

## MYANMAR

### CEDAW A/55/38 (2000)

91. The Committee considered the initial report of Myanmar (CEDAW/C/MMR/1) at its 450th, 451st and 457th meetings, on 21 and 26 January 2000 (see CEDAW/C/SR.450, 451 and 457).

#### **Introduction by the State party**

92. In his introduction, the representative of Myanmar informed the Committee that the existing laws and social practices of the country were compatible with the Convention. He noted that the successive constitutions of Myanmar had included provisions for women's rights and equality and that women had legal equality with men in the political, economic, administrative and social spheres.

93. The representative informed the Committee that women and men in Myanmar had equal access to health services. He drew attention to the national health plan, which had the goal of "Health for all by the year 2000" and included activities on maternal and child health, birth spacing, reproductive health, nutritional development, an expanded programme of immunization and measures for the control of sexually transmitted diseases. Myanmar sought to provide a holistic, life-cycle approach to health care for women.

94. The representative informed the Committee that Myanmar had set goals for women's health to be reached by the year 2000: a reduction in infant mortality from 47.1 per 1,000 live births to less than 45; a reduction in the maternal mortality rate from 1 per 1,000 live births to 0.5; an improvement in tetanus immunization to more than 90 per cent for infants and pregnant women; the provision of information on prevention of HIV/AIDS to all youth and women; a reduction in iodine deficiency disorders from 33.08 per cent to less than 20 per cent; the provision to pregnant women of access to pre-natal care, safe delivery, referral services and birth-spacing information; and a reduction in iron deficiency anaemia among pregnant women.

95. The representative informed the Committee that the most important issue regarding women's health was safe delivery. He noted that there was no statutory provision for abortion services, but that there were provisions for medical care and contraception for women who had undergone unsafe abortions. Nutrition was also an essential issue and objectives included adoption of a national breast-feeding policy to promote exclusive breastfeeding to the age of four or six months. The representative noted that the fight against AIDS had been given top priority by the Government, since HIV/AIDS was currently seen in high-risk groups across the country and was starting to spread to low-risk groups. Research had been conducted to support the prevention and control of AIDS and the participation of non-governmental organizations in AIDS control activities had been encouraged.

96. The representative noted that health-related activities were made more effective by the participation of non-governmental organizations, such as the Myanmar Maternal and Child Welfare Association, the Myanmar Medical Association (Women's Section) and the International Committee of the Red Cross. The reproductive health activities conducted by the Ministry of Health, in

collaboration with non-governmental organizations, other ministries and the private sector, included: life skills training for women of childbearing age and for youth; prevention and treatment of sexually transmitted diseases; community education programmes for HIV/AIDS prevention; AIDS education in schools; capacity-building for community organizations and volunteers; expansion of birth-spacing programmes; and integrated management of the programmes on maternal and childhood illnesses.

97. The representative informed the Committee that a national workshop on the priority issues affecting women's health had been conducted in December 1999 by the Myanmar National Committee for Women's Affairs, in collaboration with the Ministry of Health and the World Health Organization (WHO). Counselling centres had been established around the country and training had been conducted on counselling techniques.

98. The representative informed the Committee that cooperation was ongoing between the Government, the Myanmar National Committee for Women's Affairs, United Nations organizations and non-governmental organizations to provide basic education for every individual, regardless of sex. The Ministry of Education had carried out non-formal education projects in collaboration with United Nations agencies. Mobile units had been used to educate women in border areas. In addition, vocational training such as sewing, embroidery and livestock breeding had been initiated in collaboration with UNDP and the United Nations Educational, Scientific and Cultural Organization (UNESCO). Literacy resource centres were established by the Myanmar Educational Research Bureau and the Asia-Pacific Cultural Centre for UNESCO (Japan).

99. The representative informed the Committee that, prior to March 1999, the Myanmar National Committee for Women's Affairs had identified six areas of concern: education, health, economy, violence against women, culture and the girl child. Two further critical areas of concern had recently been identified: environment and the media.

100. In concluding the presentation, the representative noted that Myanmar was trying its best to implement the national plan of action for the advancement of women, but that there were difficulties, such as a lack of sex-specific data. In 1997 the Government had begun collecting gender-specific data at the request of the Myanmar National Committee for Women's Affairs. He noted that Myanmar required technical assistance and financial resources in order to reach its goals more quickly.

## **Concluding comments of the Committee**

### **Introduction**

101. The Committee expresses its appreciation to the Government of Myanmar for submitting its initial report and for engaging in a constructive dialogue with the Committee. It also commends the Government's efforts to produce an informative response, including some statistics, in a very short time. The Committee notes, however, that the report does not include sufficient reliable statistical data disaggregated by sex and provides insufficient information relating to the implementation of a number of articles in the Convention.

102. The Committee welcomes the fact that Myanmar ratified the Convention without reservations on substantive articles.

103. The Committee commends the Government of Myanmar for sending a high-level delegation, including an adviser of the Ministry of National Planning and Development.

### **Positive aspects**

104. The Committee welcomes the fact that Myanmar has national machinery for the advancement of women comprising the Myanmar National Committee for Women's Affairs, which is designated as the national focal point for women's affairs, and the Myanmar National Working Committee, which incorporates women from the grass-roots level and has implementation functions.

105. The Committee notes with appreciation that the Myanmar Maternal and Child Welfare Association, the country's largest non-governmental organization, with branches and associations all over the country, has been working closely with the Government in the area of women's health, in particular, maternal health.

106. The Committee notes with satisfaction that in Myanmar women have the same rights as men to acquire, administer and dispose of property and that a wife has the right to transfer half of the marital property into her name upon divorce.

107. The Committee notes with satisfaction the high literacy rate of women in Myanmar.

108. The Committee notes with satisfaction that the legal age for marriage is 20 years for both sexes.

109. The Committee welcomes the fact that wife abuse is not common in Myanmar. It also commends the Government for initiating further research on domestic violence with a view to eradicating this phenomenon altogether and raising community awareness of existing laws in this regard.

### **Factors and difficulties affecting the implementation of the Convention**

110. 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.

### **Principal areas of concern and recommendations**

111. The Committee is concerned that the Myanmar National Committee for Women's Affairs, comprising deputy ministers of related ministries, representatives of the Attorney-General and the Chief Justice, and leaders of women's non-governmental organizations, does not receive any budget allocation from the Government despite its responsibilities for policy-making and its role as an intersectoral coordinating body. The Committee is further concerned that the Myanmar National Working Committee for Women's Affairs, an operational body, is exclusively comprised of

voluntary members.

112. The Committee urges the Government to revise existing funding allocation policies to ensure that the national machinery has sufficient financial and human resources effectively to carry out its mandate and that members of the Myanmar National Committee should include those nominated on the basis of their expertise in the relevant fields.

113. The Committee welcomes the recent order of the Government of Myanmar, which overruled those provisions of the Towns Act and the Village Act that authorized the Government to extract forced labour from women. The Committee considers forced labour of women to be a contemporary form of slavery and a denial of their rights. The Committee, however, is concerned that the Towns Act and the Village Act remains as legislation. It is further concerned that there is little information about the implementation and enforcement of the recent order.

114. The Committee requests the Government to include in its next report more information and data on the process of implementation of the order and recommends that the Government take the action necessary to bring perpetrators to justice.

115. 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.

116. 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 human rights under the Convention.

117. The Committee is concerned about violations of the human rights of women, in particular by military personnel.

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

119. The Committee notes with concern that there is little information on the trafficking in women and girls, despite the magnitude of the problem.

120. The Committee requests the Government to include in its next report more information and data on the situation of trafficking in women and girls.

121. The Committee is concerned with the increasing number of women with HIV/AIDS.

122. The Committee requests more information on the situation of women affected by HIV/AIDS, including women in trafficking and prostitution, in the next periodic report. Information should also be given on their access to health care, as well as the Government's efforts to educate women, and on measures to prevent the spread of the disease.

123. The Committee expresses its concern about the situation of women in prison and police custody.

124. The Committee requests the Government to include more information on women in custody in its next report, including data on custodial violence and the protection of the human rights of women in custody.

125. The Committee is concerned with the restricted admission of women to certain courses in higher education, which contravenes article 10 (b) and (c) of the Convention.

126. The Committee urges the Government to modify the policies on restricted admission, noting that the women themselves should be entitled to decide which subjects they wish to study and professions they wish to pursue.

127. The Committee notes with concern that the information provided on primary education is insufficient, in particular in regard to the enrolment of girls.

128. The Committee requests the Government to include more information and data with regard to primary education in its next report. The Committee also recommends that the Government set numerical targets for enrolment in primary education and that it report on the results of the implementation of such targets.

129. The Committee is concerned that there is no information on a woman's right to terminate a pregnancy resulting from sexual violence. The Committee is also concerned with the high rate of maternal mortality in Myanmar, since it notes that induced abortion often results in maternal mortality.

130. The Committee urges the Government to extend the coverage of the contraceptive distribution programme to reduce maternal mortality from unsafe abortions. The Committee requests the Government to include in its next report more information on sexual violence and pregnancies resulting from rape and the services that are available to the victims.

131. The Committee expresses concern at the absence of an enabling environment in Myanmar to ensure the full implementation of the Convention.

132. The Committee recommends that, in rebuilding its economic and political structures, the Government ensure the full and equal participation of women in an open and pluralistic society.

133. The Committee expresses the hope that the new constitution currently being drafted will guarantee gender equality and include a definition of "sex discrimination". The Committee also expresses the hope that the new constitution will incorporate the Convention in domestic law.

134. The Committee recommends that statistical data disaggregated by sex be included in the next report and that information be provided with regard to implementation of all articles of the Convention.

135. The Committee encourages the Government to ratify the amendment to article 20, paragraph 1, of the Convention concerning the time of meetings of the Committee.

136. The Committee also encourages the Government to sign and ratify the Optional Protocol to the Convention.

137. The Committee requests that the Government respond in its next periodic report to the specific issues raised in these concluding comments.

138. The Committee requests the wide dissemination in Myanmar of the present concluding comments in order to make the people and, in particular, governmental administrators and politicians, aware of the steps that have been taken to ensure de jure and de facto equality of women and of the further steps that are required. It also requests the Government to continue to disseminate widely — particularly to women's and human rights organizations — the Convention, its Optional Protocol, the Committee's general recommendations and the Beijing Declaration and Platform for Action.