



Ten Years Later: Enforcing Security Council Resolution 1325 for the Women of Burma

“Our first priority must be to include women in peace talks as full and equal partners. If we do not — if we ignore sexual crimes — we trample on the principles of accountability, reconciliation and peace. We fail not just women but all people”

—UN Secretary-General Ban Ki Moon June 2009

The passage of United Nations Security Council Resolution 1325 (SCR 1325) in 2000 was a legal milestone for women’s equality. For the first time, the UN Security Council not only recognized the gender-specific impact of conflict and historic gender discrimination in criminal accountability, it also underscored the need for women to participate in post-conflict reconstruction. Ten years later, the military junta in Burma continues to flout this legal obligation through the routine and systematic use of gender based crimes and the utter exclusion of women from peacebuilding processes. To ensure respect for the legal obligations set out in SCR 1325, the international community must address the situation on the ground for women in Burma, and women of Burma in exile.

Rampant Impunity for Gender Based Crimes

There is substantial documentation that sexual violence is used by the military junta against ethnic women in Burma as a means to consolidate military rule and destroy ethnic communities. Virtually none of the perpetrators have been brought to justice. These crimes are a threat to international peace and security.

Three concrete examples of this sexual violence include:

- October 23 to November 4, 2004 – Four Mon women held by SPDC troops at their base and repeatedly gang raped (*Catwalk to the Barracks*, Mon Women’s Organization, 2004)
- October 9, 2006 – Palaung woman raped, her skull cracked open and stabbed four times in her left breast (*Rights Yearbook*, Human Rights Documentation Unit, 2006)
- October 10, 2006 – Three naval cadets raped a 14 year old girl, none of the cadets were punished and the girl was forced to marry one of her rapists. (*Burma Human Rights Yearbook*, 2006)

On July 15, 2009, Burma was reported to the Security Council by the Secretary-General as a country violating Resolution 1820, citing to the impunity afforded to the military’s systematic use of sexual violence against women. Security Council Resolutions 1325, 1820 and 1888

note that such crimes against women can constitute war crimes, a crime against humanity or a constituent act with respect to genocide. The Resolutions require that all perpetrators of these crimes be prosecuted in either domestic or international courts. SCR 1820 specifically recalls the Rome Statute to the International Criminal Court and prohibits any amnesties for these crimes.

Exclusion of Women from the Peacekeeping Process

Women's peacebuilding organizations are based in neighboring countries, mainly Thailand, as a result of the stranglehold the military regime executes over all aspects of political, social and economic life in Burma. Under a constant threat to their safety, women's organizations operate on very limited resources, and without the partnerships of UN bodies in the region.

These women's organizations are working tirelessly and courageously in the harshest of conditions to document the increasing human rights abuses by the military; and to educate women on their rights to political empowerment. However, despite the important perspectives these groups offer they are excluded from any international dialogue that takes place about Burma.

The International Community Must Uphold the Legal Obligations of SCR 1325

Recognizing that systematic crimes of sexual violence trigger the United Nations Security Council obligations under Resolution 1325 and 1820 to provide justice and accountability, the Global Justice Center advocates for the immediate launch of a Commission of Inquiry in Burma and a Security Council referral of the situation in Burma to the International Criminal Court (ICC).

About the Global Justice Center

The Global Justice Center (GJC) is a New York based human rights legal organization that develops innovative strategies to enforce international law to guarantee equal access to justice and political power.