



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

Distr.: General  
2 August 2001

Original: English

---

**Committee on the Elimination of Discrimination  
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)*

---

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

Any corrections to the record of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.



*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.*