

One Month On From Burma Signing Sexual Violence Declaration – No Steps Taken On Implementation

On 5th June 2014 the government of Burma signed the Declaration of Commitment to End Sexual Violence in Conflict. The British government had been engaged in high-level lobbying for almost a year to persuade the Burmese government to sign.

Burma was the 150th country to sign the Declaration and join the global initiative to combat sexual violence in conflict, which was launched by the British Foreign Secretary William Hague and UN Special Representative on Sexual Violence in Conflict Zainab Bangura, in September 2013. The declaration contains practical and political commitments to end impunity, promote accountability, and provide justice and safety for victims of sexual violence in conflicts. Although it took more than 8 months for the Burmese government to sign the declaration, it is a welcome step in the right direction, but must be accompanied by practical steps to implement the Declaration.

At the time of signing, Burma Campaign UK expressed concern that President Thein Sein has a record of broken promises on implementing commitments to reform, and argued that pressure was needed to ensure the government of Burma delivered on the twelve commitments made in the declaration. Women's organisations in Burma and Burma Campaign UK called for a six-month timeframe to implement the declaration.

One month on from Burma signing the Declaration, there appear to have been no steps at all taken on implementation.

Here are the twelve steps from the declaration which the Burmese government has committed to take action on, and the known steps the government of Burma has taken to implement them:

We are determined to:

1. Ensure that sexual violence prevention and response efforts are prioritised and adequately funded from the first phase and throughout all responses to conflict and humanitarian emergencies.

Steps taken by the Burmese government to implement this commitment: None

2. Provide better, more timely and comprehensive assistance and care, including health and psychosocial care that addresses the long-term consequences of sexual violence in conflict, to female, male and child victims and their families, including children born as the result of sexual violence.

Steps taken by the Burmese government to implement this commitment: None

3. Ensure that all peace, security and conflict mediation processes explicitly recognise the need to prevent, respond to and reduce crimes of sexual violence in conflict and stressed the need to exclude such crimes from amnesty provisions.

Steps taken by the Burmese government to implement this commitment: None

4. Promote women's full participation in all political, governance and security structures, as well as all decision-making processes, including peace negotiations, peacebuilding, prevention and

.....

accountability efforts, recognising the important contribution that National Action Plans on UN Security Council Resolution 1325 can play in this regard, and ensure that such processes also take into full consideration the needs and rights of women and children.

Steps taken by the Burmese government to implement this commitment: None

5. Strengthen UN efforts to address sexual violence in conflict and provide further support to the Special Representative of the Secretary-General on Sexual Violence in Conflict as chair of UN Action against Sexual Violence in Conflict.

Steps taken by the Burmese government to implement this commitment: None

6. Strengthen and support the efforts of regional organizations to prevent and respond to sexual violence in conflict in their peacemaking, peacekeeping and peacebuilding initiatives.

Steps taken by the Burmese government to implement this commitment: None

7. Support conflict-affected states in strengthening their capacity to prevent and respond to sexual violence in conflict and to develop and implement national security sector and justice reform programmes that take into full consideration the needs and rights of women and children.

Steps taken by the Burmese government to implement this commitment: None

8. Support the deployment of national and international expertise at the request of host governments, the UN and other international organisations to build national capacity to hold perpetrators to account and to improve the response and support to victims and their access to justice.

Steps taken by the Burmese government to implement this commitment: None

9. Ensure our national military and police doctrine and training is in accordance with international law so as to enable a more effective prevention and response to sexual violence in conflict.

Steps taken by the Burmese government to implement this commitment: None

10. Encourage and improve the safe and ethical collection of data and evidence relating to acts of sexual violence committed in conflict, to inform national and international responses.

Steps taken by the Burmese government to implement this commitment: None

11. Encourage, support and protect the efforts of civil society organizations, including women's groups and human rights defenders, to improve the monitoring and documentation of cases of sexual violence in conflict without fear of reprisal and empower victims to access justice.

Steps taken by the Burmese government to implement this commitment: None

12. Support and encourage the development of the International Protocol on the documentation and investigation of sexual violence in conflict at national, regional and international levels, with a view to its conclusion in 2014.

Steps taken by the Burmese government to implement this commitment: None

Pressure still needed

There is a real danger that the government of Burma will allow this Declaration to join the long list of international commitments and treaty obligations which it has signed up to, but failed to implement.

There is a need for concerted and co-ordinated international pressure to persuade the government of Burma to end rape and sexual violence by the Burmese Army.

Ending impunity a vital first step

There is no single step that will end sexual violence by the Burmese Army, but one of the single most effective steps would be to end impunity. If soldiers or those who command soldiers know they will go to jail if they commit rape, that would be an effective initial deterrent.

Suspected perpetrators of sexual violence should receive a fair trial, in line with international standards, and if found guilty be sentenced.

Under international law, when rape and sexual violence is committed in conflict, the commanders of those soldiers committing rape can also be held legally accountable. This accountability should go right to the top and include the head of the army, and the head of state, currently President Thein Sein.

It is clear that the government of Burma will not undertake any kind of genuinely impartial investigation, or take action to end impunity. Therefore responsibility falls upon the international community to take action to end this violation of international law.

The international community should support the establishment of an international investigation into rape and sexual violence in Burma.

As the country taking the lead on this issue internationally, Britain should take the lead in building international support for such an investigation. Britain's current approach to sexual violence in Burma is not consistent with its own Preventing Sexual Violence in Conflict Initiative (PSVI).

More information:

Burma Campaign UK media release on Burma signing the declaration on sexual violence:

<http://burmacampaign.org.uk/burma-signing-sexual-violence-declaration-should-not-just-be-pr-exercise/>

Signing of Declaration Doesn't Mean End of Sexual Violence in Burma – article by Zoya Phan, Campaigns Manager at Burma Campaign UK, in Huffington Post

http://www.huffingtonpost.co.uk/zoya-phan/sexual-violence-burma_b_5459614.html

A Declaration of Commitment to End Sexual Violence in Conflict can be downloaded here:

<https://www.gov.uk/government/publications/a-declaration-of-commitment-to-end-sexual-violence-in-conflict>

Read Burma Campaign UK's Briefing- Rape and Sexual Violence by the Burmese Army – an ongoing story of abuse here:

http://burmacampaign.org.uk/burma_briefing/rape-and-sexual-violence-by-the-burmese-army/

Same Impunity, Same Pattern: report on sexual violence by Women's League of Burma:

http://womenofburma.org/wp-content/uploads/2014/01/SameImpunitySamePattern_English-final.pdf

Global summit to shine spotlight on sexual violence: Article by Tin Tin Nyo, General Secretary of the Women's League of Burma in the Myanmar Times:

<http://www.mmtimes.com/index.php/opinion/10626-global-summit-to-shine-spotlight-on-sexual-violence.html>

New approaches needed to help survivors of rape in Burma: Article by Wahku Shee, Joint General Secretary 1 of the Women's League of Burma, in Democratic Voice of Burma:

<http://www.dvb.no/news/new-approaches-needed-to-help-survivors-of-rape-in-burma-myanmar/41502>

Myanmar women expect concrete outcomes from
Global Summit on Sexual Violence: Article by
Moon Nay Li, Coordinator at the Kachin Women's
Association Thailand (KWAT), in Mizzima:

[http://www.mizzima.com/opinion/commentary/
item/11420-myanmar-women-expect-concrete-
outcomes-from-global-summit-on-sexual-violence](http://www.mizzima.com/opinion/commentary/item/11420-myanmar-women-expect-concrete-outcomes-from-global-summit-on-sexual-violence)

END SEXUAL
VIOLENCE
IN CONFLICT



More briefings are available here:
www.burmacampaign.org.uk/burma-briefing

Did you find this useful?
If so, please make a donation to support our work: www.burmacampaign.org.uk/donate

Thank you

Published by Burma Campaign UK, 28 Charles Square, London N1 6HT
www.burmacampaign.org.uk info@burmacampaign.org.uk tel: 020 7324 4710



for Human Rights, Democracy
& Development in Burma