



Many reports point out the dangers for women in the unsettled ethnic areas. Photo: EPA

VIOLENCE AGAINST WOMEN

Tara Lee

“The girl was 9 years old, the man who raped her 60. The family was very poor and settled at a compensation of 2000 USD,” recounted Lwin Lwin Hlaing.

The incident took place in Dawei Special Economic Zone, located at the southern tip of Myanmar. Previous to joining ActionAid, Lwin Lwin Hlaing had worked in Dawei at a women’s shelter for victims of violence. She dealt with women who had been assaulted and victimized, in both public and private sphere.

The most publicized form of gender based violence in Myanmar is the mass sexual violence by the armed forces against women and girls of ethnic minority. While mar-

ginalized groups are at an increased risk, sexual violence occurs in all ethnicities, communities and income groups across the country, just as in other countries.

Existing legal framework is vague and outdated. The only laws concerning sexual and gender-based violence are sections of the Penal Code (1860), from the time of British Colonial Rule. Myanmar acceded to the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) in 1997 and fully supports the zero tolerance policy with regard to violence against women. However, no specific laws exist to address domestic violence.

Culturally, Myanmar remains a patriarchal and conservative society, especially in the rural areas. Dis-

crimination persists in daily life and in politics. Women are considered to have less “Hpon,” or the Burmese equivalent of “qi,” or mystical power, than men. A woman may not touch a man’s head or touch a man with their feet. In the villages, women are not allowed to wash their clothes with men’s. When hanging up the laundry, they may not hang their clothes above the clothing of men. Buddhists nuns are less revered than monks, who can perform rituals and rites. In the temples, sacred sites are often off-limits to women.

Head of the household is almost always men, and the head of a ward or a village who are elected by the head of the household are consequently male. Women occupy mere ten percent of the seats in the parlia-

ment, which withhold women from bringing reform to protect better the interests of women.

The social pressure combined with lack of law enforcement perpetuates violence against women. "When a woman is raped or harassed, she doesn't want to talk about it. There is a stigma against having been assaulted and the act of speaking about it itself attracts denunciation – it's a "double stigma," said Lwin Lwin Hlaing.

A survivor of violence in Dalla Township recounted such experience. In her early 40s, she has been living alone since her husband was paralyzed and his relative took him away for treatment. The situation was known throughout the community, and encouraged men to repeatedly approach her and harass her.

She ruefully contemplated, "perhaps they thought 'this woman I can persuade.'" There was one man who was particularly insistent. It began with incessant calling. She first silenced the phone but eventually had to throw away the SIM card altogether.

At first she looked to herself for reason. "I asked myself, am I attracting him to me in some way?" The man was a widower who lived across the street. One night, he broke into her home, and forced himself on her. She said she can scream and everyone will know. He only replied, "I don't care. I will marry you." When she said she had no such intentions, he only demanded she let him in to her house next time.

She has only shared the incident with a few of her intimate friends and had a lock bolted into her door. "I feared I will lose respect of others, so I didn't go to the authorities," she said. Neither does she want to hurt the young children the man has. "They are very young," she said.

Even if the victim desires to pursue legal action, she is discouraged by her family who believes such scandal will bring shame to the family, she said. World Health Organization (WHO) found that 93 percent of abused Myanmar women did not seek any formal action following the violence.

Another barrier is poverty. "The cost of hiring a lawyer is pricey. It is expensive to go to court and many cannot afford it," she said. Instead, many poverty stricken families settle for a sum of money paid by the assailant. Sometimes mediated by

the head of the village, the matter is hushed and hashed without the interference of law. Their attitude is, "It's already happened, there's nothing we can do now," she said, "cases are very often settled by compensation. This is well-known and common in Myanmar."

Amid such practice, information on incidences of rape and pursuit of justice remains elusive in Myanmar. Another victim Lwin Lwin Hlaing met had been working at an office in a construction site at Dawei, which borders Thailand. The two countries signed a memorandum of understanding (MOU) to develop the Zone in 2008. The project has been heavily criticized for its human rights abuses during its development. While she was working, she was raped by her supervisor who was Thai. He fled to Thailand when the issue came to light. "She wanted to sue him, but he disappeared and the case was dropped."

Domestic violence proves to be particularly insidious, as a woman's economic dependence on their partner, matter of children and marital status further complicates the situation. A 2011 study carried out by the Palaung Women's organization reported that 905 of the 617 respondents have experienced or seen physical violence within families. Sixty-two percent of respondents reported that the violence in their home occurs on a daily basis.

"Women came to us with problems like abuse and infidelity, and we tried to help as much as we can. We listen to how they wanted to resolve the situation and gave counseling." One woman came to the shelter after her husband repeatedly beat and raped her whenever she refused to bed with him. When she spoke up, she was further abused as he considered it as a sign of disrespect. "So the cycle continues," said Lwin Lwin Hlaing. Marital rape is not legally recognized in Myanmar.

Sai Yu Maung is a 31 year old paralegal working with ActionAid. One time, he was called to attention by a friend who lived close to a 19 year old girl married to her 40 years old husband who repeatedly abused her. She was young, could not take care of the household chores very well, which infuriated the husband, he said. He even tried to strangle her. When he asked her what she wanted to do, she decided to file a divorce. From his own pockets and with

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his friends' support, Sai Yu Maung arranged a flat where she can move to. Three days before they were to go to court, she disappeared. "She was very young, didn't have any skills for a job, she had not gone to school either. She was completely dependent on him. She decided to stay," he said.

Some abusers displayed remorse, while others insisted the cause was alcohol. "I met a husband who beat his wife. He said he was drunk and that he had lost his mind and therefore beat his wife. This continuously happened. When he drank, he beat her" said Lwin Lwin Hlaing. While culturally women are expected to face hardship with stoicism, it's accepted that men should turn to alcohol and violence to express frustration.

In order to rectify the situation, sometimes the woman or an authority figure may require that a man sign a letter of conviction to not repeat the crime, as a semi-formal way to hold him accountable. "Sometimes they changed, sometimes they didn't," Lwin Lwin Hlaing remembered.

Victimization is swept under the rug, lurking around the corner of sidewalk at night, entrenched in hierarchical oppression of women. Nonetheless, Myanmar is giving increasing attention to gender inequality as an impediment to development and the attainment of human rights. Commitments, however, needs to be translated by allocation of national resources to the issue – budgeting.