

CONCLUSION

The gap between the existence of rights and their effective enjoyment derives from a lack of commitment by Governments to promoting and protecting those rights and the failure of Governments to inform women and men alike about them.

Many women face additional barriers to the enjoyment of their human rights because of such factors as their race, language, ethnicity, culture, religion, disability or socio-economic class or because they are indigenous people, migrants, including women migrant workers, displaced women or refugees. They may also be disadvantaged and marginalized by a general lack of knowledge and recognition of their human rights as well as by the obstacles they meet in gaining access to information and recourse mechanisms in cases of violation of their rights.

- Beijing Platform for Action, Paragraphs 217 & 225

The Committee notes with concern that, although Myanmar has 135 ethnic groups, there is little information in its report about how the human rights of women in all ethnic groups are guaranteed, protected and promoted.... The Committee requests the Government to include in its next report more information and data on the situation of women in as many ethnic minority groups as possible and the measures taken by the Government of Myanmar to protect and ensure their rights under the Convention....

The Committee notes that internal ethnic and political conflict has brought about social, economic and political instability in Myanmar and that the conflict is a serious obstacle to the full implementation of the Convention.

- Concluding Observations and Recommendations of the CEDAW Committee

Women are more daring and have broader interests than men because they are suffering a lot from the crises of economy, family problems, the deterioration of the health and education systems. We have always suffered these difficulties and despaired. Usually Burmese wash their cares from their minds by sitting in teahouses. Women can't do this like men. We have to tolerate our burdens. Therefore I believe that women know the difficulties more than men do, and we try harder than men do as well. CINT 91

Women in Burma are denied enjoyment of their human rights on a multitude of levels simply because they are women. While there are notable exceptions, on the whole, women are subordinate to men socially, and accordingly dependent on them for their physical and economic security in day-to-day terms. The educational, legal, and political systems institutionalize gender disparity and provide women few tools for achieving greater autonomy or equality. The varied effects that discrimination has on women's lives in Burma have to date been largely ignored. This remains true despite the fact that, as Burma is a state party to the CEDAW, the SPDC has a responsibility to address and eradicate gender discrimination, and to actively engage the country's women in this process.

The SPDC is obliged under the articles of the CEDAW to promote and protect women's human

rights in all spheres, and to eliminate discrimination in public and private life. In order to achieve this, women's human rights violations in Burma must be recognized as such, and not simply treated as generally unfortunate but unavoidable circumstances. Women's rights issues are not secondary to issues of development or democracy, but rather part of them. In international fora and domestic media, the Burmese government has often said that it gives priority to social and cultural rights, sometimes as a tacit excuse for abrogating political and civil rights. However, rights are by definition inalienable and indivisible. In fact, the government neglects the rights it claims to support, by denying women the essential components for good health, basic education, and opportunities to live and work in safety and dignity. Moreover, agents of the government directly deny women their rights by subjecting them to brutality, raping them and

threatening their lives. Excluding women from decision-making positions serves to worsen their situations by preventing them from publicizing the human rights abuses they face or addressing them through policy-making and -revision. The justice system remains beyond the reach of the majority of the country's women, depriving them of the chance to demand accountability for and redress of the violations they face. Under the CEDAW, the SPDC is liable for its failure both to undertake programs advancing women's status, and to pursue and punish those who violate women's rights.

The testimonies gathered here provide women's own assessments of their situations and the government's performance. We believe in the value of women's voices as a source of knowledge, and of speaking out as an act through which women learn, support each other, and develop strategies. We have brought together women's perspectives, experiences of their problems and ideas of how best to address them in order that they can be used to hold the government accountable for abuses of women's human rights and to initiate change. We have also sought to highlight women's strengths in enduring and overcoming adversity, as they are the key to realizing a different future.

As the accounts included here attest, gender discrimination has its origins in traditional attitudes, and time-honoured beliefs and practices. However, it is often exacerbated by other inequities, which predispose women to experiencing its effects more acutely. Armed conflict, the pervasive presence of the military, and the harsh living conditions that accompany poverty throughout the country have served to intensify inequality, particularly for ethnic and rural women. Civil war and decades of military rule have resulted in a climate of oppression and fear that limits fundamental freedoms, including opportunities for participation in decision-making about the development of the community. Consistent diversion of government budgets over the past 40 years away from social services towards arms procurement and military spending has left inadequate resources for human development. The major problems influencing the situation of women and girls throughout the country today are related to unfulfilled basic needs.

Armed conflict and militarization have geographically and politically marginalized rural and ethnic women, leaving them subject to racial

prejudice. The ensuing forced displacement puts women at high risk of experiencing sexual violence, a probability that increases when women migrate in search of sanctuary and a means of survival. In war, women must also suffer the consequences of violence when male community members are absent or killed, leaving them responsible for their families. The instability and economic insufficiency that come when women are uprooted from their communities preclude their access to health care and other essential services, and necessary income, heightening the risk that they will be trafficked.

The oppressive poverty experienced by women in all areas and of all ethnic groups also often precipitates experiences of gender inequality, creating vicious circles from which it is difficult for women to extricate themselves. Because of the traditional division of roles and responsibilities, and cultural views limiting women's access to education and paid labour, the burden of poverty falls more heavily on women. Economic hardship increases women's odds of marrying early, and of experiencing multiple pregnancies and abortions that impair their health, because they have few options to limit the number of children they bear. Early assumption of the responsibilities of child-care and household labour diminish women's opportunities to earn their own income, benefit from formal learning opportunities or partake in other activities in their communities. At the same time, temporary or permanent marital separations often compel women to work in extremely exploitative conditions.

Underlying these external factors are traditional socio-cultural inequalities between men and women. Women's secondary position in Burmese society often makes them the recipients of violence, a situation only exacerbated by war, when acts of sexual violence often take on symbolic value. The dependency that women experience in a broad range of situations robs them of their legitimate rights to self-determination as adults and deprives them of alternatives. Too often, women cannot control their own fertility, study the subjects that interest them, determine their vocations, or choose their marital partners. The expectation that women must be protected confines them, literally, restricting their freedom of movement and reducing their abilities to know what they are capable of and what they want. Beliefs that women are predisposed at birth to fulfill social roles, as wives and mothers, narrowly define their activities. Since divorce is neither

financially nor socially viable in most communities, some married women also find themselves bound in abusive and economically untenable situations with no real means of escape.

While the ultimate sources of many of the problems women face are simple, their effects on women's lives are considerably more complex. The initial conditions that foster discrimination can result in situations and events with far-reaching consequences. For example, when a girl is denied education because of poverty and cultural attitudes, it affects her job opportunities as a woman, her enjoyment of reproductive health, her understanding of her legal rights, and her access to authorities and to positions of decision-making in her community, among other things. Given the varied circumstances of women from different ethnic groups and areas of the country, the specific effects that discrimination has can be as diverse as the lives of the women themselves.

Sustainable improvements to the quality of women's lives must address the impact of the country's political and economic turmoil on ordinary people's lives. Significant change requires transformation of the current power structure to provide for more equitable and consistent distribution of wealth and decision-making authority. For such change to occur, there is a great need to enlarge the space afforded by civil society to critique and revise the existing systems, a process that is likely to take considerable time. As a first step, urgent action should be taken to end the civil war and institute political reform to include more popular representation in government, so that scarce and badly needed resources are no longer expended in military endeavours directed towards the country's own people.

It is clear that the problems that women encounter do not exist in isolation, but are inextricably intertwined. While there is an urgent need for programs and concrete actions addressing the specific situations women encounter, it is important that attempts to design solutions also look at women's lives in their entirety. Ultimately, change must come through the general advancement of women's status. In addition to providing women with improved services, and creating institutional support for and legal guarantees of their equality, it is necessary to alter the mindsets that foster or tolerate discrimination – something which may prove the more difficult task.

In addressing the more glaring instances of gender discrimination, it is also important that the less obvious but often more pervasive forms are not overlooked. Many of the circumstances of injustice that women encounter are excused under the pretext of safeguarding cultural norms. The general resistance to discussion of women's human rights that can be seen among many men from Burma actively involved in anti-government political movements is evidence that women's subordinate position is not simply a product of military rule. Religious, social and cultural notions and practices that function to discriminate between men and women need to be modified, whether they are upheld by those associated with the current military regime or those claiming to oppose it. Education is required at many levels to make both women and men aware of their rights and their responsibilities to respect the rights of others, recognizing the factors that often inhibit women from enjoying their rights.

At present, in exile communities, women attempting to assert their rights often encounter opposition from the members of their own political groups and even their own families. A question sometimes heard is, "Why are the women fighting against us, rather than against the military government?" As a result, women in nationalist and pro-democracy movements face a dilemma. Unless they demand to be included in decision-making, their voices go unheard and they are excluded from acting on issues that concern them. However when they do speak out, they are often told that their interests are secondary to the "greater" work at hand, the achievement of autonomy or democracy, and that their problems will be dealt with "after the revolution comes." (Incidentally, this is also how the concerns of non-Burman ethnic groups were often previously dealt with by Burman political groups.) Persistent human rights violations by the various military regimes have been a primary catalyst for the widespread desire to find an end to military rule and achieve democracy. Since women's human rights have been equally violated during the many years of civil upheaval, and women have been integral to political struggles, movements for social and governmental change cannot continue to ignore women in their search for solutions.

A great deal more precise and in-depth information about the variable situations of women throughout the country is required to formulate specific programs or overall recommendations aimed at

resolving existing problems. The diversity that exists confounds finding any simple or easy solution appropriate to different circumstances. Increased knowledge of and attention to women's specific experiences would make redressing inequality and disadvantage more feasible. There is a need for more action-oriented research, engaging women as project designers and participants, and for unrestricted access to and distribution of findings. For such efforts to be effective, it is important that the women concerned set the priorities and parameters for action.

Information also needs to be distributed about the government's international obligations, in particular its commitments as a party to CEDAW and the outcomes of its first dialogue with the CEDAW committee. With the present low recognition of human rights concepts throughout the country, few women (or men) are aware that the government has any obligations to improving women's situations or abiding by standards of international law. Undoubtedly demanding accountability from the government and enforcing compliance with the Convention will remain problematic, as long as there is no democratic rule in the country. The current almost complete dearth of local input about CEDAW implementation precludes women in Burma establishing their own bench-marks for progress. Means by which Burmese women can be informed and empowered to form their own judgements about what needs to be done must be developed.

Women's rights and gender discrimination need greater recognition in the design and implementation of social and development programs by the government and by international organizations. On the whole, a welfare-based rather than rights-based approach has been and continues to be applied to many issues of women's human rights, both inside and outside the country, by NGOs and political organizations. Some programs serve to treat the symptoms of the problems arising out of inequality, but leave the fundamental structures that impose disparities in place. Others are of questionable sustainability and suitability, since they rely completely on continuing external support and cannot be kept up solely by those within the communities where they operate. Program designers should assess the potential gender impacts of their programs in consultation with the target communities before implementing them, and ensure

that there are feedback mechanisms to allow women input to program design and implementation. With the protracted problems that exist, long term solutions may take many years to carry out; however, this is all the more reason why their efforts should be undertaken now.

Government restrictions and logistical obstacles such as inadequate infrastructure limit the geographic and thematic scope of activities and programs to improve the socio-economic situation of the Burmese people. Programs in place should be expanded and modified, and freer access should be allowed to areas not yet reached. Additionally, the experiences of NGOs, including women's groups and international organizations, in Burma or elsewhere in the region, should be drawn upon to extend or replicate successful programs in parts of the country not currently covered. Publicizing information about programs undertaken elsewhere would broaden views of what is possible in the Burmese context, particularly given the rapid gains that have been made by women in diverse parts of Asia.

The remarkable resiliency that women of Burma display in the face of adversity is proof of their tenacity and abilities to engage in their own problem-solving. However, in many ways, this resiliency has served as a double-edged sword, enabling women to become increasingly adept at tolerating virtually unupportable burdens. The steadily growing movement of Burmese women's groups and individual women in exile, dedicating themselves to finding new ways of combating adversity and coping with it, is evidence that change can be effected on women's own terms.

The international community has a role to play in supporting these efforts, by demanding that the SPDC honour its commitments to international law, including to the CEDAW. The SPDC should also be encouraged to ratify the Optional Protocol to the CEDAW, as it provides mechanisms by which the compliance with the Convention could be enforced within Burma. Continued pressure needs to be brought to bear to demand that the SPDC respect and uphold the rights of Burma's women, and in this context, to encourage political dialogue and an end to the civil war.

At the same time, women working to claim their rights need monetary and other resources to get on with the business at hand. Among the most crucial

actions to be taken at this point is allowing women the freedom to organize to address their own issues. Actively giving women inside Burma, as well as those in exile, more opportunities for agency and tools to make tangible improvements possible would contribute greatly to the betterment of their living conditions. We hope that greater recognition of the power Burmese women hold will result in a more equitable environment, where women's words are heeded and acted upon.