humiliation, and violence from employers and corrupt police.

Despite the high incidence and reportage of abuses against women migrant workers from Burma, survivors are not often afforded any legal redress. If survivors complain to police, they are simply arrested, charged with illegal entry and deported to a remote location along the Burmese border. The current economic crisis exacerbates the already vulnerable situation of migrant workers in Thailand, exposing them a greater risk of xenophobic attitude,

exploitation and abuses during forced repatriation.

In February 1998, the Thai government announced its intention to send back some 300,000 undocumented migrants workers within a six months. Again in November 1999, the Thai government launched a crack-down on the undocumented migrant workers in Thailand. This practice of deportation to Burma leaves migrant workers, particularly women, exposed to further abuse and exploitation. When women stranded at the border in Mae Sod area, some were raped by SPDC soldiers. The distinction between undocumented workers and refugees from Burma is already so blurred that there is a genuine fear that people are being forced back into Burma where they face serious persecution on political, religious or ethnic grounds. Many migrant workers from Burma have been driven out of their country not only for economic but also for political reasons and human rights violations by the regime. Greater economic and political stability in Burma can only reduce the flow of migration into Thailand. Until or unless it is achieved, Thailand must continue to bear the burden of undocumented migrant workers from Burma, and the many problems generated by their influx.

13.9 Women and HIV/AIDS

In June 1999, Burma's health minister Maj-Gen. Ket Sein said publicly that AIDS has now spread to all states and divisions, the first official admission of an AIDS crisis in Burma. The US AIDS program cited 440,000 HIV positive patients in Burma. However, at the WHO regional meeting for health ministers held in Rangoon from 12-14 October, 1999, SPDC Secretary-1 Khin Nyunt stated, "Since there have been various comments in the AIDS situation in the country, allow me to present the true picture. At the outset, allow me to state categorically that there is no rampaging AIDS epidemic in Myanmar. The number of patients tested HIV positive remain relatively low numbering less than 25,000 in the last ten years." He further elaborated that cultural factors, including prohibition of "sexual promiscuousness", and administrative measure to curtail young women's cross-border travel and therefore trafficking, would prohibit the spread of HIV/AIDS.

Women in Burma are at risk because of the failure of the SPDC to provide adequate health care facilities and education. Despite the recent flurry of "development" in Burma, little attention has been paid to the hospitals, schools, or social welfare and education facilities, especially in grossly underdeveloped rural areas. Most population in Burma have limited knowledge and understanding of HIV/AIDS. Although the government, national and international NGOs, religious organizations and UN agencies carry out HIV/AIDS education projects in different part of the country, and some have produced very good educational materials, the number of Townships and population they reach is limited.

While the number of HIV-infected individuals continue to rise in Burma, the general public remains woefully uninformed about the risk, protection and education. Women particularly suffer greatly from the lack of special attention and public education. There is a lack of social support to prevent the spread of disease through condom use.

Women in Burma are especially vulnerable to HIV infection through unprotected sexual intercourse with infected male partners, unhygienic injections and the frequent need for blood transfusion after childbirth due to anemia or poor perinatal care. They may also risk transmission through Depo-provera injections, as disposable syringes are in short supply and not always used. Sentinel surveillance research has shown that there is a steady rise in

HIV infection among not only sex workers and STD clients but also lower risk groups such as blood donors and pregnant women, which suggests that current efforts to reach 'high risk' populations are ineffective, and that the epidemic is spreading further within the general population. Mother to child transmission has also increased dramatically.

Another very vulnerable group is the large number of women doing sex work in Burma and neighboring countries such as Thailand. Sex workers are sometimes forced to service as many as 50 clients in a typical week, often without being able to negotiate condom use. With the high number of men using sex workers, this is resulting in a rapid increase of HIV cross-infection between sex workers and clients, and further to clients' wives or other partners. The median HIV infection rate of sex workers tested in Rangoon and Mandalay, the country's two largest cities, has risen from 4 per cent in 1992 to 21 per cent in 1996, according to a research by the US AIDS in 1998. Condom use among commercial sex workers is reportedly low, both because condoms are relatively expensive, and because carrying condoms is taken as evidence that a woman is doing commercial sex work, and therefore grounds for arrest. As prostitution is illegal in Burma, most sex workers and their clients are out of reach of public health workers and NGOs conducting HIV/AIDS education and distributing condoms.

Young women are at particular risk of HIV infection. Believed to be less sexually experienced and "AIDS-free", they are increasingly sought as sexual partners within and outside commercial sex networks. Women aged 15-24 made up 20 per cent of AIDS cases detected in Burma up to 1997, more than double the proportion of men in the same age groups, states the UN AIDS research in 1998.

13.10 Partial List of incidents - Women raped and abused in 1999

◆ On January 1, 1999, SPDC IB 66 led by Myint Sein met 6 women carrying rice from their farm to their village near Wan Wawn and Wan Ek villages, Nawng Kaw tract, Nam-Zarng Township, Shan State. The Commander accused the women of planning to give the rice to Shan rebel soldiers, then took away Nang Leng Sa, aged 15, from Nawng Kaw village and raped her. After the rape, as he was about to shoot the girl one of the civilian porters pleaded for mercy, saying that he was from the same village and knew that she was innocent. But the SPDC commander forced the porter, Sai Mu, aged 29, to sit down near Nang Leng Sa and shot him dead as well. After the killing, the troops raped the rest of the women with the permission of the Commander and then left. (*Source: SHRF*)

◆ On January 4, 1999, Captain Mya Han from SPDC LIB 264 raped Naw Mu Mu aged 20 from Htee Pulwee village, Kyaukkyi Township, Karen State. She was later killed. (*Source: HRDU*)

◆ On January 9, 1999, soldiers from SPDC IB 520 based in Ho Maeng, Shan State detained and raped two women villagers from Phone Na village, Hon Maeng Township. Mai Aike Sai, aged 40 and her daughter Neng Eilai, aged 15 were rounded up while they were working at their farm and later were gang-raped by the soldiers. They reported the case to the village headman but no action has been taken so far. (*Source: HRDU*)

◆ On January 10, 1999, SPDC troops from LIB333 led by Capt Maung Maung raped Naang Sai, aged 17 and Naang Leng, aged 16, who had been collecting firewood at Murng In village, Murng-Sart Township, Shan State. The authorities took no action when the case

was reported. (*Source: SHRF*)

◆ On January 27, 1999, a column of troops from IN 246 led by Major Aung Sein met a group of men and women villagers of Nam Pa Man village, Kunhing Township, Shan State. The villagers were on their way to the farm in Keng Lom area. The troops seized the villagers, and raped the five women. They also took away Ta Oo, Sarng Na Ling and Wala and forced them to serve as porters. (*Source: SHRF*)

◆ On February 16 and 17 1999, at Tar-gwa, Htan -thone-bin village tracts, Myan-aung Township, Irrawaddy Division, the Township SPDC headed by secretary U Myo Set summoned all the farmers who failed to supply the required amount of paddy. He threatened and ordered them to supply 14 baskets per acre even though the prescribed amount was 12 baskets. Daw Tin Yee, a cultivator from Pay-gone village, tried to explain that she had not been able to fulfill the quota because of weather. U Myo Set publicly rebuked her, even though she was an elder. Later, when Daw Tin Yee's daughter approached U Myo Set about this social disrespect, he handcuffed the daughter and put her inside a car and left her to bake in the hot sun. (*Source: NLD*)

◆ On February 25 1999, around 6:30 pm, SPDC LIB 324 troop column (3) led by Captain Tin Maung Myint based in Nam Tu Township met UL-K, aged 42, and his wife AK-A, 30, on the way between Pang Kha and Loi Jare village. The SPDC troops stopped the couple and searched them. They took 100,000 *kyat* from the man and made him watch them rape his wife. After the rape, Capt. Tin Maung Myint threatened the couple that if they reported the incident to the PSLA cease-fire group he would kill them. (*Source: Palaung Youth Newsletter*)

◆ On February 25, 1999, a SPDC column led by Captain Tin Maung Myint from LIB 324 based in Nan Tu Township, Shan State, met a couple from Pang Kha village in the jungle. The soldiers stopped the couple and searched them. They took 100,000 *kyat* from the man and made him watch them rape his wife. After the rape, Captain Tin Maung Myint threatened the couple not to report the incident to anyone, or they would face death. (*Source: HRDU*)

◆ On February 27 1999, SPDC Captain Tun Win of LIB 504, based in Namshan, raped a village girl (name withheld) from Man Sai, Shan State. The captain had long admired the girl and before the rape had asked her to marry him, but she had refused. After the rape, the captain told the girl's mother that the girl wanted to marry him, and ordered the girl to live with him in his army camp. After 2 months, the captain was transferred to Mandalay and abandoned the girl. (*Source: Palaung Youth Newsletter*)

◆ In March 1999 a drunken DKBA Sergeant named Saw Shwe Min demanded that a young woman marry him in Taw Ko village of Kyauk Kyi Township. When she refused, he fired his gun outside the village, claimed he had fired at the KNLA, and fined and robbed the villagers as punishment. The young woman who refused him no longer dares to live in the village. (*Source: KHRG*)

◆ On March 7 1999, DKBA Sergeant Saw Shwe Min went to Taw Ko village, Kyauk Kyi Township, Karen State. He asked for the love of Naw M—, age 25. She refused because she knows he already has a wife and children, so he got drunk and then left the village and fired his gun. Later he claimed that he had shot at the KNLA, and ordered the villagers of the entire village tract to pay 20,000 *Kyat* for the bullet [*which is at least 50 times the real price of a bullet*], as well as 4 watches with metal bands and 4 watches with

plastic/leather bands. He said he would ask her to love him again, and that if she refused he would shoot her dead. As a result Naw M— is afraid to stay in her village anymore, and now often lives elsewhere with relatives. She is always in fear of DKBA patrols. (*Source: KHRG*)

◆ On April 6, 1999, Khin Mar Wai, a 10 year old girl, was raped by the son of Corporal Maung Oo from LIB 202 based in Taung Kalay village, Pa-an Township, Karen State at the military compound where she was selling ice. She was raped at a plantation between the military barracks of Division (2) and (3). (*Source: HRDU*)

◆ On April 10, 1999, Naang Thuay, aged 37, and her daughter, Naang Awng, aged 19, from Kun Mong village were raped and killed by Major Khin Maung Lay and his troops from Company No.1 of LIB 422, near Kung Nyawng village, Kun-Hing Township, Shan State. They were accused by the troops of carrying rice for Shan rebel soldiers, even though they only had enough rice for their own lunch. (*Source: SHRF*)

◆ On April 13, 1999, 7 SPDC troops from Murng-Sart-based LIB527 raped and killed a village girl, Nang Kawng Tip, aged 17, of Murng In village, Murng Poo tract, Murng-Sart Township, Shan State. (*Source: SHRF*)

◆ On May 8, 1999, Captain Aung Ttu Lay from LIB 22 based in Namg Tu, Shan State raped 2 Kachin girls, Tan Gun and Tan Naw, on their way home from their farm near Mang Wee. The parents of the girls reported the incident to the cease-fire Kachin Defense Army, but no investigation has been done so far. (*Source: PLF*)

◆ On May 21, 1999, about 80 soldiers from SPDC's IB64, LIB513, LIB514 and LIB515 captured 15 young Shan women. The women had been relocated, but had gone back to their old village to pick their crops of tea. The troops took them to the village of Loi Hong, Shan State and raped them. The next day, the troops beat the women before releasing them. (*Source: SHRF*)

On May 22 1999, troops from LIB 514 led by Capt Sein Win arrested 4 couples at their rice farm because they had obtained permission to cultivate from LIB 424, but not from them. They detained the couple at the army camp for 3 days and 3 nights. During that time, Capt. Sein Win and 3 close friends kept the women with them, away from their husbands, and raped them every night. They were released after relatives paid 10,000 *Kyat* per couple. They were:

1. Pa Murng Awn, aged 49, and her husband Loong Paan La, aged 51.
2. Pa Long, aged 45, and her husband Loong Nya-Na, aged 47.
3. Naang Zam, aged 25 and her husband Zaai Khan-Thi, aged 28.
4. Naang Mo Khur, aged 20, and her husband Zaai Taan Lun, aged 21.

(*Source: SHRF*)

◆ On May 28, 1999, troops from SPDC LIB 232 led by Captain Khin Maung Soe, gang-raped Naw Ko Ko, mother of two from Thabar Soe village, Thantaung Township, Karen State. (*Source: HRDU*)

◆ On May 29 1999, a combined force of SPDC IB246 and IB12, led by Capt. Soe Naing Oo, Capt. Tin Maung Win and Capt Than Naing Oo, approached 4 young Shan women who were working on their farms with their parents in Kaeng Lom tract, Kun-Hing Township, Shan State. The women were surrounded by the troops, then separated from their parents and taken to different places by different groups of troops who gang-raped them and later killed all of them.

The victims were:

1. Naang Yaen, aged 20
2. Naang Kham, aged 16
3. Naang Zaan, aged 18
4. Naang Zing, aged 22

(Source: *SHRF*)

◆ On June 29 1999, troops from LIB 524 led by Captain Win Naing arrested 7 villagers from the Merng Kerng relocation site at their farm 3 miles from town. They separated the men and women, and raped Naang Seng Phaa, aged 27, Naang Thun Ung, aged 19, Naang Lawn, aged 17 and Naang Wo, aged 15. The Captain took the youngest for himself, and when she cried and struggled, he struck her on the head with his pistol, splitting her scalp, and fracturing her skull. They raped the women to their satisfaction, and also tied up and tortured the men. When the villagers lodged a complaint with the LIB Commander, he lined up 70 soldiers and told Naang Wo to point out her rapist, who was not in the line. Then he accused the villagers of defaming the army, arrested and beat the headman, and charged 2,000 *Kyat* for his release. They also made each of the 7 victims pay a fine of 500 *Kyat* each. (Source: *SHRF*)

◆ Ma Nu Sein (age 24) is a Tavoyan woman who lives in Kyauk Htayan village. In June 1999, while her husband was going out in the sea, she was raped by a soldier at gunpoint. The soldier is from Captain Htun Naing's troops of LIB 273. Ma Nu Sein told her husband Naing Chan Aung about this when he came back from the sea. Even though this news was spread all over the area they (husband and wife) dare not report it to the authorities for the threatening of the army.

◆ In July 1999, Ma Bwae, age 29, while her husband Naing Lu, age 32, Mon Nationality was going out to the sea, at one night she was raped by a soldier at gunpoint for 3 times within 4 hours. The soldier was from Capt. Maung Maung Lay's troops. In the morning Ma Bwae went to Capt. Maung Maung Lay and report about this. Then Capt. Maung Maung Lay called that soldier and punished him. That soldier had to run from the village to the seashore for a hundred times. The captain also made him to hop from the village to the seashore as his punishment. Capt Maung Maung Lay also told Ma Bwae not to tell about this story to other villagers and foreign news agency or he will take a severe action against her.

◆ On July 24, 1999, a joint military column of LIB 102 and IB 2 arrived in Phar kalu village, Pa-an district, Karen State. The troops spent a week in the camp during which they destroyed the belongings of the villagers. Some of the women were repeatedly raped by the troops as the men from the village were hiding in fear of being killed or conscripted as porters. (Source: *HRDU*)

◆ On July 30 1999, 2 soldiers from LIB 316 seized and raped a Lahu woman, Ae Mi, aged 23 near her village, Naa Lao, Murng Laen tract, Tachilek Township, Shan State. She was threatened that she would be killed if she told others, but she and her father reported the case at the LIB base. However, nothing was done about the case. (Source: *SHRF*)

◆ On August 22, 1999, about 4-5 SPDC soldiers from LIB 513 sexually violated Nang Nu, age 26, daughter of Loong Wi and Nai Seng of Wan Kong Larng village, Wan Kart tract, Kesi Township, Shan State. (Source: *SHAN*)

◆ On August 23, 1999, Ma Myint Ye aged 17 from Mhu Shwe Ku village, Thayetchaung Township, Tenasserim Division was raped by six soldiers led by Corporal Htun Mya from Division (3), IB 402. She was raped on the way back from her forced labor service at the military rubber plantation project between Saw Phyar and Mhu Shwe Ku villages. She fell

unconscious after the gang rape and was later taken to hospital. The soldiers threatened her parents not to expose the case. (*Source: HRDU*)

◆ On September 4, 1999, a military column from IB 92 entered Khee Lay village, Thaton district, Karen State. An intelligence officer named Nyi Nyi Aye raped village headwoman Phee Pay Ne, aged 46. (*Source: KIC*)

◆ On September 16, 1999, about 70 SPDC troops from IB246 led by Capt Kyaw Aye arrested Kaw-Ling, aged 45 and his wife, Naang Mon, aged 30, who were tending their rice field on the eastern side of Nam Paang river, about 4 miles from Kun-Hing. They were interrogated about the movement of Shan Soldiers, then Kaw Ling was beaten to death, and Naang Mon was forced to go with the troops for 4 days and 3 nights during which she was raped by the Captain whenever he liked. On the last day when the troops were about to return to their base, Kyaw Aye called up all his officers one by one and ordered them to rape her one after another. Eventually, she was given to a Private who, after raping her, stabbed her to death with his bayonet. (*Source: SHRF*)

◆ On September 18 1999, a Private named Hla Tin from IB227 raped Naang Not, 18, from Wan Tap village, Murg Nung tract, Murg-Khak Township, Shan State. When the soldier left, Naang Noot went immediately back to the village and told her father about her plight. Her father then took the case to the village headman, who in turn led him to lodge a complaint with the village tract Chairman. However, the village tract Chairman was too afraid of the SPDC troops to do anything against them and dared not push the case any further. (*Source: SHRF*)

◆ On September 21, 1999, Maung Bo and 2 other privates from Company 2 of LIB316, stationed at Kaeng Laap village, were strolling around and saw Naang (En), 21, who was digging bamboo shoots on the bank of Nam Kai stream, Nam Kai village, Kaeng Laap tract, Tachilek Township, Shan State. Her husband Zai Wan, 26, was out of sight of the troops. The 3 soldiers seized Naang (en) and when her husband responded to her cry for her help and came running, Maung Bo shot him and he died instantly. After that, all of them raped the woman to their satisfaction and left. The authorities took no action when the couple's relatives raised the case. (*Source: SHRF*)

◆ On September 29 1999, SPDC troops from IB246 met Nawng Pe, 18, and Naang Khin Lu, 21, who were peddling confectionery to farm workers in Kun-Hing Township. The troops seized the women and accused them of being wives of SSA soldiers. The troops forced the women to go with them for 5 days and 4 nights during which they abused and raped the women to their satisfaction and eventually shot both of them dead, and took away their confectionery, worth 2,876 *Kyat*, and 252 *Kyat* of money from them. (*Source: SHRF*)

◆ In early October 1999, two schoolgirls from a middle school in Lai-Kha were arrested, detained and raped by the Commander of SPDC's LIB515, Lt-Col. Htun Sein, in the military base in Lai-Kha, and money was extorted for their release. (*Source: SHRF*)

◆ In the first week of October 1999, Aye Aye Pu and Aye Aye Khan, both from Thanpon village, Kutkhaing Township, Shan state were raped by privates Saw Aung Nyunt and Than Zaw Oo from IB 290 based in Mai Kyay village, Kut Khaing Township, Shan State. (*Source: HRDU*)

◆ On October 30 1999, 4 women who were returning from reaping rice at their farms were raped and shot dead at a deserted village west of Murg-Kerng town, Shan State by SPDC troops from LIB514, led by Captain Myint Aung.

The 4 victims were:

- | | |
|------------------------|------------------------|
| 1. Pa Poi, aged 38 | 3. Naang Mawn, aged 30 |
| 2. Naang Awng, aged 31 | 4. Pa Loi Pe, aged 42 |

(Source: *SHRF*)

◆ On October 30, Pa Poi, 38, Naang Awng, 31, Naang Mawn, 30, and Pa Loi Pe, 42, were returning to their homes in Mong Kung, Shan State after spending the day reaping rice, when they ran into a patrol of SPDC troops. They were accused of having provided some of the rice they had harvested to Shan insurgent troops and taken to a deserted village west of the town. There they were held and repeatedly raped during the night that followed. The next day when the patrol returned to the base of the 514th battalion in Mong Kung they reported that they had shot at women who had trailed behind when a Shan State army unit fled from them. Fearing the worst because their wives had failed from their outlying farm the previous day, the husbands of the four women went to look for them and were horrified to discover their bodies lying together in a heap. (Source: *Burma Courier*)

◆ On November 8 1999, 15 girls were raped by SPDC soldiers on the Burmese side of the Moie River near Myawaddy. The girls were among the 2,000 Burmese forcefully deported from Mae Sot, Tak, Thailand and left stranded on an isle in the middle of the Moie River dividing Thailand and Burma. They planned to spend the night on the isle, but armed Burmese troops followed them. They selected 15 good-looking girls and made them accompany them to the Burmese bank of the river, where they were raped. (Source: *Bangkok Post*)

◆ On November 11 1999, a private from IB 226, Company #2, named Kyaw Lwin raped a 23 year old woman from Wan Paeng village, Murng Khawn tract, Keang-Tung Township, Shan State. Her parents and the village headman were scolded and threatened when they brought the case before the Company Commander, Captain Htun Sein. (Source: *SHRF*)

◆ On November 17 1999, Commander Thein Maung and 6 of his troops from LIB 333, Company #3 seized 4 villagers from Pa Sak village, Me Nim Township, Murng-Sart Township, Shan State on their way home from Murng-Sart. They tied the only boy, aged 16, to a tree and then raped the women for 3 hours, beating them if they cried. The victims were (not their real names)

- | | | |
|------------------------|------------------------|------------------------|
| 1. Naang Muay, aged 22 | 2. Naang Hawm, aged 19 | 3. Naang Peng, aged 18 |
|------------------------|------------------------|------------------------|

(Source: *SHRF*)

◆ On November 22 1999, 6 young women from the Ka Li relocation site, Kun Hing Township, Shan State were arrested on a forest road by 23 soldiers from LIB 524, Company # 5, led by Commander Hla Aung. The troops accused the women that the goods they were carrying, which they had bought to sell, were for the Shan resistance. Then they separated the girls and took them to different parts of the forest and gang-raped them, beating them if they cried or screamed out. The six women were: (not their real names)

- | | |
|------------------------|--------------------------|
| 1. Naang Suay, aged 20 | 4. Naang Thun, aged 17 |
| 2. Naang Taan, aged 19 | 5. Naang Phawng, aged 16 |
| 3. Naang Nu, aged 17 | 6. Naang Poi, aged 16 |

(Source: *SHRF*)

◆ On November 22 1999, troops from Battalion 423, led by Major Thein Lwin, approached the daughter of Loong Lu and Pa Teing of Wan Kart, Ho Khai tract, Mong Kung Township, Shan State, who had been tending to her field. Nang Naw, aged 18, was

then gang-raped by 5 SPDC soldiers, including Major Thein Lwin. (*Source: SSA*)

◆ On December 12 1999, Brigadier General Soe Myint, Deputy Minister of Forestry made an appointment with a schoolteacher to discuss how he could help her with her promotion, but instead he raped her. (*Source: "david guy" <nldburma@hotmail.com>*)

◆ On December 23, 1999, a military column from IN 102 led by Captain Sein Win arrested and raped Nang Nu, aged 26 and Nang Seng aged 15. Both women were from Wan Khun Muong villagem Kun Muong tract, Kengtung Township, Shan State. They were detained in military posts and repeatedly raped by the soldiers. They were released the next day. (*Source: SHRF*)

◆ In late November and early December 1999, SPDC troops from LID #88 came to villages in Kya In Township, Karen State and found no men, so they captured women to serve as porters, human shields, and minesweepers with the logic that the KNLA would not attack the column if they saw women leading the way. Some of the women were pregnant and many had to carry infants and small children on their backs while they walked. In one notable instance the women were forced to sleep in the jungle in the cold and rain surrounded by soldiers. When their babies cried during the night the Burmese soldiers feared that the whole column would be discovered by a KNLA section, so they twisted the necks of the infants in an explicit threat to the mothers to make their babies stop. Several women were wounded during ambushes, and the overall experience proved so frightening and strenuous for them that the stories spread quickly throughout the district, prompting many women to flee before facing a similar arrest. While male porters must endure physical abuse in addition to the strain of their loads, women are vulnerable to sexual assault by soldiers and fear for both their own safety and that of their children. (*Source: KHRG*)

Appendix # 1

Women Political Prisoners In Myanmar (Amnesty International May 2000)

The following is a list of female prisoners reportedly detained in Myanmar and believed by Amnesty International to be prisoners of conscience or possible prisoners of conscience. Amnesty International urges authorities in Myanmar to immediately and unconditionally release all those imprisoned for their peaceful exercise of the rights to freedom of expression, association and assembly and to make public information on all detainees.

To Amnesty International's knowledge, all prisoners have been sentenced in trials which fall short of international standards of fairness, and many have been denied legal counsel. The majority of prisoners have been sentenced under vaguely-worded security legislation, including the 1950 Emergency Provisions Act (EPA), Sections 5 [j] and [e], and the 1908 Unlawful Associations Act (UAA), Sections 17/1 and 17/2. Amnesty International is concerned that they subject rights and freedoms to greater restrictions than are strictly necessary to meet requirements of morality, public order and the general welfare, and that they have been applied arbitrarily and indiscriminately to suppress dissent. Amnesty International is also calling for the revocation or amendment of all such legislation to bring it into line with international standards.

The organization is further concerned by reports that a number of prisoners below

have been held incommunicado and tortured, and is calling on Myanmar authorities to institute a full, independent investigation of these allegations and for those found responsible to be brought to justice.



(19,20) Karenni refugee woman laying and taking rest at the temporary site upon her arrival to the border. These arrivals are separated from the former refugees in the camp. They have to live in the temporary sites with very insufficient supplies for food and shelter.

(Photo by Aung Myo Min-HRDU)

