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Women's League of Burma

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Press Release on New briefing paper calls for an end to institutionalized impunity for state-sponsored sexual violence in Burma

By the Women's League for Burma

On the occasion of the International Day to End Violence Against Women, WLB is launching a briefing paper, "Access to Justice for women survivors of gender-based violence committed by state actors in Burma."

The paper analyzes over 90 cases of state-sponsored sexual violence over the past six years, almost all committed by Burma Army troops in areas of ongoing armed conflict in Kachin and Shan States. Only five of these cases were tried in civilian courts, showing that security forces are continuing to escape accountability, despite the recent semi-democratic transition in Burma.

A key barrier to justice is institutionalized impunity under the 2008 Constitution, which grants amnesty to military and government officials for crimes committed in the course of their official duties, and which makes the decision of the Commander-in-Chief of the Defence Services "final and conclusive" in cases of military justice.

Another root cause of impunity is the lack of an independent, impartial and effective judiciary. Reports of state perpetrators' control and influence over police investigations and court proceedings are common. Women are often silenced by "compensations," and face threats, intimidation and retaliation if they choose to seek justice.

WLB regards the ongoing impunity of state actors as an obstacle to the peace process. "Without bringing perpetrators of human rights violations, including sexual violence, to justice, it will be difficult to achieve national reconciliation," said Mae Su Su Swe.

The paper calls urgently for the Burma Army to end its offensives throughout the country, and for the government to end institutionalized impunity for state actors through legal and institutional reforms.

“With the current escalation of fighting, we are gravely concerned for the security of women in conflict areas. It is urgently needed for the government to end impunity for state-sponsored sexual violence, and bring the military under civilian control,” said Julia Marip.

The briefing paper, jointly published with the Asia Justice and Rights (AJAR), can be viewed on www.womenofburma.org

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