**Legal framework**

- Myanmar acceded to the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) in 1997 and is a signatory to the Beijing Declaration and Platform for Action.
- Myanmar fully supports the zero tolerance policy with regard to VAW. However, no specific laws exist to address domestic violence.
- The only laws concerning sexual and gender-based violence are sections of the Penal Code (1860). The Penal Code contains provision for crimes against women including rape, abuse, and seduction and sex with under-age women. Trafficking or trading women for prostitution, or enticing for sexual purpose is a crime punishable by imprisonment. Spousal rape is not considered a crime unless the wife is younger than 14 years.
- Myanmar enacted the “Anti-Trafficking in Persons Law,” on 13 September 2005. Myanmar is also a party to the UN Convention against Transnational Organized Crime (UNCTOC) and its protocol to Prevent, Suppress and Punish Trafficking in persons, especially women and children.

**Policies/strategies and plans of action**

- The Myanmar Women’s Affairs Federation (MWAF) was formed on December 20, 2003.
- The Sexual and Reproductive Health Policy was formed in 2003.
- The Myanmar National Working Committee for Women’s Affairs was formed on 7th October 1996. One of the nine critical areas of concern of the working committee is the protection of women and children from violence.
- The Myanmar National Committee for Women’s Affairs (MNCWA) was organized Crime formed on July 3, 1996 with the aim of implementing the zero tolerance policy with regard to VAW.
- Myanmar as a member of the Association of Southeast Asian Nations (ASEAN) has participated in various human rights-related declarations of ASEAN including Declaration on the Elimination of Violence Against Women in the ASEAN Region (2004) and

**Myanmar**

COUNTRY SITUATION OF GBV

- A study on violence against women was conducted in all States and Divisions in Myanmar in 2002. The research findings revealed that mental violence ranged from 4% to 21% and physical violence ranged from 3% to 15%.

- Findings from the MNCWA survey indicated that the main causes of violence in Myanmar are financial problems, alcohol, disharmony with in-laws and adultery. Other causes are unemployment, lack of education of both husband and wife, early marriage, and large family size.

- A more recent research has been conducted by Nilar Kyu et al among 286 married women between 18–59 years old living in five wards in the Chanayethazan Township of Mandalay, the second largest city of Myanmar. The Myanmar version of the Revised Conflict Tactics Scale (CTS2), devised by Straus (1996) was used to measure physical and psychological violence.

- One hundred and ninety-eight women (69%) had experienced one or more incidents of domestic violence by their intimate partners in the past 12 months. Out of those who experienced domestic violence, 69% of the respondents reported at least one incident of psychological aggression and 27% of the respondents reported at least one act of physical assault.

- Calculating the proportion of abused women who experienced any of the specific outcomes related to each of the three negative outcome factors, 94% experienced psychological outcomes, 34% experienced physical outcomes, and 15% experienced work-related outcomes from domestic violence. (Figure 1)

- 93% of the abused women did not seek any formal action following the violence and 35% of the respondents simply stated, "I put up with the violence."

Salient findings:

![Figure 1: The proportion of abused women who experienced any of the specific outcomes related to domestic violence, [n=198], Myanmar, 2005](image)


COUNTRY ACTIVITIES IN COMBATING GENDER-BASED VIOLENCE

GWH-SEARO conducted a survey in October 2009 among the gender focal points in the WHO country offices of Member States using a questionnaire containing 23 questions under four clusters. The findings of the survey for Myanmar are listed below.

Figure 2: Country activities in combating gender-based violence in Myanmar, 2009

The scale represents the country-specific situation plotted against the maximum rating for four clusters of indicators: (1) legislation/policies/programmes (2) resources (3) Research and (4) Evidence. A lower score reflects lower evidence of GBV.

<table>
<thead>
<tr>
<th>S.No.</th>
<th>Category</th>
<th>Activities</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Legislation/policies and programmes on GBV</td>
<td>The country is yet to develop legislation, a national action plan, health policy and a multisectoral action plan on GBV.</td>
</tr>
<tr>
<td>2.</td>
<td>Resources for combating GBV</td>
<td>The following resources are available:</td>
</tr>
<tr>
<td></td>
<td></td>
<td>● Workshops and training for health providers.</td>
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<tr>
<td></td>
<td></td>
<td>● Data collection system for GBV at hospitals and police stations.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>● Facilities for helping the victims of GBV in the police stations, legal aid centres and at counselling centres.</td>
</tr>
<tr>
<td>3.</td>
<td>Research on GBV</td>
<td>The country has given full compliance to five typical activities: (1) research on the causes and consequences of GBV (2) findings on GBV (3) Findings on types of GBV (4) findings related to the cause of GBV and (5) findings related to women’s health due to GBV.</td>
</tr>
<tr>
<td>4.</td>
<td>Evidence on GBV</td>
<td>The score for this category is 1 out of 5.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>● Violence during pregnancy exists in the country.</td>
</tr>
</tbody>
</table>
PARTNERSHIP IN COMBATING GBV

**Government initiatives**

- The Myanmar National Working Committee for Women’s Affairs was formed on 7th October 1996, to carry out activities for the advancement of women. Protection of women and children from violence, trafficking and abuse is one of the nine critical areas of concern of the working committee.

- Following the WHO-SEARO Regional Consultation on Violence against Women, Myanmar, 1999, MNCWA conducted a study on domestic violence against women in 12 townships. Consequent to the research findings, the Myanmar Women’s Affairs Federation (MWAF) adopted preventive and rehabilitative strategies to respond to the needs in the area of GBV.

- MWAF activities for combating GBV:
  - Preventive strategy, protective and enforcement strategy, prosecution strategy and reintegration strategy have been adopted and implemented.
  - Violence against Women sub-groups have been formed and cover central to grassroots levels.

- Counselling centres have been established in each township to help the victims.

- Awareness-raising activities were conducted in all States and Divisions in 2008.

- Training programmes for police, prosecutors, judicial personnel, health officers, social welfare officers, and administrative officials have been held.

- Complaint letters from the victims of violence have been scrutinized, channelled to the respective sectors to take prompt action and respond to the victims.

- Following cyclone Nargis, a Women’s Protection Sub-Cluster (WPSC) was formed to prioritize the need for holistic support for survivors of GBV. The sub-cluster also prioritized support to the government of Myanmar in meeting their commitments to survivors of GBV, consistent with their ratification of CEDAW in 1996.²

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¹ GenCap Experience Document # 7: Opportunities for Coordination: Protection, Women’s Protection and Gender Based Violence

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