

WOMEN IN ARMED CONFLICT

Panel Presentation

on

"ORGANIZED VIOLENCE AGAINST WOMEN BY STATE and NON-STATE ACTORS"

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Presented by Aye Aye Win
Women's Rights and Welfare Association of Burma (WRWAB),
Member of Women's League of Burma

Topic: Situation of refugees from Burma

Thank you very much for giving me this opportunity to share with you the situation of Burmese refugees in India. My name is Aye Aye Win. I am from Chin State of Burma. Chin State is next to Mizoram and Manipur States of India.

The State Peace and Development Council (SPDC) of Burma continues to violate systematic human rights of the populations through practices of forced relocation, forced displacement, and forced labour, and sexual violence.

Thailand

As Thailand has not signed the 1951 UN convention and the 1967 protocol relating to the status of refugees, it has not recognized refugees in Thailand. Most people from Burma in Thailand without visas or work permits are either 'displaced persons' and given temporary asylum in temporary shelters, or are illegal migrants who are vulnerable to deportation, or are "persons of concern" who live outside camps, and are recognized by UNHCR as refugees, but now the Thai authorities want to relocate them to temporary shelters.

1. There are about 140,000 refugees in official camps along Thailand's western border.
2. There are 2,000 urban refugees under UNHCR called persons of concern; these include political refugees.
3. There are another 500 unregistered asylum seekers, which fall into the illegal migrant category.
4. There are 50,000 other refugees living outside of the camps in Thai communities along the Thai - Karen border.
5. There are 200,000 Shan refugees who have entered Thailand since 1996 but have not been recognized by the Thai government.
6. And finally there are about 1.5 undocumented migrant workers from Burma in Thailand.

In total, there are 400,000 refugees or more in Thailand as defined under the UN convention, but Thailand itself recognizes only around 140,000 of these as displaced persons. Therefore the majority of refugees from Burma have no formal protection mechanism.

Bangladesh

Apart from 20,000 in camps, there are also an estimated 200,000 displaced Rohingya in

Bangladesh, stateless under the Burma's 1982 Citizenship Law. Another 50,000 Chin have sought refuge in India. Although fleeing discrimination in Burma, these groups are frequently regarded as "economic migrants" by host governments and do not benefit from protection and assistance.

India:

There are an estimated 70,000 unregistered refugees in India, at least 100,000 in Bangladesh, and 140,000 in refugee camps in Thailand, as well as 2000 urban refugees under UNHCR called persons of concern; these include political refugees. There are 50,000 other refugees from Karen State are living outside the camps in Thai communities along the Thai border, as well as about 200,000 Shan refugees who have entered Thailand since 1996 but have not been recognized by the Thai government. These unrecognised refugees have to survive as migrant workers, of which there are estimated to be well over 1,000,000 from Burma in Thailand.

There are approximately 1,800 refugees from Burma residing in New Delhi. Most of the Burmese refugees stay in Janakpuri and Vikas Puri slum areas of metropolitan New Delhi. The UNHCR in the past has played a key role in sustaining the Burmese refugee in New Delhi, but the UNHCR decided in 2002 to stop recommending third country resettlement for Burmese refugees in India. They also cut the subsistence allowance including children's school fees, which has caused critical problems for the Burmese refugees. Even though their children's education is their highest priority, parents had to stop sending their children to school, because of insufficient income and the need to simply provide enough for their families to survive. There are about 180 primary school age children of Burmese refugees in New Delhi.

Refugees from Burma cannot get a job easily, because they can not speak Hindi. Even if they can speak well enough they would not have a chance to get a job that pays a reasonable amount. And for a refugee woman, it is even more difficult to get a job. There are also already large numbers of Indians who are unemployed. Burmese can only apply for unskilled labor work. However, even then the Burmese face strong discrimination from Indian employers.

As there are no alternative resources to rent houses separately, women are forced to share accommodation with men in a single room. A small room of 10 by 15 feet may be shared by 8 to 10 males and females. Adding fuel to this condition is the hostility of some local Indian people in the community.

I'd like to describe harassment and violence which some refugees in New Delhi have experienced, and how they have been seeking help from the UNHCR.

Last May, when a refugee woman and her male friend went to a night market in New Delhi to look for unsold and left over vegetables to bring home to eat, a group of five or six local men approached them and pushed the woman on the ground, but the woman hit back. The group of local men beat both of the Burmese refugees and they were bleeding and injured badly. The gang also tried to rape the women but passers by alerted the police. The gang got away before the police arrived at the scene. The police did not take any action. Then, they went to UNHCR to complain, and to press charges and a UNHCR official interviewed the woman, but there has been no further action by UNHCR concerning the case.

Another incident happened around the same time to a 16 year old girl. She was invited by a neighbor to visit her house. When she visited the neighbor and went into the house, after a

while the neighbor went out of her house and locked the girl in. A man who was the neighbor's friend was also in the house. When the girl was locked in with the man and the man tried to rape her. Luckily, she could escape. Her parents went to UNHCR as well to complain, but apart from interviewing the girl no further action has been taken.

For now, there is no question of returning home. And yet there is no option left for them in New Delhi.

If the military regime remains in power in Burma and without a political solution, the regime's violation of human rights will continue.

Recommendations :

We call on to governments :

- to increased pressure on the Burmese regime for political reform and increased support of refugees;
- to press for tripartite dialogue, and insist on measurable progress towards democracy and national reconciliation
- to give pressure to the regime to instate a nationwide ceasefire
- to stop all arms sales to Burma

We's also like to call on the UNHCR to provide protection for the refugees from Burma living in their countries and continue to give subsistence allowances to them.

We call on international humanitarian aid agencies and human rights NGOs to focus more attention on the plight of refugees from Burma across its western borders. More assistance - financial and human resources - should be directed towards organizations formed by people displaced from Burma who are addressing their own communities' needs, in particular women's organizations who work closely with the community.

(We urges SPDC to cease its repressive policies toward Burma's ethnic populations, including forced relocation, forced labour and arbitrary taxation, to restore full citizenship to the Rohingya. We ask the governments of Thailand, Bangladesh, and India to grant protection to displaced people from Burma within their border and not to forcibly repatriate them to Burma.)