



Save the Children

# CHILD RIGHTS SITUATION ANALYSIS

## What is the Child Rights Situation Analysis?

The Child Rights Situation Analysis is an in-depth description of the extent to which children's rights are being enjoyed and an analysis of the obstacles to, and enablers of, their realization. It provides recommendations on the steps necessary in order for children to enjoy the full extent of their rights as outlined in the United Nations Convention on the Rights of the Child (UNCRC).



## Country Facts:

Population: 51.4 million  
Number of regions/states: 14  
Ethnic groups: Over 135  
GDP: US\$53.14bn (2012)  
Next election: 2015  
UNCRC: Ratified in 1991



## CHILD RIGHTS GOVERNANCE

### KEY ISSUES:

- **CONSTITUTIONAL STATUS:** UNCRC does not have constitutional status in Myanmar, which means national laws override child rights in a court of law.
- **DISCRIMINATION:** These are based on ethnicity, language, religion, income, rural/urban, gender and disability and other diversity factors.
- **BEST INTERESTS OF THE CHILD:** There are no legal requirements in Myanmar to review new legislation, policy and/or budget allocations for their impact on children.
- **CHILD PARTICIPATION:** Few children in Myanmar have the opportunity to participate in decision-making in matters that impact them in their families, schools, work place, community or wider society.
- **BIRTH REGISTRATION:** Low rates of birth registration, especially in rural and remote areas.
- **BUDGET ALLOCATION:** Low budgets allocated for children's needs.

### KEY FACTORS THAT NEED TO BE IN PLACE:

- **INCREASED BUDGETS:** for proper implementation and monitoring of laws and policies affecting children. Department of Social Welfare is significantly under-resourced, which impedes efforts to improve planning and budgeting for child rights.
- **RAISE AWARENESS:** Increased effort to raise awareness of duty bearer obligations under the UNCRC, the Child Law and other relevant laws as well as the practical changes needed for children to realize their rights are required.
- **MONITORING IMPLEMENTATION PROCESS:** While the original Child Law has been in existence for almost 20 years, its implementation and monitoring has been limited.

## CHILD PROTECTION

### KEY ISSUES:

- **NEGLECT:** Common in Myanmar, especially in areas with high rates of migration, when both parents use drugs and alcohol or where children are placed in institutions.
- **CORPORAL PUNISHMENT:** Though it has been made illegal in schools, it remains socially and institutionally tolerated and is legal in the family.
- **STREET CHILDREN:** In urbanized towns throughout the country, children can be seen on the streets selling items or asking for food and money.
- **INSTITUTIONALISED CHILDREN:** Whether they are orphans, children in contact with the law or children caught in conflict, they are not given adequate help.
- **REFUGEES:** There are large groups of Myanmar refugees in and outside of Myanmar. These children require special support to ensure that they are protected.

### KEY FACTORS THAT NEED TO BE IN PLACE:

- **MINDSET SHIFT:** There is a persistent cultural belief that harsh, even abusive discipline is 'good' for children. Breaking this cycle requires a cultural shift that begins with parents and caregivers adopting new parenting techniques.
- **GOVERNMENT LEGISLATION, MONITORING AND ENFORCEMENT:** Improvement in the realization of child rights, particularly those in the Special Protection Measures cluster, requires effective government legislation, active monitoring systems and aggressive enforcement mechanisms.
- **COMMUNITY ENGAGEMENT AND EMPOWERMENT:** Community engagement to identify and address child rights violations in the Family Environment and Special Protection Measures clusters will be critical to improving the realization of children's rights.





## EDUCATION

### KEY ISSUES:

- **PRIMARY SCHOOL COMPLETION:** Nearly half of all children in Myanmar are not graduating. There is a major need for second chance education to support these out-of-school children to achieve basic literacy and numeracy.
- **HIGH SCHOOL ENROLMENT:** Only 32% of children in Myanmar are able to attend high school.
- **DISCRIMINATION:** This is widespread and may be based on gender, ethnicity, religion, socio-economic status or family connections. Other children are stigmatized on the basis of disability, HIV status, being orphaned or abandoned or living on the streets.
- **LANGUAGE:** Many ethnic children have to try and learn in a language that they do not understand.
- **REGIONAL DISPARITY:** While efforts are underway to improve access to and quality of education, there continue to be differences in attendance rates in different parts of the country and school retention remains a concern.
- **CORPORAL PUNISHMENT:** Beating and humiliating punishment remains prevalent in schools, and significantly contributes to school dropout rates.

### KEY FACTORS THAT NEED TO BE IN PLACE:

- **COMBATING POVERTY:** Poverty as well as fragility of livelihoods forces parents to make choices, especially among rural communities where agriculture is the main economic activity. Although primary education is theoretically free, there are still costs of stationery, school uniforms and unofficial costs of donations and additional tuition.
- **MITIGATING IMPACT OF CONFLICT AND/OR NATURAL DISASTERS:** Access to schools is subject to natural, outbreaks of violent conflict resulting in internal displacement or flight to a neighbouring country, or simply the fragility of livelihoods forcing families to migrate in search of work.
- **EDUCATION SYSTEM:** There are problems of teacher absenteeism, lack of materials and harsh punishments. Teaching follows a curriculum established centrally and lessons tend to be based on rote learning and memorizing facts.
- **SPECIAL NEEDS:** Neither the education system as a whole nor individual schools and teachers are adequately trained or resourced to address the needs of these children.

## HEALTH, NUTRITION, HUNGER AND LIVELIHOODS

### KEY ISSUES:

- **INFANT AND CHILD MORTALITY:** Each year around 56,000 children under-five die in Myanmar, 43,000 of them younger than one month. Nearly half of all deaths are neonatal, due to pre-term birth, asphyxia, and sepsis.
- **PROVISION OF HEALTHCARE:** There are approximately 1.49 healthcare workers per 1,000 people in Myanmar, well below the World Health Organisation's recommendation of 2.3 workers per 1,000 people. Health facilities are also lacking and even when available may lack electricity and safe water sources.
- **COMBATING DISEASES:** There are insufficient midwives available to carry out immunization work, and inadequate cold chain required for vaccine transport.
- **COMBATING MALNUTRITION:** Although Myanmar is a food-surplus country, access to food remains a key challenge to good nutrition for Myanmar's poorest and most vulnerable children. Nationwide prevalence of stunting is 35.1%.
- **MATERNAL HEALTHCARE:** The maternal mortality rate in Myanmar is 200 per 100,000 live births, which is significantly higher than the MDG target of 105 per 100,000.
- **FAMILY PLANNING:** 1-in-5 women are still unable to access contraception to delay, time and space their pregnancies.

### KEY FACTORS THAT NEED TO BE IN PLACE:

- **PROVISION OF PROGRAMME FUNDING:** In order to provide the essential package of health services identified by the World Health Report, Myanmar would need to secure \$3.1 billion in funds for 2015.
- **CAPACITY OF HUMAN RESOURCES:** The magnitude of scale-up required to deliver necessary health programs would incapacitate many agencies, so investment and assistance is needed to rapidly build human resource capacity both within the ministries and government services at all levels.
- **INFRASTRUCTURE DEVELOPMENT AND FUNDING:** Approximately 70% of the population is located in rural areas where roads are in poor condition or non-existent. This hinders the supply of necessary goods and access to services.



# RECOMMENDATIONS

## CHILDREN AND YOUNG PEOPLE:

- Claim their rights and be responsible citizens by treating other children, parents and teachers with respect
- Help empower each other and feel confident to participate in decisions impacting their life
- Defend themselves and report if they are mistreated

## PARENTS AND CAREGIVERS:

- Discipline children in a respectful manner and treat children warmly
- Encourage children to go to school and study to be successful in life
- Make sure children are protected from violence, neglect, abuse and exploitation
- Take action to prevent alcohol and drug use
- Make every effort to monitor and maintain children's health
- Listen to their children and provide information that children need to know at different ages

## TEACHERS AND SCHOOLMASTERS:

- Avoid discriminatory attitudes and acts towards children and make the school environment safe and encouraging
- Respect children's rights to participation, promote hygienic and healthy behaviours and be role models for how to treat other people
- Use positive discipline methods

## COMMUNITY MEMBERS:

- Raise awareness of child rights
- Ensure a safe, child-friendly community
- Treat children well and observant of the needs and treatment of children in community

## NGOS:

- Promote the Child Law and child rights
- Build or strengthen the child right committees and child groups
- Advocate for the realization of child rights at the government, community and family levels
- Engage with the community to design programs that meet the education, economic, social, health, protection and other needs of children

## GOVERNMENT OFFICIALS AT THE STATE, REGIONAL AND NATIONAL LEVELS

- Ensure effective policies and procedures are in place and are functioning
- Create career opportunities for parents
- Promote the public's awareness of child rights and the Child Law through the use of different types of media
- Support and empower the child rights committees, eliminate discriminatory and corrupt behaviour in public service
- Take appropriate measures and action against children trafficking, child labour and child exploitation
- Build more child-friendly and protective facilities in the communities



## About Save the Children in Myanmar

Save the Children has worked in Myanmar since 1995, helping children to access essential services such as healthcare and education. Since then, Save the Children has expanded its programmes within the country, supporting the most vulnerable and disadvantaged children and their families to access nutritious foods, gainful employment and financial services, community protection, child rights, clean water and sanitation, malaria and TB control and HIV/AIDS treatment.