

State-Sanctioned Mass Rape in Burma and Sudan

51st Session of Commission on the Status of Women, United Nations

New York, February 27, 2007

Statement by Maureen Aung-Thwin

Director, Burma Project/Southeast Asia Initiative

Open Society Institute, New York

Good afternoon Ladies and Gentlemen, thank you for coming. A special thank you to Ambassador Patricia Brister, Ambassador Joseph Rees and the USUN office for making this discussion possible.

I am here today to speak on behalf of the women and girls of Burma, a military dictatorship where the basic freedoms of speech, information, and assembly are denied.

Burma is a nation of 50 million consisting of diverse ethnic groups each with its own language, culture and traditions who, at independence from colonial Britain in 1948, wanted to live in a genuine federal union with the Burman majority. The problem of national unity has haunted Burma ever since. Hopes for reconciliation were dashed further in 1962, when the first of several Burman-dominated military regimes took over ultimate control of the country.

After almost six decades of rule by decree, several versions of reality exist in Burma today. Tourists and visitors can experience what appears to be a typical sojourn in a tropical Southeast Asian destination of tree-lined boulevards, fancy hotels and bustling markets. There are no soldiers with guns patrolling the streets. The people are hospitable and friendly, though few dare talk openly about the regime's control over every aspect of their lives, the draconian laws, the lack of basic freedoms that the rest of the world takes for granted, or the constant threat of jail for the slightest perceived infringement of arbitrary rules.

Then there is another reality for the ethnic populations who live in battle zones that are effectively closed off to scrutiny. The strict censorship of information throughout the country insures that the military forces can do pretty much what they want, to civilian populations in these "black zones" of Burma.

Due to the long-running civil war, the Burmese military is one of the most battle-hardened forces in the world. In order to confiscate the land and subdue the populations living in the resource-rich ethnic homelands, the military applies a variety of scorch earth tactics that include the razing of villages, forced relocation of populations, forced labor and rape.

These practices have resulted in hundreds of thousands of internally displaced persons, or IDPs within Burma and a constant stream of refugees into neighboring

countries. An estimated million Burmese are internally displaced today, while another million, probably more, are undocumented migrants in Thailand.¹

A riveting report entitled “Chronic Emergency – Health and Human Rights in Eastern Burma”² by the Backpack Health Worker Team at the Thai border reveals the extent of the suffering of civilians inside these zones. This report by volunteers who daily risk their lives to provide primary healthcare for the internally displaced, is based on meticulous documentation of information from areas that are inaccessible to international aid agencies. “Chronic Emergency” serves as context for the growing number of documentary evidence being published on the widespread practice by Burmese soldiers using rape as a weapon of intimidation and war.

Rape has been perpetrated by the Burmese army for years, but only within this past decade have the increasingly empowered ethnic groups living in relative freedom at the borders of Burma, started documenting these abuses. The most recent report by the Karen Women’s Organization, whose General Secretary, Zipporah Sein is with us in the audience today, is entitled “State of Terror: the Ongoing Rape, Murder, Torture and Forced Labor Suffered by Women living under the Burmese Military Regime in Karen State”.³ This is a chilling and graphic account of unimaginable abuse and sexual violence against Karen women.

¹ Human Rights Yearbook, 1999-2000: BURMA, Human Rights Documentation Unit, NCGUB

² Chronic Emergency: Health and Human Rights in Eastern Burma, Back Pack Health Worker Team, 2006

³ http://www.karenwomen.org/Reports/State_of_terror%20Eng.pdf

Since the first report in 2002 by the Shan Human Rights Foundation and the Shan Women's Action Network, "License to Rape: the Burmese Military Regime's use of Sexual Violence in the Ongoing War in the Shan State", many other ethnic women's groups, including the Chins, the Mons and the Kachin have provided similar, often gruesome, accounts of rape and torture of their women and girls.

Paulo Sergio Pinheiro, the UN Special Rapporteur on Myanmar told the UN General Assembly last September that the increased military operations in ethnic areas have added to a surge of human rights abuses. Pinheiro attributes the "culture of impunity" as the main obstacle to securing respect for human rights in Myanmar,⁴ noting that "[An] illustration of the consistent and continuing pattern of impunity is the high number of allegations of sexual violence against women and girls committed by members of the military."⁵

Pinheiro has not been allowed back into Burma since 2003, but has received reports of additional cases of rapes in Shan, Karen, Mon and Chin State. He suggests the actual figures are probably much higher since many women simply do not report incidents of sexual violence because of the shame and trauma attached to such acts. He concludes that the widespread and systematic violations suggest "they are not simply isolated acts of individual misconduct of middle or low rank officers, but rather the result of the upholding of a system under which individuals

⁴ Paulo Sergio Pinheiro, Situation of Human Rights in Myanmar, September 21, 2006, page 9

⁵ Pinheiro, page 10

and groups have been allowed to breach the law and violate human rights without being held to account.”⁶

The UN Security Council Resolution 1674 on the Responsibility to Protect⁷ notes with particular concern the impact of armed conflict on vulnerable refugees and internally displaced women and children. It condemns “in strongest term” acts of violence and abuse of civilians that are in violation of international law, in particular among other abuses, “gender-based and sexual violence.”⁸

Closed societies such as Burma are laboratories for the easy spread of infectious diseases such as HIV-AIDs, Avian flu, malaria, and TB, to name the most serious. Researchers who work cross-border are able to monitor the spread of diseases emanating from inside Burma, but almost impossible to do so from within the country. Herve Isambert, the MSF (Medecins Sans Frontieres) France program manager, explained why he decided to close down his program in Burma: “We had to face up to the facts: the Myanmar authorities do not want independent, foreign organizations to be close to the populations they want to control.”⁹

The added tragedy of the rapes by Burmese soldiers is that recruits have one of the highest growth rates of the HIV-AIDs virus.¹⁰

⁶ Pinheiro, page 10

⁷ UNSC Resolution 1674, April 28, 2006

⁸ UNSC Resolution 1674, April 28, 2006

⁹ Dr. Herve Isambert, MSF France, March 30, 2006, Paris

¹⁰ Joint Program for HIV-AIDs in Myanmar, Progress Report, 2005 cited at the Conference on Infectious Diseases in Bangkok, Thailand, January 24-25., 2007

Whether or not the military government of Burma has a written official policy on rape is irrelevant. The range of evidence produced by victims and eye-witnesses and the lack of redress clearly suggests an officially condoned practice. The impunity with which rape is used as a weapon is made worse by the racism and state sanctioned ideology that allows the military in Burma to justify any action that is interpreted—by the military—as defending and unifying the country. Mr. Pinheiro warned that the failure to investigate, prosecute and punish those responsible for rape and sexual violence has “contributed to an environment conducive to the perpetuation of violence against women and girls in Myanmar.”¹¹

Courageous women, like Cheery Zahau of Women’s League of Chinland, and Naw Zipporah Sein of Karen Women’s Organization, have sacrificed their youth, borne enormous burdens, and overcome great challenges to document these tales of terror on their country-women.

Since Burma has ratified the Convention on the Rights of the Child, CEDAW¹² and is obligated under UNSC Resolution 1325, to take affirmative steps towards justice for crimes on women in time of conflict, the defacto military government of Burma should be held accountable to the international community.

¹¹ Paulo Sergio Pinheiro, Special Rapporteur of the UN to Myanmar, report to the UNGA, September 21, 2006

¹² Convention on the Elimination of All Forms of Discrimination Against Women

In conclusion, I would like to appeal to the same international community to join us in together condemning these rapes and other forms of sexual violence that are perpetrated with impunity against thousands of ethnic women and girls within the deliberately isolated regions of the sad nation that is Burma today.

Thank you.