



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**

Twenty-second session

Summary record of the 450th meeting

Held at Headquarters, New York, on Friday, 21 January 2000, at 10.30 a.m.

Chairperson: Ms. González

Contents

Consideration of reports submitted by States parties under article 18 of the
Convention (*continued*)

Initial report of Myanmar

This record is subject to correction.

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The meeting was called to order at 11 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Initial report of Myanmar (CEDAW/C/MMR/1)

1. *The Chairperson invited the members of the delegation of Myanmar to take places at the Committee table.*

2. **Mr. Mra** (Myanmar) said that his Government's reading of the articles of the Convention had revealed that existing laws and social practices in his country were compatible with its provisions. Current and previous constitutions guaranteed sexual equality and women's rights. Under law, women in Myanmar enjoyed the same rights as men in the political, economic, administrative and social spheres. The family was the basic social unit, and most were extended families. Although the head of the household was usually the father, the mother had the major role in rearing children. The wife was often considered the family's home minister, and couples usually kept joint bank accounts.

3. Men and women had equal access to health services. In implementing the national health policy, the Ministry of Health sought to improve the health of the Myanmar people through prevention, treatment, and rehabilitation as well as through education, information and communication services. The steering committee for the National Health Plan was made up of representatives from the ministries as well as from non-governmental organizations. National population policy sought to improve the health of women and children by ensuring access to birth-spacing information for all couples that voluntarily sought such services. Birth-spacing programmes were carried out by governmental entities and non-governmental organizations with assistance from international agencies.

4. The Government was improving and expanding nutrition programmes and had launched a national breastfeeding policy. The Ministry of Health had formed a Food and Nutrition Control Committee, which worked with the National Health Committee to develop a multisectoral approach to food and nutrition. Studies had shown that girls suffered from lower rates of protein energy malnutrition than boys. About 25 per cent of Myanmar girls suffered from anaemia however,

and nearly 60 per cent of pregnant women suffered from iron-deficiency anaemia. Goitre was the most common visible form of iodine deficiency disorder in Myanmar.

5. Since AIDS was pervasive in all social classes, and had begun to spread into low-risk population groups, the Government had given top priority to developing a multisectoral approach to fight the disease. It was encouraging non-governmental organizations to participate and conducting research had been with a view to promoting and supporting AIDS prevention and control.

6. Health services were organized at three levels: the central level, which was responsible for policy, planning, training, supervision, monitoring and evaluation; the intermediate level, which consisted of the State and divisional hospitals providing specialized care and the peripheral level, which consisted of township and station hospitals, rural health centres and village health clinics. Doctors, women health visitors and midwives offered maternity and birth-spacing services at health centres in both rural and urban areas. The Myanmar Maternal and Child Welfare Association, a well-established non-governmental organization, also provided those services. With the inauguration of the National Health Plan, the maternal and child care programme had been reshaped and had become a reproductive health care programme, which now also covered adolescent care.

7. Although there was no statutory provision for abortion services, women who had undergone unsafe abortions had access to emergency services and follow-up care, including post-abortion contraception. Many women used traditional medicine and herbal preparations. Most maternal health care practitioners and reproductive health consultants were women. Promotion of reproductive health included safe delivery, safe motherhood, birth-spacing, the prevention of sexually transmitted diseases (STDs) and HIV/AIDS, reproductive and life skills education for women and adolescents, and condom promotion. Programmes targeting those goals were being conducted by the Ministry of Health in collaboration with other ministries, local and international non-governmental organizations, and the private sector. In addition, the Myanmar Maternal and Child Welfare Association offered life skills training for women and the Myanmar Red Cross Society provided similar programmes for youth.

8. The prevention of STDs involved health education, early case detection, early diagnosis and effective treatment. The Department of Health and the HIV/AIDS force of the Myanmar Medical Association had both conducted training courses for health personnel in syndromic management of STDs. Condom promotion for persons at high risk, such as those with multiple sex partners, was carried out in collaboration with local and international non-governmental organizations.

9. Education was a major component of the HIV/AIDS prevention strategy, and relevant educational materials had been published in various indigenous languages. In addition, materials for such target groups as drug users, youth and women were distributed in various parts of the country. Town health departments, school health teams and trained staff from the Department of Basic Education provided AIDS education in the schools. The Ministry of Health and the Ministry of Education had developed curricula for teachers in the area of healthy living, AIDS prevention and risk avoidance skills. Representatives from community organizations and volunteers were trained to promote community education and awareness programmes on AIDS and STDs, through educational materials including gender-specific messages.

10. Birth-spacing programmes included training for basic health care staff and volunteers, community education on the benefits of birth-spacing and contraceptives. The Integrated Management of Maternal and Childhood Illnesses Programme was aimed mainly at treatment and prevention of such common childhood diseases as diarrhoea and acute respiratory infections, but a safe maternity component had been incorporated to provide training for primary health care workers, particularly auxiliary midwives in rural areas and traditional birth attendants.

11. Objectives set for women's health by the year 2000 included reducing the infant mortality rate from 47.1 to 45 per 1,000 births and halving the maternal mortality rate from 1 to 0.5 per thousand live births, achieving and maintaining a full immunization rate of 90 per cent for infants, providing access to information on HIV/AIDS prevention, reducing iodine deficiency disorders from 33.08 per cent to under 20 per cent, increasing access to prenatal care and childbirth services, providing universal access to birth-spacing information and reducing iron deficiency anaemia among pregnant women.

12. One of the areas of concern identified by the National Committee for Women's Affairs was violence against women. The activities intended to prevent violence and rehabilitate the victims included training in counselling and establishment of counselling centres throughout the country. Health care had also been provided to women in the border areas through the Border Area Development Programme.

13. As part of the Environmental Health Programme, the Government had formulated a national policy to assess environmental health risks in communities. A community water supply and sanitation programme was designed to provide safe drinking water and adequate sanitation in both rural and urban areas. Working women were covered by occupational health legislation and were entitled to three months' maternity leave. The World Health Organization had recognized health care services in Myanmar as among the best in South-East Asia.

14. Since education determined a woman's access to employment, control over her fertility, family size and spacing and the education and health of her family, the Government was implementing programmes to enable every individual, regardless of sex, to acquire a basic education. There was no discrimination against women in the educational system; in fact, of the 26 top students in the most recent university entrance exams, 15 were girls. As part of the Human Development Initiative Programme with cooperation from UNDP and UNESCO, vocational training programmes and adult literacy programmes were being offered as well.

15. The Myanmar National Committee for Women's Affairs followed its report of March 1999 with a nationwide celebration of Women's Day on 3 July. At a coordination meeting for 1999, the National Committee had decided to increase its membership and had identified six areas of concern: education, health, the economy, violence against women, culture and the girl child. Two more areas — women and the environment and women and the media — had subsequently been added.

16. Finally, the Government's efforts to implement the National Plan of Action for the Advancement of Women had been hampered by a lack of gender-disaggregated data earlier than 1990. Since 1990, it had begun to collect such data on employment and had extended collection to the education sector. However, without international technical assistance and financial

resources, it would be hard pressed to satisfy the requests of the National Committee for Women's Affairs.

17. **Ms. Khan** commended the Government of Myanmar for its ratification of the Convention without any reservations to its substantive articles. Throughout its history, women had played an important role in its society, and more recently in its independence movement and in politics. Indeed, Myanmar was the home of the first woman Nobel laureate from South-East Asia, Daw Aung San Suu Kyi, who had debunked many of the stereotypes about women's roles. She hoped that many other women would help to shape the political life of Myanmar.

18. The establishment of the national machinery for implementation of the Convention was an indication of the Government's commitment to women's rights, and those institutional arrangements seemed to be moving in the right direction. However, a lack of gender-disaggregated data and any indication of the funding allocated for that machinery might make the dialogue more difficult.

19. No figures had been provided on how the Government hoped to fund the projects and activities for the advancement of women mentioned in the report and presentation.

20. She expressed concern over the situation of women and children trapped in the ethnic conflicts that continued to plague Myanmar, particularly in the border areas and refugee camps. She wondered whether those women had access to the facilities mentioned in the report free of charge. Noting that 75 per cent of the country's population was rural, she inquired further to what extent rural women benefited from the measures highlighted in the report. While the Committee welcomed the Government's commitment to improving the health of women, it wished to know whether there was a budget specifically earmarked for that purpose.

21. She would also welcome more information about access to family planning services and about violence against women, especially those living in refugee camps, who were particularly vulnerable. Information on primary education would also be most welcome. When States parties ratified the Convention, they accepted responsibility for eliminating all forms of discrimination against women in the public and private spheres. The Committee therefore hoped that future

reports of Myanmar would squarely address situations of inequality identified between men and women.

Article 2

22. **Ms. Schöpp-Schilling** asked whether the principles enshrined in articles 1 and 2 of the Convention would be embodied in Myanmar's new Constitution and when the drafting process would be completed. The Government should include in its new basic document the full definition of discrimination against women, in order to facilitate the task of legislators, namely to translate it into specific laws. She asked whether the Convention was published in an official gazette, whether it was legally binding in Myanmar and whether current legislation clearly prohibited discrimination against women by various State agents and actors.

23. Given the important role that the military played in the current Government, it would be interesting to know whether there was any legislation in place to identify and deal with potential or actual cases of discrimination against women by military personnel. She wondered whether one of the tasks of the institutional machinery protecting women was the review of existing legislation in order to identify any *de jure* discrimination against women.

24. **Ms. Corti**, referring to article 13 of the 1947 Constitution, wondered whether the spirit and letter of that article were being implemented. Since Myanmar was a multi-ethnic and multi-religious society, and women were often the custodians of traditions, she wondered how women of the various ethnic and religious groups were guaranteed the same rights and bore the same responsibility to respect government policies and the rights and customs of other groupings, even when those rights contradicted their own religions and traditions.

Article 3

25. **Ms. Ouedraogo** welcomed the establishment by the Government of Myanmar of a plan of action and of several national committees for the advancement of women. The Beijing Conference had identified the allocation of resources to institutions for the advancement of women as a priority area. The absence of information concerning the budget of Myanmar's national committee was therefore regrettable. Moreover, the six priority areas identified by the national plan of action should also have taken into

account the participation of women in decision-making, which was included among the 12 key points of the Beijing Platform for Action. She would therefore appreciate more information on that subject as well as details of the plan of action, its objectives, strategies and main programme of activities. That information would have enabled the Committee during the constructive dialogue to exchange ideas on flaws and successful experiences and to monitor Myanmar's plans to implement the Convention over the next few years.

26. **Ms. Goonesekere** expressed satisfaction at the high level of enjoyment by women of Myanmar of their rights under the Convention. The female literacy rate, one of the highest in the region, testified to women's enjoyment of the fundamental right of access to education. Some women, however, particularly those from vulnerable sections of the population, had not benefited significantly from the progress made, and it was the Committee's task to focus on the constraints they faced.

27. Although the report referred to a subcommittee on violence against women, it contained no data on the prevalence of the phenomenon or its different manifestations. In countries with a history of internal conflict, in which the military had a visible high presence, women were especially vulnerable to violence. It was important to know, in such a context, how law enforcement officials and the military were held accountable for acts of violence against women, and whether they received training on the principles of the Convention.

28. She asked whether the Government intended to review the Penal Code, 1860, which contained a number of provisions that discriminated against women. She was concerned about reports that the Town and Village Act was being misused as an instrument for pressing citizens into forced labour, including portorage, which was especially detrimental to the health of women.

29. **Ms. Ferrer** said that the establishment of the National Working Committee for Women's Affairs which had competence to receive and channel complaints, had been a very positive step. She wished to know how many complaints of discrimination the Working Committee had handled and what measures it was empowered to take when complaints were upheld. She would also like to have more information about the

relationship between the Working Committee and the National Committee for Women's Affairs. She wondered whether the National Committee, which met only every three months, had its own full-time secretariat. She had found it difficult to gain a clear picture of the role and presence of women in the various social sectors because of the lack of gender-disaggregated statistics, and she suggested that the Working Committee would be well placed to collect such data.

30. It would be helpful to hear more about the goals of the long-term plan (2001-2020) on development of Myanmar women and the mechanisms established to monitor the implementation and outcome of the plan. She inquired whether the plan included measures to publicize the Convention, raise awareness of gender issues and increase women's representation in decision-making positions and non-traditional professions. She would also like to know whether the plan made special provision for Myanmar's large rural population. In addition, she wished to have more information on the situation of street children and the scale of poverty among women, as well as any measures taken or planned for the reintegration in society of the poor among the female population.

31. **Ms. Hazelle** asked the representative of Myanmar to describe in greater detail the composition of the National Committee for Women's Affairs and the Working Committee, the financial and human resources allocated to them and their respective roles. She also wished to know how the Ministry of Social Welfare, Relief and Resettlement fulfilled its role as the National Focal Point for Women's Affairs and how the subcommittees dealing with the six critical areas identified in the Myanmar National Action Plan for the Advancement of Women were funded. It would be helpful to have a clearer picture of the goals of the Action Plan and the aims of the Government's policy on women.

32. **Ms. Ryel** asked what types of complaint were brought before the Working Committee, what steps had been taken to make individual women aware of the Committee's competence to consider complaints, and whether its budget was adequate.

33. **Ms. Kim** asked whether any of the members of the Working Committee came from women's non-governmental organizations, and, if so, what the criteria were for their selection. She would like to have

more information on the number of such organizations and their status in Myanmar, and she wondered whether they had participated in the drafting of the State party's report. She also wished to know whether the Convention had been translated into the languages of Myanmar's ethnic minorities.

Article 4

34. **Ms. Myakayaka-Manzini** said that the report stated in relation to article 4 that women in Myanmar had already achieved equality with men, but did not clarify whether that meant de jure or de facto equality, nor did it describe what steps had been taken by the Government to promote women's advancement. She considered that temporary special measures were needed, in particular, to increase women's representation in Parliament and the Government. She was concerned that undue emphasis had been given in both the report and the oral presentation to women's role in the family, whereas the Convention stated that women should have opportunities for involvement in all areas of life. While the subcommittees on education and violence against women were to be commended for conducting surveys and holding meetings, she wondered whether those initiatives had yielded tangible results, such as programmes or action plans.

Article 5

35. **Ms. Ouedraogo** said that the popular saying that when a husband carried a load on his shoulder, the wife would carry a load on her head seemed to be indicative of women's high status in society. Since many discriminatory practices were founded on stereotyped views of women and traditions that denigrated them, it was extremely encouraging to see that in Myanmar, women had always been valued. The State party should seek ways of building on the positive images of women in Myanmar in order to promote their advancement. She would be interested to know whether there was any discrepancy between the worth traditionally attached to women and their actual roles in daily life. She wondered, for example, how domestic tasks were distributed between the sexes. Given women's apparent high status, she found the assertion in the report that the head of the household was the father rather perplexing.

The meeting rose at 1 p.m.



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Twenty-second session

Summary record of the 451st meeting

Held at Headquarters, New York, on Friday, 21 January 2000, at 3 p.m.

Chairperson: Ms. González

Contents

Consideration of reports submitted by States parties under article 18 of the
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Initial report of Myanmar (continued)

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Initial report of Myanmar (continued)

1. *At the invitation of the Chairperson, the delegation of Myanmar took places at the Committee table.*

Article 5

2. **Ms. Ferrer** said that, in a country where there were more than 135 ethnic groups and several religions, it was difficult to ensure that women could effectively exercise equal rights at all levels of society. It was clear from the information provided by the Government of Myanmar that discriminatory attitudes towards women were widespread in that country. It was not enough to legislate for equal rights; what happened in practice was more important.

3. The report mentioned legislation which specifically benefited mothers; the Government should provide more information on that legislation. It was clear from the report that girls and women were still very much restricted to traditional female roles. The existence of beauty contests in which the winners could obtain important advantages such as scholarships was also discriminatory, and greater efforts should be made to overcome practices of that kind. She wondered what action was being taken by the National Committee for Women's Affairs to deal with such problems, what part the mass media were playing in efforts to disseminate a more appropriate image of women and whether sex education was available so that women could exercise their sexual and reproductive rights.

4. **Ms. Ryel**, referring to the information given in the report concerning women serving prison sentences, requested details, such as the number of women inmates, the crimes for which they had been imprisoned, the gender ratio among prisoners, whether there were separate prisons for women and the nature of the "privileges" for women prisoners referred to it in the report. She also wished to know in what circumstances prisoners were sentenced to hard labour and how many women were sentenced to death each year.

Article 6

5. **Ms. Hazelle** noted that the report gave a considerable amount of information on women's rights legislation but said little about the implementation of such legislation or its practical impact on the lives of women and children. The reporting State should provide more details of the activities of the National Committee for Women's Affairs, particularly its subcommittees on the girl child and violence against women. Also, in the absence of statistical data, it was difficult to evaluate the impact of the various activities described in the report.

6. She would welcome additional information on the Task Force for Trafficking in Women and Children, set up in August 1998, the incidence of such trafficking, the outcome in particular cases and whether the police were being given training to make them more sensitive to the issue. The report referred to a baseline study of marital violence and a course for data collection on protecting women against violence; she requested additional information on those two activities.

7. **Ms. Khan** noted that the State party had to contend with a number of problems which aggravated the phenomenon of trafficking in women: poverty, internal displacement, refugee camps, armed insurgency, long borders and disputes with neighbouring countries over border control. She wished to know more about any practical measures taken to control trafficking in women along Myanmar's borders with its five neighbours, and, in particular, how the authorities enforced the prohibition on women between the ages of 16 and 25 years crossing the border unless accompanied by a legal guardian, in a situation where so many families were divided. The State party should give further details of efforts by the Ministry of Immigration and Population to monitor immigration and emigration flows with a view to controlling trafficking in women and its coordination to that end with the Ministry of Progress of Border Areas and National Races and Development Affairs and the Task Force for Trafficking in Women and Children. She asked whether the Task Force was headed by a woman and whether it ran shelters for rape victims. It would also be helpful to have data on the number of persons convicted of rape or trafficking in women under the Penal Code; the involvement of members of the armed forces in cases of sexual exploitation and the procedure followed in such cases; and the number of women involved in the sex industry, including estimates of the

number of victims of trafficking, both within Myanmar and in neighbouring countries. She wished to know whether victims of trafficking could be penalized for engaging in prostitution and whether psychological help was provided to them free of charge. Lastly, she asked whether Myanmar planned to ratify the 1949 Convention for the Suppression of the Traffic in Persons and of the Exploitation of the Prostitution of Others, which it had thus far only signed.

8. **Ms. Regazzoli** asked what measures the State party had taken to reintegrate victims of trafficking in society, and to control the transmission of acquired immunodeficiency syndrome (AIDS) by prostitutes, both within the country and across its borders.

9. **Ms. Corti** reiterated the request for information on any practical measures taken to control trafficking in women, particularly along Myanmar's borders. The amendments made to the Suppression of Prostitution Act 1949 seemed very weak and she wondered whether the Myanmar authorities planned to take further action in that regard.

10. **Ms. Manalo** expressed the hope that, in its next report, the Government would be able to give details of a mental health programme for women victims of rape, prostitution and trafficking.

Article 7

11. **Ms. Manalo** asked what practical steps the Government was taking to reconcile the current situation of Ms. Aung San Suu Kyi with the international agreements to which Myanmar was a party and with its constitutional commitment to enable women to vote and run for office.

12. **Ms. Feng Cui** asked how many women in Myanmar had exercised their constitutional right to vote and to run for office and what was the ratio to women to men in political parties, Parliament, the civil service and government organs such as the State Peace and Development Council.

13. **Ms. Corti** asked what encouragement and support were being given to women to exercise their rights to vote and to run for office and what temporary special measures were being adopted to encourage political parties to increase the number of women candidates. She also wished to know how article 7 of the Convention was being implemented, in view of the fact that Ms. Aung San Suu Kyi, leader of the winning

party in free elections, had been prevented from taking office and placed under house arrest.

14. The report acknowledged that women had been very active in student and ethnic protests in Myanmar. She wondered what had happened to the women involved in such protests and why a number of women who had been successful candidates in free elections had subsequently had to resign.

15. **Ms. Ryel** said that, according to non-governmental sources, there were hardly any women in the country's Parliament or Cabinet. She wondered whether the Government saw that as a problem and whether it had any strategy for remedying the situation.

16. **Ms. Goonesekere** noted that, despite political strife and conflict, Myanmar had managed to establish a State Peace and Development Council. That seemed to reflect recognition of the fact that peaceful conflict-resolution and good governance were the keys to economic development and the advancement of society. Throughout the report, reference was made to Myanmar's egalitarian democratic traditions, which were based on Buddhism. Women's strong tradition of participation in public life reflected the commitment of many women in Myanmar to participate in conflict resolution and contribute to peaceful development projects. She therefore wished to know what steps were being taken to bring women such as Aung San Suu Kyi into the peace and development process.

17. **Ms. Myakayaka-Manzini** requested specific statistics, such as the number of women directors-general in the civil service and the number of women managing directors in business, as well as information on women's participation in the judiciary as judges, magistrates, etc. Such data were essential for assessing the advancement of women.

18. **Ms. Schöpp-Schilling**, referring to article 7 (c), asked about the conditions under which women were permitted to form non-governmental organizations, whether there was a registration process and, if so, what that entailed.

19. The report referred to a number of women's organizations which had been established since 1991 and formed part of the national machinery for the advancement of women. She wondered whether there were other organizations, such as the Myanmar Women's Development Association established in 1947, that did not form part of the national machinery.

She asked whether any woman who had a specific concern, for instance, in connection with the Convention, could freely establish a women's association in order to lobby for the Convention, and whether there were any restrictions on such activities.

20. While recognizing Myanmar's difficulties in collecting data and statistics, she wished to indicate possible areas for future consideration. For instance, she would like to have data on the number of women, as compared to men, involved in independent non-governmental organizations and to know whether there were any overt or covert discriminatory mechanisms that might keep women from entering such associations and being active in them.

21. **Ms. Regazzoli** enquired about programmes, projects and laws to promote women's participation in political life and questioned the sincerity of such initiatives in a climate where elections had been invalidated when a woman won them and where a woman awarded the Nobel Peace Prize had been placed under house arrest. She wished to know how many women held high-level positions in the Government of Myanmar.

22. **Ms. Hazelle** endorsed for the statements and questions formulated by Ms. Corti and Ms. Feng Cui.

Article 8

23. **Ms. Regazzoli** requested statistics on the number of women appointed to the Ministry of Foreign Affairs since the Beijing Conference, together with details as to their posts and promotions, and on the number of Myanmar women serving in international organizations and bodies.

Article 9

24. **Ms. Goonesekere** noted that the report did not address the substance of article 9, namely, whether Myanmar women enjoyed the same rights as men in terms of transmitting their nationality to their children and obtaining nationality for a foreign spouse. She would appreciate information on that subject from the State party.

Article 10

25. **Ms. Schöpp-Schilling** said that the right to education was a fundamental human right and that women and girls should not be discriminated against in

that area. The report and the oral presentation had described some of the efforts being made in Myanmar and had mentioned the high literacy rate. However, the statistics seemed to refer mostly to townships. She asked what the literacy rate was for rural women and the primary school enrolment rate for girls in rural areas.

26. She asked whether primary education was in fact free and, if not, how funds for needy students were allocated, in particular, whether more funding went to young girls and their parents in order to counteract the tendency to give priority to the education of boys.

27. It would be interesting to see the results of the study on further education for girls who had not completed primary school, and any measures and policies resulting from it. Information on rural areas would also be welcome, as well as information on women in universities. She wondered whether present conditions were causing the closure of schools and universities and whether such closure had a disproportionately negative impact on women and girls. She asked whether it was true that some universities, such as the Engineering University, imposed more stringent admission criteria on female students and that the Forestry University did not accept women at all.

28. **Ms. Kim Yung-Chung** noted from the oral presentation and the report that there was no discrimination against women in education. However, the high cost of education, combined with the traditional notion that women did not require an education in order to do housework, meant that low-income families were less likely to send girls to school; there was also a high drop-out rate. She would therefore like to see some basic, accurate and comprehensive statistics on education.

29. Under the "Education for All" project, funding was being provided for free textbooks, clothing and stationery for needy students, as well as tuition grants and stipends. She asked how many girls and female students were taking advantage of that project. Data should be provided for both sexes and should include statistics for remote areas and ethnic minorities.

30. The vocational training programmes offered as part of the human development initiative programme seemed to focus on traditionally female skills such as sewing and embroidery. She would welcome information on women's access to training in science

and modern technology. Reference had been made to the provision of computer and auditing classes at affordable prices for young girls. She would like more detailed information on the number of girls who had taken advantage of such classes and gone on to careers in the areas concerned.

31. Even if equal opportunities were available in education, the content of that education remained crucial. She asked whether school textbooks had been revised with a view to eliminating gender stereotypes. She requested statistics on the ratio of women to men in the teaching profession. There were usually more women than men in primary education, but it would be interesting to see the figures for secondary and tertiary education. It was also customary for women to work in medicine, but information on other professions, such as architecture and engineering, would be welcome.

Article 11

32. **Ms. Schöpp-Schilling** said that while the report clearly recognized the importance of article 11, it failed to provide any statistics. To start with, some approximate figures on the numbers of women and men working in the informal and formal sectors would be welcome. If no statistics were currently available, they should be included in the next report.

33. She asked whether employment legislation applied only to the formal sector and whether women working in the informal sector were eligible for maternity leave and social security benefits.

34. Since equal pay was guaranteed in the formal sector, she wondered what enforcement mechanisms were available and whether women had to go to court to demand equal pay or had access to enforcement mechanisms in the workplace. She asked how many complaints about wage inequalities there had been. She also requested a description of the sanctions applicable to firms or even government bodies that discriminated against women with regard to pay, promotion or recruitment.

35. She was very concerned that no time-use studies had been carried out for women, although it was assumed that they worked more hours per week than men. That also amounted to discrimination under article 12, as women's health might be endangered by overwork. Women's long working hours were also a social concern that went beyond their impact on individual women, since they could have long-term

detrimental effects on women's childbearing and maternal functions. She would welcome details of any plans by the Government or the national machinery to examine women's work and see how women's economic contribution in the informal sector and in the home could be reflected in the national accounts. The Organisation for Economic Cooperation and Development (OECD) had conducted several studies on how such work, whose value was difficult to measure, could be recognized. It seemed likely that many cases of discrimination were occurring, and protective legislation was doubtless needed.

36. **Ms. Khan** asked whether Myanmar's labour laws were in line with article 11 of the Convention and with International Labour Organization (ILO) standards. She requested data on the employment status of women, including the number of working women and the sectors where they worked. The report stated that over 75 per cent of the population lived in rural areas; that percentage presumably applied to women as well as men.

37. She asked whether the 1949 Minimum Wages Act, which needed updating, applied to women working in the informal sector. A large number of women working in the informal sector were not wage-earners, for instance, self-employed women and those working for a family business or in agriculture. In view of the situation in Myanmar, she wondered whether there were situations where women other than unpaid family workers, were working to survive without being paid.

38. Equal access to employment required equal access to training, but most of the training provided to women seemed rather outdated, although some modern vocational courses were available. She asked about the language of instruction for vocational courses; if only the majority language was used, that would exclude a large number of minority groups. She also asked about the language of instruction at the primary and secondary levels and in rural areas.

39. She requested detailed information on wage labour, unwaged labour and the self-employed. In view of the country's new development and relocation programmes, she also asked about land policy, whether families received financial compensation for agricultural land that was taken over and whether basic infrastructures were already in place in the townships

to which the population were being relocated, so that women could find employment on arrival.

40. **Ms. Taya** said that Myanmar was to be congratulated on presenting its initial report such a short time after ratifying the Convention. Her questions under article 11 concerned the practice of requiring forced labour as a sort of tax paid in kind. The justification given was the need to build infrastructure despite budgetary constraints. It was pertinent to the Committee's concerns to know how many women were involved and in what kinds of labour, how they were recruited and how the work was allotted. She would welcome information on any laws that regulated the conditions of forced labour. Although Myanmar did have minimum wage, social security and other labour laws, she wondered how effectively they had been implemented, since military expenditures accounted for half the national budget and forced labour was widespread.

41. **Ms. Cartwright** said that, since most of the labour laws applicable to women's employment were some 40 to 50 years old, it was unlikely that they met the standards of the Convention. She wished to know whether the Government had plans to review its legislation and, if so, when. Reports including an ILO report dated 21 May 1999, on forced labour in Myanmar, indicated that many women were obliged to work for the armed forces without pay as domestic servants, porters and food growers. Forced labour was a violation of fundamental human rights and was contrary to the Convention. It led to further abuses and had a serious impact on the welfare of those involved and their families. The State party should tell the Committee what steps it planned to take to control the practice.

Article 12

42. **Ms. Abaka** said that she had been pleased to learn that doctors in Myanmar practised traditional as well as Western medicine and that midwives were widely used; those were useful ways of reaching a larger proportion of the population. Another important way in which the Government had fostered women's health was by refusing to tolerate wife abuse and by severely penalizing it.

43. On the negative side, the maternal mortality rate was still very high. That was especially tragic because maternal mortality was avoidable with adequate

preventive care, which could be provided even with limited resources. The Government should review its many maternal health programmes to determine why they were not achieving their objective.

44. Preventive care should include safe ways of dealing with unwanted pregnancies. Some of the causes of maternal mortality cited, such as sepsis, haemorrhage and obstetric trauma, could very well be the result of unsafe abortions. Given the country's stringent anti-abortion laws, she wondered what provision was made for women and girls who became pregnant as a result of rape or incest. Although Myanmar had entered almost no reservations to the Convention, she had the impression that it had tacit reservations, including some on health issues.

45. The wealth of information given in the report and the oral presentation concerning article 12 related almost exclusively to maternal health. The next report should provide fuller information, including statistics, on such areas as adolescent health, causes of death other than maternity, cancer screening programmes, human immunodeficiency virus (HIV)/AIDS and blood-screening for HIV, women's mental health and drug and substance abuse. The State party should refer to the Committee's General Recommendation No. 24 to obtain a clearer idea of what information the Committee was seeking.

46. **Ms. Corti** endorsed the request for fuller reporting under article 12.

47. **Ms. Schöpp-Schilling** said that she would appreciate specific information on the size of the health budget and the percentage devoted to women's needs as compared with men's. She would also like to know whether the health budget had increased in proportion to population growth and how much of it was allocated to dealing with HIV/AIDS. She joined other Committee members in stressing that article 12 dealt with all stages of a woman's life, not just her reproductive years.

Article 13

48. **Ms. Regazzoli** noted that Myanmar had made commendable efforts to encourage women's participation in sports. She requested statistics showing whether women had real access to credit, bank accounts, home ownership and the like.

Article 14

49. **Ms. Ouedraogo** said that although the report claimed that rural women enjoyed equal rights with rural men, she feared that the claim was somewhat unrealistic, since it was not backed by statistics. The Committee was concerned not only with legal standards but also with rural women's actual access to education and training, credit and property ownership. It would be interested in information on the illiteracy rate among rural women, the number of rural women who had benefited from farm loans in their own name and the number of rural women who owned their own home or farm. She was pleased that all eight areas of concern mentioned in article 14 had been addressed, but wished to make some suggestions as to the kind of information sought by the Committee. For example, the number of women who had benefited from rural development projects was a more meaningful statistic than the amount of money spent on those projects. The report listed several rural development projects, but failed to indicate their nature or how they had benefited women specifically.

50. She applauded the efforts made to extend the network of rural health centres and welcomed the use of midwives and health visitors to widen health coverage. However, she would like to know why 30 per cent of births were not attended by trained personnel.

51. The report stated that women in Myanmar participated in agriculture, commerce and social affairs. The Committee was interested in gauging the quality of that participation.

52. **Ms. Regazzoli** requested the State party to convert all monetary figures into a currency more familiar to Committee members, and to provide statistics on the number of rural women who had access to the programmes listed under article 14. She would also appreciate information on the types of work carried out by Myanmar's rural women and the percentage of the gross national product which they represented.

53. **Ms. Feng Cui** said that she would have appreciated more information on measures to alleviate poverty among rural women. She wished to commend the work done by the Myanmar Maternal and Child Welfare Association, a voluntary non-governmental organization, in rural areas.

Article 16

54. **Ms. Cartwright** asked whether 20 years was the legal age of marriage for both men and women and whether it was enforced, there had been reports that women below that age were either married or treated as married. In that connection, she suggested that the Myanmar authorities should review the Committee's General Recommendation No. 21, which stressed that women should have reached a sufficiently mature age before marrying, not only for reasons of mental health but also to ensure the proper discharge of marital responsibilities. She had heard that, on occasion, young rape victims were required to marry the offender, and she wondered whether the Government was taking any measures to deter or prohibit such practices, which were contrary to the fundamental principles of human rights. She asked whether there was any legislation on rape within marriage. In general, she would appreciate information on laws concerning rape and on how widely they were endorsed, particularly against members of the armed forces. Referring to General Recommendation No. 19, she enquired about measures to prohibit and prosecute violence against women, particularly domestic violence. It would be useful to know how seriously the Government took such measures, whether they were widely publicized and whether the police were encouraged to enforce them.

55. **Ms. Aouij** said that the information given in the report under article 16 was insufficient. She wished to know whether the various ethnic groups in Myanmar applied their own customary laws concerning marriage and whether women had any recourse in the event of a breach of customary law. The State party should indicate whether there were any courts in rural areas and whether women had easy access to them; who applied the legislation on family relations; whether there were any women magistrates; and whether Buddhism permitted polygamy. She asked whether the consequences of divorce, including alimony and custody, were determined in accordance with the 1974 Constitution, since the report made no mention of subsequent legislation in that area. Indeed, since becoming a State party to the Convention in 1997, Myanmar had taken no steps to harmonize its legislation with the Convention or with the values of modern life and democracy. She strongly recommended legislative reform, which could incorporate customary law where that was beneficial; it was crucial, however, that laws should be in writing. She asked whether the

new Constitution would include a chapter on women's rights and non-discrimination and whether the Myanmar National Committee for Women's Affairs had proposed any amendments or new legislation on women's status within the family.

56. **Ms. Goonesekere** requested details on the functioning in practice of the joint property system and on women's inheritance rights under customary laws which permitted divorce by mutual consent and did not require the drawing up of wills. She wondered whether those rights were guaranteed by the civil courts.

57. **Mr. Mra** (Myanmar) thanked Committee members for their questions and assured them that answers would be provided by the various women experts on the Myanmar delegation.

The meeting rose at 5.10 p.m.



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of All Forms of Discrimination
against Women**

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against Women**

Twenty-second session

Summary record of the 457th meeting

Held at Headquarters, New York, on Wednesday, 26 January 2000, at 3 p.m.

Chairperson: Ms. González

Contents

Consideration of reports submitted by States parties under article 18 of the
Convention (*continued*)

Initial report of Myanmar (continued)

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Initial report of Myanmar (continued)
(CEDAW/C/MMR/1)

1. *At the invitation of the Chairperson, Mr. Mra, Ms. Win and Ms. Thant (Myanmar) took places at the Committee table.*

2. **Mr. Mra** (Myanmar) said that the delegation of Myanmar would attempt to respond to the Committee's comments and questions, although it had not been possible in the short time available to obtain all the data that had been requested.

3. The following documents had been distributed to the Committee: "National Action Plan for the Advancement of Women"; "Handbook on Human Resources Development Indicators, 1998"; "Violence against Women"; "Myanmar Maternal and Child Welfare Association, 1998"; "Ministry of Social Welfare, Relief and Resettlement, 1997"; "HIV/AIDS/STD Prevention Programme in Myanmar"; "Myanmar Women Entrepreneurs Association"; "Status of Women in Myanmar"; and "National AIDS Programme in Myanmar".

4. Some Committee members had requested information on the implementation of the National Convention process, the participation of the National League for Democracy (NLD) in that process and the status of the new Constitution being drafted by the National Convention.

5. He wished to begin with some background information on the situation in Myanmar, since in order to understand the situation of women and children in areas of armed conflict and the alleged problem of forced relocation, it was necessary to first understand his country's ethnic insurgency problem. Myanmar's history was replete with armed insurrections by ethnic groups, resulting primarily from the divide-and-rule policy pursued in colonial times. The Government had undertaken determined efforts to make peace with the armed groups of the various national races and 17 of the 18 armed groups had laid down their arms, the first time in the country's history that so many groups had exchanged arms for peace.

6. With a view to consolidating that peace, an ambitious plan for the development of the country's border areas and national races had been launched, at a cost of over 15 billion kyats. The national races were actively involved in the development efforts in their regions, as equal partners with the Government. The only group still pursuing a policy of armed insurrection was the Karen National Union (KNU), and it was shrinking rapidly as many of its members exchanged arms for peace.

7. Concern had been expressed about the welfare of women and children in relocated villages in the border areas where KNU was still active. The allegations about forced relocation were untrue. Villagers had been resettled in safer areas to protect them from insurgent atrocities. Their basic needs, such as food, clothing and shelter, were being met. There were no "refugee camps" along which the Myanmar-Bangladesh border, simply transit camps facilitated the repatriation of returnees by meeting their basic needs before they were sent home. There was no gender discrimination in the attention given to returnees and the repatriation programme was being implemented according to the agreement worked out amicably between the two countries. There might be some minor problems, but there was no cause for serious concern.

8. The Government's ultimate goal was the establishment of a democratic society. The political process for achieving that goal was being conducted through the National Convention, in which representatives of national races and political parties and delegates from all walks of life were involved in the drafting of a new democratic Constitution reflecting the aspirations of the people.

9. Questions had been asked about the cancellation of the 1990 elections and the steps taken to deal with the situation of Daw Aung San Suu Kyi. The main task of the representatives elected in the 1990 elections had been to frame a new Constitution, not to form a new Government. The 1947 Constitution had generally been considered obsolete, while the 1974 Constitution had been drawn up under the former one-party system. The responsibility of the Government had therefore been to provide the necessary assistance in the drafting of a new Constitution and to transfer State powers back to the people.

10. The current political process might seem slow, but the sensitive nature of the issues involved and the

far-reaching implications for the country's future made it vitally important that the National Convention proceed slowly and systematically in order to safeguard the interests of all the national races and to avoid replicating the shortcomings of the two previous Constitutions. It took time to achieve consensus, but a democracy built on consensus would have a much firmer foundation. A new Government would be elected democratically under the new Constitution.

11. He wished to clarify the misconception that Daw Aung San Suu Kyi had won the 1990 elections and that she was under house arrest. In fact, she had not been allowed to stand for election in 1990 because of her allegiance to a foreign country. Interestingly enough, section 10 (e) of the Phyithu Hluttaw (Parliament) Election Law, the legal provision barring candidates with an allegiance to a foreign country from standing for election, had originally been proposed and written into the 1947 Constitution by her father, General Aung San. She was not under house arrest and could move about freely in Yangon; she was able to attend social functions and even to meet diplomats.

12. On 20 July 1989, Daw Aung San Suu Kyi had been restrained under section 10 (b) of the 1975 Law to Safeguard the State against the Dangers of Those Desiring to Cause Subversive Acts, the most lenient legal action possible under existing criminal law. Because she was a woman and out of respect for her father, the authorities had taken care of her in every possible way, arranging regular check-ups and medical care when needed and allowing her to correspond regularly with her family and receive various articles from them. Religious ceremonies had even been allowed at her residence.

13. Soon after the lifting of the restraint order on 7 October 1995, she had taken a confrontational stance against the Government. The National League for Democracy (NLD), which had until then been the largest group taking part in the National Convention, had unilaterally decided to withdraw in November 1995 and had embarked on a collision course with the Government, taking a series of disruptive and highly dangerous steps to hinder the peaceful systematic transition to democracy. Daw Aung San Suu Kyi had threatened the Government with "utter devastation" unless it engaged in a dialogue with NLD. The Government's attempts to reach out to NLD had failed because NLD had taken the perilous step of forming a 10-member parliamentary committee, in violation of

existing laws. There had, of course, been no basis for forming a committee to represent a parliament that did not exist. The NLD members' decision to resign had been taken freely, without intimidation or coercion by the Government, and had reflected frustration over Daw Aung San Suu Kyi's pursuit of a policy of utter devastation and her calls to other countries to withhold investments and impose economic sanctions. Her confrontational policy had caused strong resentment among the people, and there were even some international media reports that she had expelled elected members of her own party who had contradicted her. Myanmar would have preferred to love and cherish the daughter of a national hero, but she was obsessed with bringing about political change through utter devastation.

14. There was no discrimination against women in Myanmar and they enjoyed equal rights under the law in the political, economic, administrative and social spheres. The new Constitution would contain provisions guaranteeing the equality of women and men before the law.

15. With regard to the recommendations made by the ILO Commission of Inquiry under the Abolition of Forced Labour Convention, he wished to inform the Committee that the Government had already issued Order No. 1/99 dated 14 May 1999 bringing the Towns Act and the Village Act of 1907 into line with the changing situation in the country. The Order had effectively repealed the offending provisions of the two Acts and had stated clearly that the power to requisition forced labour under those Acts should not be exercised and that action would be taken against any person failing to abide by the Order. The Order had been published in the *National Gazette* and circulated to all State bodies, government ministries and local administrative bodies, as well as to the local and international media. It had the force of law and had in effect ended the requisitioning of personal services from the residents of village areas and wards all over the country. The Government's action had been duly reported to ILO by the Myanmar delegation in June 1999.

16. **Ms. Win** (Myanmar), referring to the organizational structure of the national machinery for the advancement of women, said that, as stated in the report, the Myanmar National Committee for Women's Affairs was chaired by the Minister for Social Welfare, Relief and Resettlement. That Ministry had been

designated as the National Focal Point for Women's Affairs because its Department of Social Welfare had a women's section that provided occupational training and residential facilities for displaced young women. The Committee was a high-level, inter-ministerial, policy-making body for women's affairs, its members being the deputy ministers of related ministries, representatives of the Attorney-General and the Chief Justice and the presidents of the main non-governmental women's organizations. The Committee offered guidance on implementing programmes for women and was instrumental in facilitating intersectoral cooperation and coordination.

17. By contrast, the Myanmar National Working Committee for Women's Affairs was an operational body whose main purpose was to carry out activities for the advancement of women. It comprised representatives from related departments and non-governmental organizations and was currently chaired by a woman professor. Apart from the Secretary, the Committee's six members were the chairpersons of six subcommittees, on education, health, economy, culture, violence against women and the girl child.

18. On the question of funding, the Myanmar National Committee for Women's Affairs was not funded from the national budget but from donations by well-wishers and from fund-raising activities. The six subcommittees for operational activities received equal amounts of funding, but could request funds for specific projects. All subcommittee members were voluntary members. Staff of the Department of Social Welfare were involved full-time in the Working Committee's activities. The Working Committee and its subcommittees had members of both sexes, with a ratio of approximately three women to every man.

19. One of the areas of concern identified by the Myanmar National Committee for Women's Affairs was violence against women. The research conducted thus far had focused only on marital violence and was currently being analysed. Initial findings showed that, while the incidence of violence was low, women suffered both physical and mental abuse, the causes being alcoholism, low income, incompatible in-laws and adultery. Not all women were aware of the laws protecting them, so talks to raise awareness of existing laws were being given on the radio and in communities all over the country.

20. Another form of violence against women was forced prostitution and trafficking in women, Myanmar had over 3,800 miles of border with five countries. The Government, in cooperation with United Nations agencies and local and international non-governmental organizations, was trying to combat the increase in trafficking in women over those borders. Since the entire trafficking network operated clandestinely, it was impossible to obtain accurate figures, but 150 women were known to have returned to their home country, 110 had been intercepted and there were 2,140 known cases of trafficking in women and children. The perpetrators had been punished with up to 10 years' imprisonment. There was a National Task Force on Trafficking in Women and Children and a Cross-Border Committee composed of representatives of the relevant agencies, such as the police, the Attorney-General's Office, the border area administrations and the immigration authorities. The Committee, which included members of both sexes, was headed by a woman; it had made field visits to border areas and had collected data from judicial, police and health departments and would be holding a national seminar on trafficking in mid-2000.

21. Although there was no centre specifically for rape victims, the physical and mental health needs of rape victims were taken care of by doctors and social workers. As stated in the oral presentation, training for service providers was in progress and there were plans to set up crisis centres for women. Rape offenders were tried by the civilian or military courts, as appropriate, and penalties ranged from five years' to life imprisonment.

22. Turning to education, one objective of the "Education For All" project was to ensure universal access to primary education. The Government was striving to meet that objective and was implementing various strategies to that end, in cooperation with the Myanmar National Committee for Women's Affairs and non-governmental organizations. The "All Children in School" project was being implemented by the United Nations Development Programme (UNDP) and the Ministry of Education.

23. Primary education was free, but textbook and stationery costs could be a factor in the drop-out rate. The National Working Committee for Women's Affairs and non-governmental organizations were providing some assistance in the form of school uniforms, textbooks and stationery. The exact number of girl

students receiving such assistance was not available, but a Japanese non-governmental organization, the World Federation for World Peace, had assisted 30 primary schoolgirls in one village. The total number of beneficiaries of stipends was 75,319 students in 192 townships, as could be seen from the booklet "Myanmar Maternal and Child Welfare Association, 1999".

24. The Government paid very close attention to the school enrolment and retention rates for children in both rural and urban areas. As mentioned in the report, non-formal education was available for illiterate women. For instance, the National Working Committee for Women's Affairs and non-governmental organizations such as the Myanmar Maternal and Child Welfare Association conducted learning and reading circles in cooperation with the communities concerned.

25. In response to the question about the numbers of female teaching staff at the various levels of education, she provided the following figures: female enrolment in universities and professional institutes, 59.7 per cent; female primary and middle-level teachers, 72.9 per cent; female high school teachers, 70.5 per cent; and female university teaching staff, 69.4 per cent.

26. The Myanmar language was the language of instruction in primary and middle-level schools, while English was the language of instruction in high schools and universities and was also taught to children as a second language, beginning in kindergarten, in both rural and urban areas. Ethnic groups were encouraged to promote their own dialects outside school. Women's admission to university depended on their performance in the Basic Education High School Examination. Their admission to the Dental Institute and the Institutes of Technology, Agriculture, Forestry, Marine Biology and Geology was restricted because of the physical hardships involved in those careers. Women in Myanmar accounted for nearly half the country's doctors and more than half its medical technologists and pharmacists. There were women engineers and architects, and women had been the recipients of the first two doctoral degrees awarded by a Myanmar university. The computer classes offered by the subcommittee on economy of the National Working Committee for Women's Affairs had included 50 girls in each of six sessions.

27. **Ms. Thant** (Myanmar) said that, at the decision-making level, there had been 52 women judges in

intermediate courts, 399 women judges in lower courts and 952 women advocates in 1994. In the 1980s, the Director-General of the International Organizations and Economic Department of the Ministry of Foreign Affairs had been a woman and, since then, women had been appointed directors-general in such departments as trade, cooperatives, accounting, national planning and historical research. Women currently accounted for 27 per cent of civil servants and 20 per cent of the diplomatic corps. Men held 61 per cent of the highest-level positions in the civil service, however, and there were currently only two women rectors and two women pro-rectors in the country's 47 universities. The authorities were attempting, through the school curriculum, textbooks and extracurricular activities, to build awareness about women's role and potential and to encourage them to pursue their careers, which they often abandoned for family reasons. Since the publication of Myanmar's initial report, there had been some changes in family structure and the sharing of family responsibilities. The adoption of a new Constitution and a multi-party democratic system would doubtless increase the number of women in decision-making positions.

28. A booklet on laws relating to women had been published following a review by the Attorney-General. Women of ethnic minorities enjoyed the same legal protections as other women but, in remote areas, were sometimes at the mercy of more traditional laws. It was to be hoped that those laws would change as women became more educated. Labour laws were applicable only to the formal sector; however, women working in the informal sector could complain about unfair practices to the local authorities and to the Myanmar National Working Committee for Women's Affairs, which then referred the matter to the township Working Committee for Women's Affairs. Over 300 complaints had been filed in Yangon in the latter half of 1999.

29. A married woman had the right to register property in her own name following divorce. The legal age for marriage was 20 years for both sexes. Reproductive health talks were given in communities to build girls' awareness of the dangers of teenage pregnancy.

30. Income-generating programmes for women were conducted in rural areas with a view to alleviating poverty. Poor women engaged in micro-enterprise received small loans from non-governmental organizations. The Myanmar Maternal and Child

Welfare Association offered vocational training to women and young girls. Agricultural loans were disbursed to applicants regardless of gender.

31. The Department of Social Welfare provided shelter and education to street children and non-governmental organizations ran drop-in centres for them. Regarding the role of the media, women's magazines and television and radio programmes promoted the advancement of women. The Myanmar National Committee for Women's Affairs had highlighted women's important role in a special drama programme in November 1999.

32. Maternal morbidity had in fact been discussed in the initial report. Gender-disaggregated data on other diseases were not available. The morbidity rate for malaria was over 16 per 1,000, while the incidence of cancer had risen to 117.2 per 100,000 by 1994. Adequate screening facilities for early detection were not yet readily available; however, a strategy of prevention through health education was being implemented. Medical officers and basic health workers were being trained in mental health issues, and the Ministry of Health had appointed psychiatrists to major hospitals throughout the country. By the end of 2001, 75 per cent of existing health workers would be qualified to provide mental health services.

33. Women in Myanmar were very active in non-governmental organizations. There were women's cooperative societies, women's welfare associations, women's social and religious organizations and women's professional associations. Membership criteria were determined by individual organizations, which registered annually with the Ministry of Home Affairs.

34. With regard to the efforts to combat drug abuse, the Narcotics and Psychotropic Substances Law, enacted in January 1993, had led to the creation of Drug Abuse Prevention and Control Committees at the national and local levels.

35. The Convention had been translated into the Myanmar language and was being disseminated by the National Working Committee for Women's Affairs through magazine articles and talks in various townships. The Government was aware that greater efforts needed to be made to translate the Convention into the languages of the ethnic communities.

36. She could not provide data on the number of women prisoners, the ratio of female prisoners to the female population in general or the ratio of female to male prisoners. She believed that those ratios were small. Women prisoners were segregated from men and enjoyed certain privileges, including commutation of the death sentence to life imprisonment for pregnant women; the right to keep children under four years of age with them; and the possibility, for first-time offenders, of release for good conduct, depending on the seriousness of the crime.

37. **Ms. Khan** thanked the Myanmar delegation for providing supplementary information and data. She hoped that Myanmar nationals living in refugee camps beyond the border would soon be repatriated, thereby alleviating the burden on neighbouring countries. She also hoped that the Myanmar authorities were making every effort to monitor the situation of women and children in areas of armed conflict and to protect them against violence and abuse. While expressing satisfaction that armed insurgent groups had been brought under control, she noted that the displacement of persons, including women and children, without their consent was a violation of their basic human rights of freedom of movement and choice of residence. She was also pleased that forced labour was no longer allowed, but believed that the perpetrators must be prosecuted. She trusted that the State party's next report would contain more information in that regard.

38. She praised Myanmar's high literacy rate, but would have appreciated more information on primary education, for example, whether it was compulsory and what budgetary resources were allocated to it. She expressed disappointment at the restrictions on women's admission to the Dental Institute and the Institutes of Technology and Agriculture, among others.

39. The State party should expand the scope of its studies on violence against women, in time of war in particular, women were much more vulnerable outside the home than inside. The report made no mention of rape or violence against women by members of government institutions. It was not enough to assume that laws and social norms would change as women became more educated; proactive legislation must be put in place. While the national machinery for the advancement of women was impressive, it was regrettable that the Myanmar National Committee for

Women's Affairs received no human or financial resources from the Government.

40. Turning to health, she reiterated the Committee's concern about women with acquired immunodeficiency syndrome (AIDS). Since the State party had one of the highest population growth rates in South-East Asia and a high abortion rate, access to family planning services must be increased. Lastly, she hoped that the new Constitution would prohibit gender-based discrimination and that the provisions of the Convention would be incorporated into domestic law.

41. **Ms. Corti**, stressing that the Committee was not a political body and was not trying to interfere in countries' internal affairs, nonetheless urged the State party to heed not only the Committee's pleas but also world public opinion with regard to the situation of Daw Aung San Suu Kyi, who had even been prevented from attending her husband's funeral. The State party had not indicated how it intended to guarantee the full human rights of ethnic groups, particularly ethnic women. She believed that that could be achieved only by implementing a long-term strategy within the context of a democratic system.

42. **Ms. Goonesekere** said that even though Myanmar was in the throes of internal conflict, the Committee still had a duty to hold it to the standards of the Convention. Indeed, in times of internal conflict Governments had a special responsibility to ensure that law enforcement authorities conformed to human rights standards and to make sure that they knew they would be held accountable and prosecuted for human rights violations, particularly custodial violence.

43. She was very glad to hear about the recent amendments to the Towns Act and the Village Act, which had effectively abolished the use of forced labour. She trusted that the Government was following up with an effective awareness-raising campaign on the amendments and with adequate monitoring machinery.

44. **Ms. Manalo** reminded the State party that, without an environment of participatory democracy and a strong civil society, the basic principles of the Convention could not be implemented. As long as the Government delayed the restoration of democratic institutions, its efforts for the advancement of women would remain token and superficial.

45. **Ms. Schöpp-Schilling** said that she was encouraged to hear that the Government was intent on

restoring democracy, because only then could the Convention be implemented fully. She joined other Committee members in urging speedy completion of the new Constitution, which she hoped would reflect the provisions of all the international agreements to which Myanmar was a party, including the definition of discrimination contained in article 1 of the Convention and the State's obligation to accelerate de facto equality set forth in article 4 (1) of the Convention.

46. Although overcoming gender stereotypes was a long-term process, one step that could be taken immediately would be to abolish the quotas limiting the percentage of women who could enrol in the Dental Institute and the Institutes of Technology, Forestry, Agriculture, Marine Biology and Geology. The argument that women were physically incapable of pursuing those professions was difficult to accept when one considered the heavy physical labour performed by so many Myanmar women.

47. She was pleased that the State party had already recognized the need to provide more gender-disaggregated data in its next report. It was also encouraging that female illiteracy and girls' low school enrolment and high drop-out rates, especially in rural areas, had been identified as policy concerns in the National Action Plan for the Advancement of Women. However, it would be more effective if numerical targets, however modest, were set. She looked forward to hearing about the results of those efforts in the next report. Other areas which she would like to see addressed were the liberalization of abortion laws and the promotion of contraception in order to reduce maternal deaths from unsafe abortions, and the financial and health situation of women over 60 years of age, who outnumbered men in that age group roughly two to one.

48. If she understood correctly, there were two national mechanisms for the advancement of women, an inter-ministerial policy-making body, the Myanmar National Committee for Women's Affairs, which was not Government-funded, and an operational body, the Myanmar National Working Committee for Women's Affairs. Clarification as to the latter's funding would be appreciated. Completion of the peace process would free up Government resources, some of which could be used for women's programmes.

49. **Ms. Hazelle** said that she had concerns about the funding of the national machinery for women. Without

a budget allocation, it would surely be more difficult for the various ministries represented on the policy-making committee to perform their additional functions; that was even more true of the operational committee. If, as reported, the operational subcommittees had only voluntary members that cast grave doubts on the Government's commitment to the objectives set forth in the National Action Plan for the Advancement of Women, which the subcommittees were supposed to implement.

50. **Ms. Abaka** noting that a woman prisoner could keep with her a child under the age of four, asked what facilities were provided for the child's development.

51. **The Chairperson** said that the Committee had appreciated the inclusion of two distinguished women experts in the Myanmar delegation to respond to its questions. The delegation would have noted that the Committee's concerns had yet to be allayed regarding the problem of displaced persons, a good proportion of whom were women and children; the inclusion of women's rights in the new Constitution; and the situation of Nobel Peace Prize winner Daw Aung San Suu Kyi. The State party should be aware that the Committee, as one of the six human rights treaty bodies, had a duty to inquire into all situations involving the human rights of women. Its mandate embraced the rights of women of different ethnic groups and women at all stages and in all areas of life, including health, education, reproductive rights and legal rights. She hoped that, in its next report, the State party would be able to report on the results achieved by the programmes which it was instituting.

52. The Committee specifically requested the State party to consider the Committee's concluding observations and to disseminate its recommendations to all relevant government offices and to the country at large.

53. **Mr. Mra** (Myanmar) said that Myanmar's first opportunity to report to the Committee had proved to be an invaluable learning experience which would enable the Government to address the Committee's concerns more closely in its next report.

54. Although the Committee did not generally concern itself with political details, he wished to address a few misconceptions. Myanmar was a peace-loving nation with a Buddhist tradition and the Government's efforts were directed towards establishing peace and moving forward with the

National Convention process. If it was taking some time to draft a new Constitution, that was out of a desire to arrive at a text that would ensure the rights of Myanmar's citizens in the future, since the previous Constitutions had been adopted in haste and had proved to be flawed.

55. The present Government was intent on restoring unity among the country's ethnic groups, which had been divided against one another under colonial rule, and on reversing the discrimination dating from colonial times. Currently, 17 out of a total of 18 armed groups had laid down their arms and been reintegrated in civilian life. The one remaining group was committing most of the reported atrocities. The majority of the border areas previously cut off by the fighting had been opened up to development of their rich forestry resources.

56. He assured the Committee that Daw Aung San Suu Kyi was quite free to move around. It had been her own decision not to attend her husband's funeral. It was difficult for him to understand what a woman dedicated to bringing strife and dissension to her country had done to merit the Nobel Peace Prize.

57. He wished to assure the Committee that the Convention had been translated into the Myanmar language and would be widely disseminated and observed since members of the armed forces were, with few exceptions, very well disciplined. In view of the benefits which his delegation had derived from a direct dialogue with the Committee, he wished to take the further step of inviting the Chairperson to visit his country to see at first hand what was being done there.

58. **The Chairperson** said that the Committee thanked the head of the delegation of Myanmar for his frank and moving response and would be very interested in exploring the possibility of a visit to Myanmar by one of its members.

The meeting rose at 5.05 p.m.