

WHY GENDER MATTERS IN CONFLICT AND PEACE

Perspectives from Mon and Kayin States, Myanmar



Gender and
Development
Initiative



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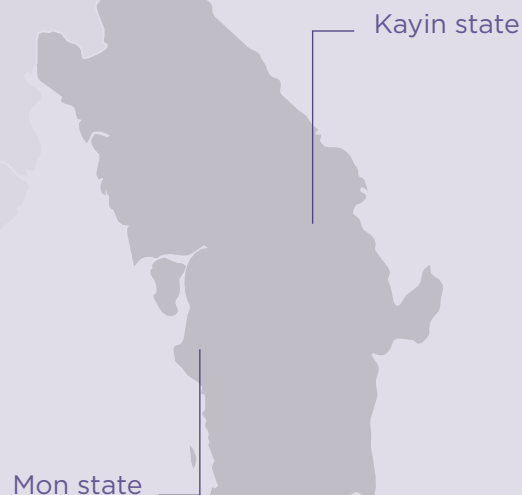
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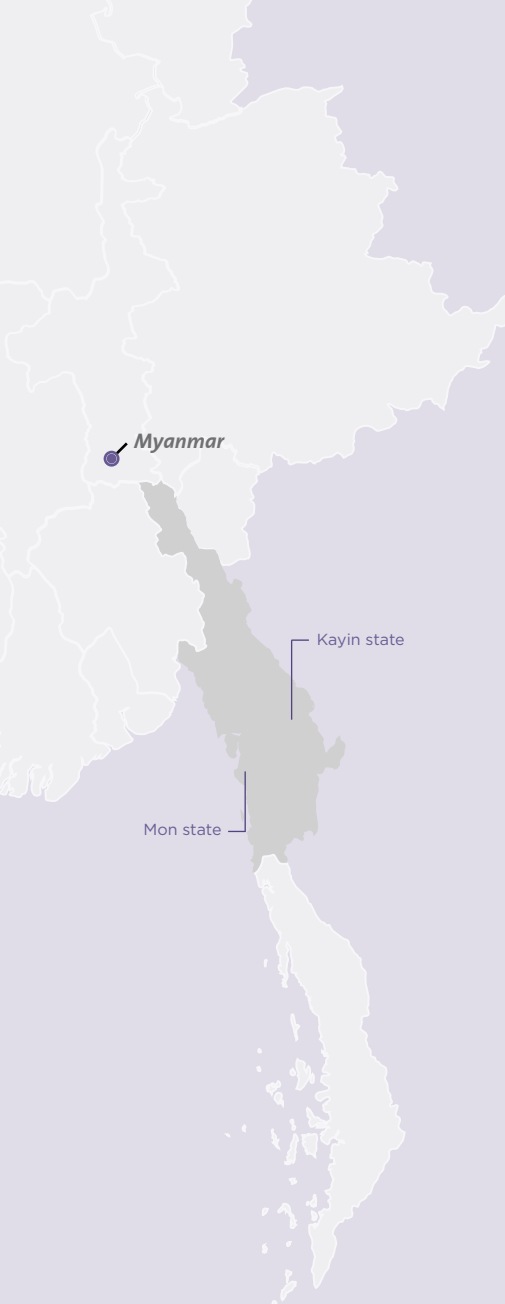
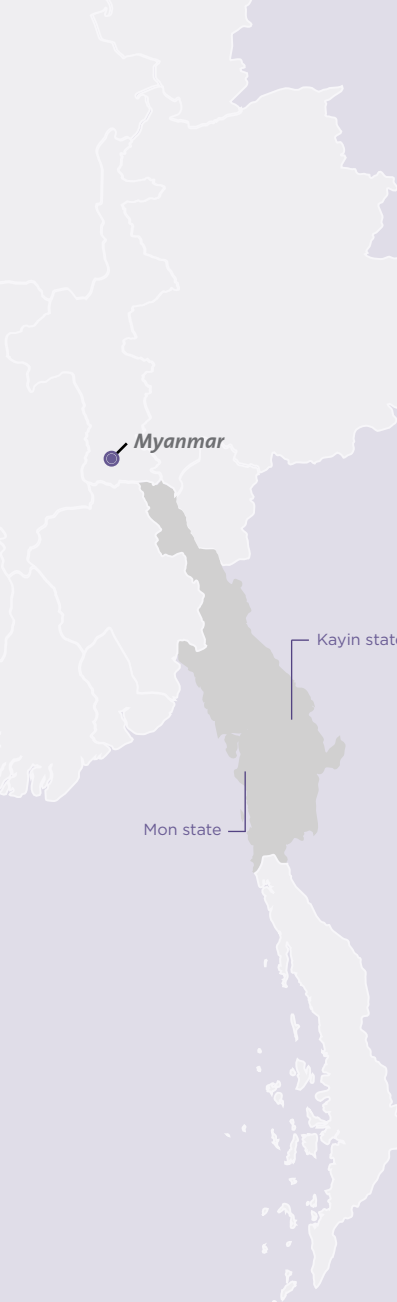


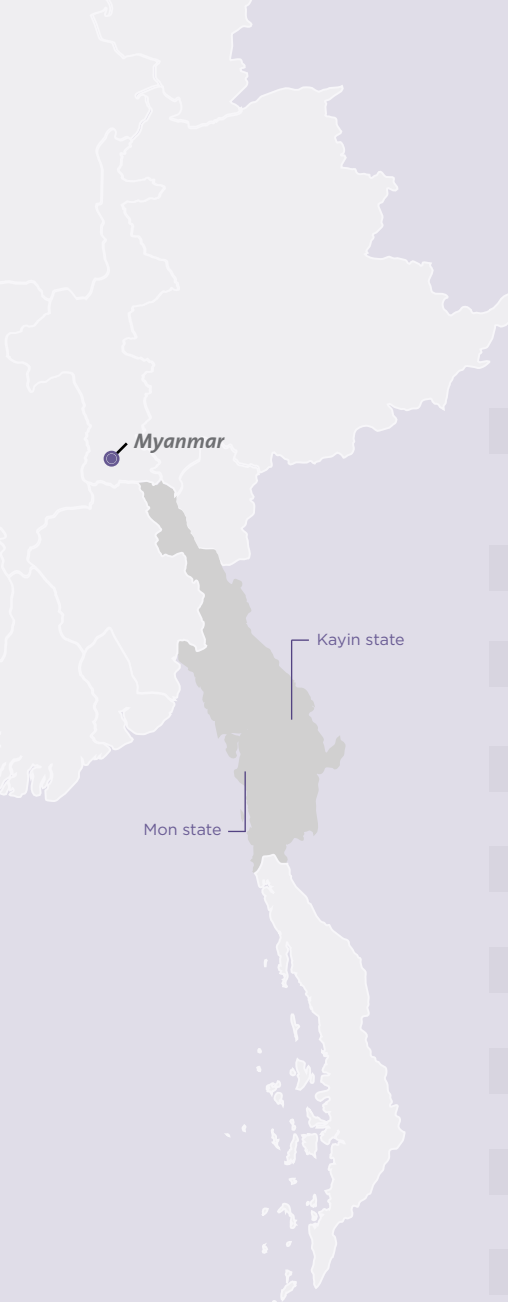


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ACRONYMS

BGF	Border Guard Force
CBO	Community-based organization
CEDAW	Convention on the Elimination of All Forms of Discrimination Against Women
CSO	Civil Society Organization
DSW	Department of Social Welfare
EAO	Ethnic Armed Organization
FAO	Food and Agriculture Organization
HURFOM	Human Rights Foundation of Monland
ICBL	International Campaign to Ban Landmines
IDP	Internally Displaced Person
KHRG	Karen Human Rights Group
KNLA	Karen National Liberation Army
KNPP	Karenni National Progressive Party
KNU	Karen National Union
KWO	Karen Women's Organization
MAMD	Mon Army Mergui District
MNLA	Mon National Liberation Army
MWN	Mon Women's Network
MWO	Mon Women's Organization
NCCT	Nationwide Ceasefire Coordination Team
NMSP	New Mon State Party
SGBV	Sexual and Gender-based Violence
SLORC	State Law and Order Restoration Council
UPWC	Union Peacemaking Work Committee
WCRP	Woman and Child Rights Project
WLB	Women's League of Burma



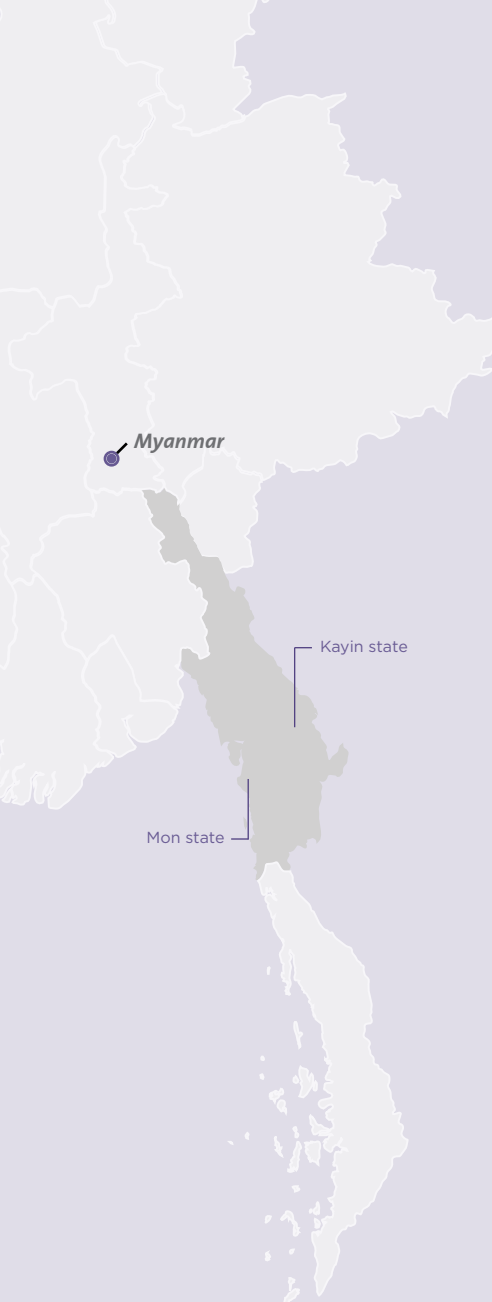
EXECUTIVE SUMMARY

In Myanmar, as in many other parts of the world, politics, conflict and peace negotiations are considered “male domains.”¹ With some exceptions,² women’s experiences of armed conflict and contributions to peace are largely unrecognized, undocumented and unaccounted for. But many women who have had distinct experiences of armed conflict are engaging within their communities in creative strategies to mitigate the impact of conflict, make and build enduring peace. However, these efforts are not accorded formal or other recognition by the Government, by ethnic armed organizations and society at large. Women and their priorities are consequently not adequately included in the country’s current peace processes.³

This publication makes the argument that women’s equal participation with men in all aspects of the peace process and the inclusion of their priorities in the peace agenda would demonstrate the Government of Myanmar’s commitment to constitutional provisions of gender equality and women’s rights, and to international human rights frameworks, that it has endorsed.⁴ Such a move would also signal responsiveness to calls for inclusion by gender equality and women’s empowerment advocates in Myanmar.

The publication further seeks to concretely demonstrate the potential difference that including women and their priorities would make to the effectiveness and sustainability of Myanmar’s peace process—a relatively under-researched subject. It explores how conflict in Mon and Kayin States, as examples, have affected men and women differently, as well as women’s and men’s locally rooted response strategies and longer term contributions to the peace process. It probes the basis for these gendered impacts of conflict and women’s unrecognized contributions and draws out women’s priorities for peace. A process of “qualitative mapping” uses testimonies drawn from interviews and focus group discussions, and complemented by desk research and analysis to show the value of increasing women’s formal participation in the peace process. The key findings that emerge from both states are:

- Mon society and many aspects of Kayin society are traditionally male-dominated. Cultural, religious, and social norms place men as the primary breadwinners, heads of household and decision makers, while women are relegated to the private sphere as primary caregivers and caretakers of the family unit.



1 Lahtaw and Raw 2012.

2 Khen and Nyo 2014, Minoletti 2014, HURFORM 2014.

3 Khen and Nyo 2014.

4 These include the Convention on the Elimination of All Forms of Discrimination against Women, 1979, the Beijing Declaration and Platform for Action, 1995, the Millenium Declaration 2000, and UN Security Council Resolution 1325 on Women, Peace and Security and related resolutions 1820, 1888, 1889, 1960, 2106 and 2122.

- Women and men in Mon and Kayin States experience armed conflict differently. Understanding these differences calls for shifting perspectives on conflict, and pursuing strategies tailored to each group to achieve a more effective response. Gender differences emerged in terms of:
 - Physical abuse, torture, killings and forced recruitment as porters
 - Sexual and gender-based violence
 - Landmine accidents
 - Loss of livelihoods and land issues
 - Displacement and migration

- To some extent, conflict has shifted traditional gender norms and roles. Women have assumed new, more public roles as leaders, workers and protectors. They have contributed to longer term peacebuilding, protected themselves and others against violence, and have prevented the escalation of hostilities.

- Despite changes in roles and responsibilities, women in Mon and Kayin States are inadequately represented in political and governance structures, and have a very limited voice in the current peace process.

- In both states, some men in positions of power openly acknowledge the value that women add and champion the need for their inclusion in political decision-making and in the peace process.

- Women have a right to participate equally with men in all aspects of the peace process and seek redress for damages have much to contribute through participation in current political and peace processes.
 - They have a deep understanding of the impacts of armed conflict on themselves and their families, mediated by their social role and position.
 - They are consequently best able to represent their own concerns and interests in peace negotiations and agreements, and post conflict planning and governance processes.
 - They are also more likely than men to advocate for and ensure that the concerns of other affected groups, e.g. children are incorporated into these agendas.
 - They demonstrate a holistic understanding of peace and its links to development and vice versa, a greater desire for peace and they make robust efforts at conflict prevention, protection and peace building.
 - They have specific socially-acquired knowledge, skills and capacities that complement men's in peace and development processes – all of which enhance the inclusiveness and potential for greater sustainability of peace and development.

Further, more equal representation of women and their priorities in all aspects of peace processes is critical to addressing women's long term recovery needs. Where women's issues are not included in peace agreements from the outset, it becomes increasingly difficult to address them later on.⁵ This is because the amount of 'gender-based expenditures' in post-conflict budgets is partly determined by the prior analytical and planning instruments that identify needs and enable priority-setting. Less than three per cent of the indicative budgets of Post Conflict Needs Assessments or Poverty Reduction Plans worldwide are dedicated to women's and girls' specific needs.⁶ The exclusion of women - half the constituency from peace building and poverty reduction efforts fails to optimize the resources invested in reconciliation and recovery. This potentially undermines the pace of recovery and the equitable distribution of peace dividends.

Much needs to be done, to ensure women's security as well as their meaningful and effective participation in all aspects of the peace process. This publication makes the following key recommendations:

- Develop and disseminate sex-disaggregated data on women, peace and security, and undertake a gender analysis of peace and security issues rife in local contexts, in line with CEDAW, 1979, the Beijing Declaration and Platform for Action, 1995, and UN Security Council Resolution 1325 and related resolutions.
- Include provisions on gender equality and women's rights in Myanmar's prospective nationwide ceasefire agreement, and its implementation (see details in Chapter IV).
- Develop and implement well-resourced National, Regional/State Action Plans on Women, Peace and Security with gender-sensitive targets and indicators, in line with UN Security Council Resolution 1325 and related resolutions.
- Adopt and implement the National Law to Prevent Violence against Women and provide accessible psycho-social support, health services, legal aid, emergency shelters and employment for survivors of all forms of violence, in normal times and in conflict.
- Ensure well-resourced post-conflict economic policies, plans and programmes which enhance women's economic empowerment, especially of the most vulnerable groups of women.
- Ensure that Myanmar's draft land use policy and proposed revisions to the Farmland Law and the Vacant, Fallow and Virgin Land Management Law, 2012, incorporate the suggestions of women in agriculture and of gender equality and women's rights advocates. This should include women's equal rights to secure land tenure, independent or joint titling, access to the range of productive resources in agriculture, women's perspectives on land use and development and access to a range of remedies and reparations in the event of land confiscation.

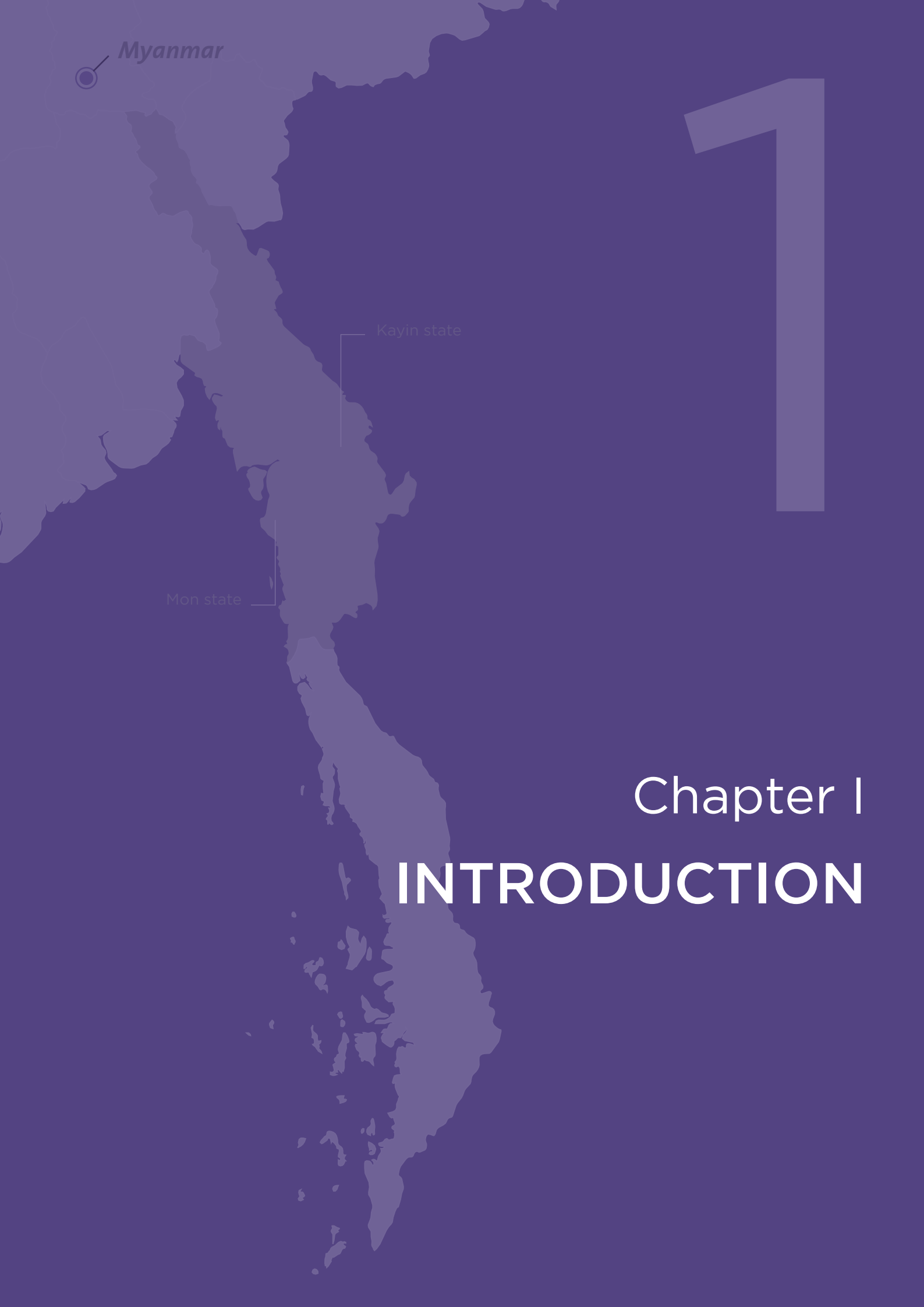


5 Nicol, C. 2012. Women's Participation in Peace Processes: A Critical Analysis, Quarterly Access, 14(1), Summer, p.3

6 UN Women. 2012. Sourcebook on Women, Peace and Security: Overview of Contents; October; p.10

- Pursue security and justice sector reform through the introduction and implementation of gender-sensitive mandates, standard operating procedures and gender-sensitive capacity-building, so that personnel at all levels of these sectors in government and non-government controlled areas enhance security for women and their access to justice.
- Ensure increased representation of women, especially ethnic women, and their priorities, in governance mechanisms, including conflict-monitoring mechanisms, mechanisms for political dialogue, and in senior positions at all administrative levels of the legislature and executive and in the security and justice sectors, in government and non-government controlled areas.
- Disseminate information and build women's capacities on the following: data collection and analysis; the international human rights architecture on women, peace and security; the national peace architecture and process; working with government and non-state actors to formulate, implement, resource, monitor and evaluate policies, laws, plans and programmes on women, peace, security and development; and on practical skills related to advocacy, coalition-building, communication, negotiation and mediation.
- Build capacities of government and non-state institutions in all sectors and at all administrative levels to formulate, implement, resource, monitor and evaluate policies, laws, plans and programmes addressing women's rights in peace, security and development.
- Promote gender sensitive education, including peace education and conflict sensitivity training, through all media, both state and private, and through revised educational curricula.
- Support networking and coalition-building among women's peace organizations and the work plan that they develop and implement on women, peace and security.





Myanmar

Kayin state

Mon state

1

Chapter I

INTRODUCTION



Hpa-an, Kayin State, 2014. Photo: Julie Marie Hansen

THE CONTEXT: ETHNIC CONFLICT IN MYANMAR

The conflict between ethnic armed organizations (EAOs) and different political formations of the Government of Myanmar has been characterized as one of the longest-running armed conflicts in the world, dating back to the country's pre-independence era. Roughly 30 per cent of the country's population identify themselves as distinct ethnic nationalities with their own right to self-determination and equal treatment, as outlined in the 1947 Panglong Agreement signed by General Aung San and ethnic leaders.

The agreement was a watershed event based on the ethnic groups' quest for autonomy, as it guaranteed full democratic rights and autonomy for ethnic areas:⁷ "Full autonomy in internal administration for Frontier Areas is accepted in principle;" and, "Citizens of Frontier Areas shall enjoy rights and privileges which are regarded as fundamental in democratic countries."⁸ It also stipulated that the Central Government cannot deprive any of these areas of their own autonomy. But these notions died when General Aung San, the architect of the agreement, was assassinated. With promises left unfulfilled, several ethnic communities began an armed resistance against the Central Government, sparking the beginning of a complex and protracted conflict.

While a parliamentary model of government inherited from the British articulated the concept of a nation in heterogeneous terms, the ground reality was at variance with this notion. Escalating tensions between majority and minority groups aggravated an already charged political atmosphere, with talk of intended secession from the union.⁹ The situation paved the way for a military coup in 1962 with the Burma Socialist Party holding the reins of government from 1962 to 1988.

This period was marked by nationalization of economic activities and industries, adoption of an isolationist foreign policy and emphasis on the notion that the State was comprised of several nations. It saw exacerbated tensions and further conflict,¹⁰ and a decline in assets and resources that resulted in the country being classified as one of the world's least developed countries.¹¹ In 1974, a new Constitution was drawn up to transfer power from the armed forces to the People's Assembly, albeit governed by military leaders. But social unrest continued to ferment, entrenching fear and mistrust among and between the Government and the people.



7 Therein described as "Frontier Areas."

8 Ethnic National Council of Burma 1947.

9 Nation Building in Myanmar; Kyaw Yin Hlaing; Introduction: Opening the debate on the nation-building process in Myanmar, Myanmar Peace Center; p. 5.

10 Ibid.

11 United Nations n.d.

Tensions culminated in 1988, when an uprising led by university students was quashed. Many protesters fled to the jungles and hills, and took up arms against the Government alongside the EAOs. This created grounds for the formation of the State Law and Order Restoration Council (SLORC), which declared martial law in 1989. Throughout the decades, the armed conflict has caused misery for communities caught in the crossfire. Thousands of civilians have fled to border regions, leading to the creation of numerous camps for refugees and internally displaced persons (IDPs). Human rights violations have reportedly accompanied the expansion of military bases and open armed combat.

In the 1990s, many EAOs entered into ceasefire agreements with the Government, but mutual trust gradually eroded when the Government did not accept demands for a political dialogue on a federal union. Trust further broke down when the Government presented its plan to transform EAOs into Border Guard Forces (BGF) or militia under the control of the *Tatmadaw* (Myanmar Army).

Elections in 2010 brought a series of political and economic changes that infused new life into the troubled peace process. President U Thein Sein's electoral victory transformed the military regime into a quasi-civilian Government, and in 2011, the President issued the 1/11 Peace Call, officially inviting EAOs for peace talks. Currently, the government is in talks with the Nationwide Ceasefire Coordination Team, made up of 16 EAOs, in the hope of reaching a nationwide ceasefire agreement.¹² Although the peace process has traversed difficult ground, to many this represents the largest window for peace the country has seen in over half a century, and could mean ending hostilities that have now wracked the border areas for generations.¹³



12 These organizations include: 1) All Burma Students' Democratic Front (Formed 1988/ Signed union-level ceasefire); 2) Arakan Liberation Party/Army (Formed 1968/ Agreed to ceasefire); 3) Chin National Front (Formed 1988/ Agreed to ceasefire); 4) Democratic Karen Benevolent Army (Formed 2010/ Agreed to ceasefire); 5) Karen National Union (Formed 1947/ Agreed to ceasefire); 6) Karenni National Progressive Party (Formed 1957/ Agreed to ceasefire); 7) Kayan New Land Party (Formed 1964/Ceasefire group since 1994); 8) KNU/Karen National Liberation Army Peace Council (Formed 2007/Agreed to ceasefire); 9) National Democratic Alliance Army (Formed 1989/Agreed to ceasefire); 10) National Socialist Council of Nagaland-Kaplang (Agreed to ceasefire); 11) New Mon State Party (Formed 1958/Agreed to ceasefire); 12) Pa-O National Liberation Organization (Formed 1949/Agreed to ceasefire); 13) Restoration Council of the Shan State/Shan State Army- South (Formed 1964/Agreed to ceasefire); 14) Shan State Progressive Party/Shan State Army-North (Formed 1964/Agreed to ceasefire). *Khen and Nyoï 2014, p.14.*

13 On February 12, 2015, the peace process reached another significant point as the President and representatives from both sides of the conflict signed the Deed of Commitment to Peace and National Unity.

OBJECTIVES, RATIONALE AND FOCUS

The historical account above is mainly a story about the politics of men. In Myanmar, politics is considered a “man’s domain,”¹⁴ and with some exceptions,¹⁵ women’s experiences of war and conflict are largely unrecognized, undocumented and unaccounted for. Many women who have had distinct experiences of war are engaging in creative strategies to mitigate the impact of conflict, make and build enduring peace in their communities—but these are largely informal and local, as women do not have significant access to formal spaces in the country’s current peace structures and process.¹⁶

This publication aims to show the value of increasing the formal space for women’s participation in the current peace process. International human rights frameworks, constitutional provisions on gender equality and women’s rights and local organizations in Myanmar state that women’s formal inclusion in the peace process is a woman’s right. Gender equality advocates also assert that women’s inclusion is key to an inclusive and sustainable peace process. However, there has hitherto been little research providing empirical evidence on the specific value and benefits that might result from women’s participation.

This publication seeks to fill the gap by addressing the following questions:

- How has the conflict affected men and women differently, and why?
- What response strategies are women (and men) undertaking to mitigate the effects of conflict, and how are these strategies rooted in the local histories of communities?
- What contributions are women making to the peace process, especially those contributions that are not formally recognized?
- What are women’s priorities in conflict and for peace?
- Why should women, their perspectives and priorities be included in all aspects of the peace process?



14 Lahtaw and Raw 2012.

15 Khen and Nyo 2014; Minoletti 2014; HURFORM 2014.

16 Khen and Nyo 2014.

The questions reveal a certain problematique. The armed conflict in Myanmar has impacted women and men in different ways, and they in turn have found different ways to respond, and to make and build peace. However, women's specific contributions to advancing peace and responding to crises have gone largely unrecognized. Exclusionary peace structures have kept women from playing formal roles and have inadequately addressed their priorities in peace agendas. This missed opportunity to incorporate women's contributions and perspectives, puts the efficacy and sustainability of the peace process at risk.

This publication provides evidence for women's participation by asking women and men in two states—Mon and Kayin—how they have been affected by conflict. It maps out strategies of response and resilience, highlights women's specific contributions to peacebuilding, and identifies women's and men's priorities for the peace process. Drawing on this information and analysis, it makes normative and efficiency arguments for the inclusion of women and their priorities in Myanmar's current peace process.

While making a specific contribution to the existing base of evidence, the publication also serves as an advocacy tool that can help local community members, civil society and community-based organizations, political actors and international entities to truly understand and internalize why it is important to take active steps to include women and their priorities in all aspects of the peace process.

METHODOLOGY: CONCEPTUAL FRAMEWORK AND APPROACH

This publication adopts an interdisciplinary approach to research, combining gender equality, women's rights and location-specific conflict analysis with a political economy perspective. In investigating the gender-based impacts of conflict and contributions to the current peace process in Myanmar, the publication is guided by the definitions, principles and standards of gender equality and women's rights as enshrined in the 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), the 1995 Beijing Declaration and Platform of Action, the 2000 Millennium Declaration, and UN Security Council Resolution 1325 and related resolutions. The term "gender" is used as a conceptual category and a methodological tool of analysis in conjunction with other interfacing identities, primarily economic and ethnicity - to the extent possible.


Gender as a conceptual category refers to the social construction of masculinity and femininity as articulated at individual levels, and in social, economic and political structures, institutions and processes, at different levels.¹⁷ In other words, it underpins socio-economic and political organization and operation, determining the roles men and women play in institutions at macro, meso, and micro levels; their relative ownership of, access to and control over resources and benefits; and hence the power dynamics between them. Androcentric societies hierarchize this construction of masculinity and femininity in favour of men, placing women in positions subservient to men in the private sphere of the home, where men are deemed natural household heads, and where inequalities exist in the intrahousehold allocation and enjoyment of material (e.g., food, income) and non-material resources (e.g., time, power). Similar practices pervade the public space, as women carry to it the low status, position and value of their unpaid care and other family-related work, and men carry to it their socially-mediated dominant public roles as well. Gender wage gaps and inadequate seats for women at the peace table are examples. Women and girls consequently suffer greater discrimination and inequality in relation to men and boys in the enjoyment of material and non-material resources in both public and private spheres.



¹⁷ It consequently differs from the term "sex", which refers to the biological and anatomical differences between men and women, but is often used to explain inequalities between men and women that largely result from structural discrimination. Put simply, in most male-centered societies, men are constructed as public figures with associated attributes such as intellect, rationalism, worldly wisdom, and decision-making and leadership ability, and are socialized to play public sphere roles of breadwinners, strategists, leaders, combatants and others. Women by contrast are constructed as householders with associated attributes such as meekness, ability to nurture, emotionality and fragility, and are socialized to operate in the private sphere as wives and mothers. If they conform to neither of these socially prescribed roles, they are either religious celibates or considered "public woman." Many societies afford little space to single women, who do not fall into any of the above categories.

However, gender interacts with other social categories such as economic status, ethnic identity and others, as men and women also belong to certain economic brackets, ethnic groups, religions, geographical locations, etc. The privilege or marginalization that mark each of these other identities will further determine men's and women's relative status and position and that between women as a whole.

This is demonstrated in the realm of conflict and peacebuilding in Myanmar as elsewhere. Questions that this research constantly asks are: Where are women in normal times, in conflict periods and in peace processes?¹⁸ What roles do men and women, from different ethnic groups in the selected locations in this study, play at these different points? What does it mean when one woman acts as a mother, daughter, wife, female combatant, nurse, farmer, primary breadwinner, rights holder, citizen and member of an ethnic group, all at once in conflict? What are the specific impacts of the conflict on men and women from different ethnic groups in the locations explored? What specific knowledge, resources and networks do women have in relation to men, and how do they bring them to bear on conflict mitigation, prevention, peacemaking and peacebuilding? What are the structural determinants of the findings? What corrective actions can be taken to ensure gender equality and women's rights¹⁹ among the groups studied at all stages of the peace process?

 18 Enloe 1999.

19 Gender equality, or the lack of it, therefore indicates the opportunities available to men and women in policy and law. This is formal or de jure equality, but a related aspect of gender equality is men's and women's real ownership over, access to and control over resources, and enjoyment of benefits and entitlements—substantive or de facto equality. This requires a plethora of multipronged measures that include integrating gender equality into institutional mandates, standard operating procedures and cultures; awareness-raising for mindset and behaviour changes; and temporary measures to compensate for women's historical disadvantages and level the playing field between men and women. But even when policy and institutional environments advance a gender equality and women's rights agenda, women themselves may not feel empowered enough to take advantage of opportunities provided. Women's empowerment is thus intrinsically linked to gender equality, and refers to women's agency to exercise their rights and claim entitlements equally with men. This requires capacity strengthening to help women believe that they have human rights; to know what rights are violated by whom, how and where; and to know what mechanisms exist to claim redress and how to avail of the same. It requires capacity strengthening on working with government to formulate, implement, monitor and evaluate policies and programmes on gender equality and women's rights, and ensure accountability to these commitments.

APPROACH TO AND METHODS OF DATA COLLECTION AND ANALYSIS, RESEARCH CONSTRAINTS AND GAPS

This publication is participatory and action-oriented. It does not claim to exhaustively capture the complexity of the aforementioned elements in their entirety, but aims to gather and aggregate information, providing both qualitative data and analysis on a topic with few existing resources. It seeks to expand the limited body of knowledge on how women and men have been impacted differently by conflict in Myanmar, and are informally contributing to peace on the ground, even as they lack access to formal peace structures. Further, it explores the basis for this exclusion, and the benefits of including women and their priorities in the peace process.

An in-depth desk review of relevant literature is combined with a qualitative mapping based on field interviews in two different geographic locations. Data collection took place from May to December 2014. In its desk review, the project builds on a very limited, yet growing body of evidence from research on the specific needs of women affected by conflict in Myanmar,²⁰ the lack of women's meaningful participation in governance structures, leadership positions,²¹ and the current peace process,²² and the dire need for their influential participation.²³ The desk review consisted of sources with publication dates ranging from 1990 to 2014, including scholarly articles, newspaper articles, human rights and political reports, and policy documents. The desk review ensured a mix of local, national and international authorship.

The qualitative mapping took place through semi-structured interviews with 112 respondents: 64 in Mawlamyine (Mon State) and 48 in Hpa-an (Kayin State). Respondents included representatives from government, EAOs, political parties, Parliament, community-based organizations (CBOs) and civil society organizations (CSOs) working on the current peace process, CBOs and CSOs working on women's rights, and religious groups, as well as local community leaders and members. In-depth interviews were also conducted with strategic stakeholders, who shared their stories and testimonies on their experience of conflict and contribution to peace. Local partners²⁴ were invaluable in selecting and identifying respondents based on their extensive knowledge of the conflict.



20 KWPN and GEN 2013.

21 Minoletti 2014; Oxfam, CARE, Trocaire and ActionAid 2013.

22 Khen and Nyoï 2014, Lahtaw and Raw 2012.

23 Women's International League for Peace and Freedom 2012, Rehn and Sirleaf 2002.

24 Including the Mon Women's Network in Mawlamyine.

The mapping focused on two states, Mon and Kayin, due to their geographic proximity, their regionally specific experiences of conflict, and the researchers' access to local partners who identified interview respondents. Interviews were transcribed, translated when necessary, and mapped to provide as much detailed evidence as possible for the publication's main research questions.

As only two states were chosen as case studies, the results of the study do not represent the manifold conflict contexts in Myanmar. Instead, they provide pointers for further research, including possibilities to explore potential commonalities and differences in other contexts. Some opportunities include: the perspectives of men on issues of sexual and gender-based violence (SGBV); male survivors of SGBV; perspectives of female combatants in EAOs; the perspectives of stateless and migrant women; gendered economic impacts and costs of conflict.

Interview respondents were limited in number, and mainly came from rural communities. Data collection on the experiences of female combatants was challenging due to limited access and time restraints. Respondents recounted some experiences from memory that cannot be easily verified. Since case studies focused on ethnic communities in rural areas in two states, responses surrounding the conflict and peace process stem from their perceptions, rather than those from other groups living in more central and urban contexts.

RESEARCH TEAM AND ETHICAL CONSIDERATIONS

The research team comprised two international and two national staff members, with the technical support and guidance of UN Women, swisspeace, the Gender and Development Initiative-Myanmar, and national CSO and CBO staff. All except one staff member specialize in women, peace and security issues, peace processes, gender studies and research. The interviews were recorded only with the permission of interviewees. Interviewee identities will remain confidential; interview recordings are stored in secure locations.

FINDINGS FROM A LITERATURE REVIEW

A literature review helped identify several key themes on women, peace and security that have been addressed. The review was also drawn on to bolster information and analysis for this study, including on the history of the conflict, the socio-economic context, the roles and positions of women in general, impacts of the conflict on women such as forced labour and SGBV, migration and displacement, and anti-personnel landmines.

While a good deal of conceptual work on the history of the ethnic conflict in Myanmar exists, work on the gender dimensions focus very strongly on a few key issues. For example, while human rights reports highlighting and documenting sexual abuse and rape are absolutely essential, they dominate the existing literature on women's experiences and mainly highlight the vulnerability of women to rape. Some other accounts of women's experiences tend to focus on women and forced labour. Most of these take the form of descriptive reports and documented case studies to establish violations and urge an end to impunity.

In Myanmar, accounts of the economic impact of women in conflict, their experiences as female heads of household, or their support to or membership in ethnic armed organizations are scarce. Information on women's interventions for peace (formal or informal) is limited, and difficult to find. There is also very little information on the effect of militarization and armed conflict on men and masculinity, a powerful phenomenon that drives the perpetuation of many gendered causal and risk factors.

Much available information and data come from geographic regions where women's groups and CSOs are the strongest, although women in different states, communities and villages have extremely varied experiences of conflict. There is a dearth of information and analysis in other contexts where access to international or local NGOs, funding, social capital and other resources are more limited.

This publication focuses on Mon and Kayin States, both of which are under-researched. It attempts to advance understanding of the diversity of both women and men's experiences of armed conflict in Myanmar. It aims at building on existing literature not only to shed light on gender-based vulnerabilities, but also on on-going activities and interventions for peace that receive little national or international recognition.

STRUCTURE OF THE PUBLICATION

The publication consists of four chapters. Following this first chapter on the introduction, are chapters II and III on Mon State and Kayin States respectively and a fourth chapter on the Conclusions and Recommendations. The chapters on Mon and Kayin States are divided into three main parts. An introductory section sets out demographic trends, the socio-economic context and the history of the conflict in each state. A second segment broadly outlines the role of women in that specific context, the transformation in this role given the gendered impacts of the armed conflict, and the contributions women make in responding to these impacts and long term peacebuilding. A third part delves into the specific value that women add to the current peace process, despite limited space for women in formal peace structures. The report ends with a set of conclusions and recommendations for Government, EAOs, civil society and the international community.





Hpa-an, Kayin State, 2014. Photo: Julie Marie Hansen



Hpa-an, Kayin State, 2014. Photo: Julie Marie Hansen



Myanmar

Kayin state

Mon state

2

Chapter II **MON STATE**

PART 1: INTRODUCTION: MON STATE

DEMOGRAPHIC AND SOCIO-ECONOMIC CONTEXT

Mon State is located in south-east Myanmar, bordered by the Andaman Sea on the west, Kayin State to the east, Bago Region to the north and Tanintharyi Region to the south. It also shares a small border at its south-eastern tip with Thailand's Kanchanaburi province. It has maintained its name since being carved out of the Tanintharyi Region in 1974.²⁵

The population of Mon State is estimated to be 2,050,282 (986,454 males and 1,063,828 females).²⁶ The Mon population consists of a range of ethnicities including the majority Mon ethnic group as well as Bamar, Chin, Kachin, Kayin, Rakhine, Shan and Pa-O.²⁷ There are also minority groups of Dawei, Burmese-Thai, Chinese, Indian and Anglo-Burmese. The majority of those who live in Mon State follow Theravada Buddhism, but smaller Christian, Muslim and Hindu communities are also present.²⁸

As Mon State has enjoyed relative stability since the 1995 ceasefire (with exceptions in some townships, specifically Ye and Yebyu), it has been able to establish its local economy and markets and has developed a variety of industries, especially in recent years. It is well positioned geographically, as the state capital, Mawlamyine is an important trading and shipping hub for the south-east of Myanmar, particularly due to its access to the Thai border. While Mon State has benefitted from Myanmar's recent economic reforms, many sectors still remain underdeveloped, with socio-economic indicators suggesting several development needs, especially in rural areas. Residents of Mon State depend extensively on agriculture for their livelihoods, in particular rice, corn, groundnuts, sunflowers, cashew nuts, sugarcane, coconuts, palm oil, cocoa and various types of fruit.²⁹ Fishing along the western coast, mining, rubber and coal are key supplementary industries. The 1995 ceasefire granted the New Mon State Party (NMSP) several industrial concessions in logging, inland transport and gold mining.

Today, most people still make a living by farming, growing seasonal fruits and working on rubber tree plantations. A wide gulf to the west of the state means some villages rely heavily on fishing and salt production. Mining in antimony, granite and gold is an emerging industry.³⁰ Mawlamyine functions as the main business centre, where goods from Thailand flow to other parts of Myanmar from the Myawadee-Mae Sot border gate.

25 Then known as Tenasserim Division; UNHCR 2014, p. 1.

26 Based on provisional results from the 2014 census; Myanmar Department of Immigration and Population 2014, p. 4.

27 UNHCR 2014, p. 1.

28 UNHCR 2014, p. 3.

29 UNHCR 2014, p. 7.

30 UNHCR 2014, p. 7.

Relative stability following the 1995 ceasefire has meant services and physical infrastructure in Mon State are relatively more developed than in neighbouring conflict-affected states. It has an integrated model of state and non-state schools and hospitals, highways and rail links, and an airport connecting the capital to other parts of Myanmar and Thailand.³¹ Some areas, however, still struggle with a lack of infrastructure, poor roads and no electricity.³² Unemployment is an important concern, with Mon people prioritizing jobs as among the key problems facing their communities today.³³

HISTORY OF THE CONFLICT

Mon State has what is thought to be one of the oldest civilizations in Myanmar. Mon kingdoms struggled to maintain power as new ethnic groups, including the Bamar, arrived from the north. The latter's increasing incursions into Mon territories resulted in the defeat of the last Mon ruler in 1757.³⁴

The current armed conflict dates back to the late 1940s, shortly after Myanmar's independence from the British in 1948. The Mon believed that they were largely excluded from the Panglong Agreement in 1947, with its promises of autonomy and internal administration for the Frontier Areas. Growing disenfranchisement and animosity culminated in several ethnic minority groups taking up arms against an increasingly centralized, Government dominated by Myanmar's ethnic majority group. The Mon People's Front was one such ethnic group which in 1948 launched an armed resistance, but eventually surrendered when the Government promised the Mon people autonomy.³⁵

Those skeptical of this promise being fulfilled created a splinter group, the New Mon State Party (NMSP), in 1958, under the leadership of Nai Shwe Kyin. In 1971, the NMSP formed a military wing named the Mon National Liberation Army (MNLA). Fighting between the NMSP/MNLA³⁶ and the Government ensued, resulting in villages and communities in the region suffering the consequences, including through the Government's "four cuts strategy,"³⁷ which cut off support (information, recruits, food supplies and funds) thought to be flowing through Mon civilian villages to ethnic armed groups. This resulted in the displacement of hundreds of rural ethnic villages. Reports also suggest that the *Tatmadaw* imposed forced labour and arbitrary detentions, and confiscated property. Women and girls were also subjected to SGBV by perpetrators on both sides of the conflict. The ongoing violence resulted in throngs of ethnic civilians fleeing conflict-affected areas, spurring the creation of three main refugee camps along the Thai-Myanmar border—Halochanee, Bee Ree and Tavoy.

31 Ibid.

32 UNDP 2014, p. 2.

33 Ibid.

34 HURFOM 2012.

35 Mon News 2015.

36 Hereafter referred to as NMSP.

37 U Ne O 1996.



THE CURRENT PEACE PROCESS

As part of President U Thein Sein's overall reform agenda, the quasi-civilian Government's 2011 Peace Call breathed new life into negotiations, leading to a renewal of ceasefire agreements at state level in February 2012. The November 2013 conference in Laiza held at the Kachin Independence Organization's headquarters brought together many different EAOs in an unprecedented meeting facilitated by the Government. Both the Nationwide Ceasefire Coordination Team (NCCT) and a plan for a nationwide ceasefire agreement were born out of this meeting, and the NMSP joined the 16-member NCCT. The New Mon State Party is one of 14 ethnic armed organizations to sustain a bilateral ceasefire agreement with the Government.³⁸

In 2013, local people identified some important improvements in their communities since the 2012 ceasefire, such as feeling more secure and having increased freedom of movement as well as a decrease in human rights abuses like torture and killings, which in turn serves to improve their livelihood strategies.



PART 2: WOMEN IN ARMED CONFLICT: GENDER-BASED ROLES, IMPACTS, IMMEDIATE RESPONSE STRATEGIES AND CONTRIBUTIONS TO PEACE

GENDER ROLES IN MON SOCIETY IN PEACE AND IN CONFLICT

Women in Mon State³⁹ play a plethora of societal roles, and the armed conflict has only increased the number of these and their complexity. Women are mothers, sisters, and primary caregivers for their children, the sick and elderly. But they have also been combatants, actively supporting the NMSP or other ethnic armed organizations. They are community leaders, playing leading or supporting roles in community-based or civil society organizations. Some are also engaged in current political, governance and peace structures. Social class, geographic location (urban or rural), level of education, and family membership all result in different levels of oppression from a variety of actors, including local governance structures, the Tatmadaw, ethnic armed organizations and other family members.

For the majority of Mon people in the state, society is traditionally male-dominated. Women and girls face a number of gender-based challenges in the household and their communities.⁴⁰ Men are the main breadwinners, working in agriculture and on plantations, both traditionally seen as men's domains. This position influences decision-making dynamics in the household; the man is expected to be solely responsible for the family's economy, and as such takes on the role of decision-maker.⁴¹ In turn, women are expected to respect and obey their husbands, given his superior position as breadwinner. For example, as a show of respect, a woman must wait before eating a meal until her husband is also home.⁴²



³⁹ The same also holds for women in Karen State as explored later in this publication.

⁴⁰ WCRP 2009; CPCS 2010.

⁴¹ WCRP 2009, p. 19.

⁴² CPCS 2010, p. 286.

The role of women in agriculture in Mon State is extensive; they make up an indispensable part of the total work force.⁴³ They are mainly involved in producing agricultural crops, tending to livestock, processing or preparing food, collecting fuel and water, and engaging in trade and marketing, all while managing complex and multiple responsibilities as primary caregivers in the home.⁴⁴

Some women in Mon State work in trade, moving goods across the Myanmar-Thailand border. They are preferred in this type of work because they are looked upon with less suspicion than men, and face fewer border checks and searches.⁴⁵ In general, however, economic participation among women is low. One estimate shows that only 10 per cent of women are involved in income-generating activities.⁴⁶ This may be partly due to stereotypes in Mon society that promote negative connotations around “working women.” These inhibit women’s economic participation and are further reinforced as women internalize them. Among Mon Buddhist women, the belief that bad karma is the reason for their situation reinforces this internalization.⁴⁷ Mon cultural norms confine women to the private sphere, where they are seen as solely responsible for the kitchen and the family.⁴⁸

*“These centuries-long cultural norms mean that women themselves tend to accept that they should not play any role in decision-making processes in the community.”*⁴⁹

The face of decision-making in Mon communities is predominantly male, with women’s participation in community meetings significantly lower than men’s. A 2014 UNDP governance mapping study of approximately 20 different townships in Mon State found only 30 per cent of women compared to 47 per cent of men participate in village tract/ward meetings, and, among those participating, only 19 per cent of women compared to 29 per cent of men were involved in meetings concerning development projects.⁵⁰ However, overall low employment opportunities in Mon State have led to changes in women’s economic roles. Married and unmarried women are increasingly moving outside the household in search of work to boost their families’ incomes.⁵¹ The need for additional sources of household income has led to many women migrating to neighbouring countries when job opportunities are not available in their towns or villages. Many of these women work in unprotected informal sectors, such as fishing and agro-industries, and in construction in Thailand.⁵²

43 FES Gender Team 2009, p. 4.

44 FAO 2011.

45 CPCS 2010.

46 Ibid.

47 Ibid.

48 WCRP 2009, p. 19.

49 Ibid.

50 UNDP 2014, pp. 3-4.

51 WCRP 2009, p. 19-20.

52 Ibid.



WOMEN IN ARMED CONFLICT IN MON STATE

As civilians, women in Mon State have faced the effects of armed conflict, such as human rights violations, the loss of livelihoods and forced displacement. In the process, they have challenged traditional roles. Women combatants have served in the women's battalion of the NMSP's military wing. Women have taken on productive roles in addition to their traditional reproductive roles to ensure the survival of their families. They have also been active in mitigating the impacts of conflict and tending to the acute daily needs of communities facing armed conflict.⁵³

FEMALE COMBATANTS

The experiences of female combatants crystallize the complexities of gender and conflict. Female combatants are often considered victims and perpetrators with varying and shifting degrees of agency. But the testimony of a former female combatant in Mon State illustrates the absolute importance of considering the gender dimensions of the combatant experience in an armed conflict. While the lack of a larger data set restricts deeper analysis of the complexities women combatants face in a male-dominated institution, her testimony sheds some light on the experience of being a female in a male-dominated armed group. It also reveals that despite breaking many traditional roles, these women face similar limitations to women in other arenas. Despite receiving the same training and opportunities as male soldiers, they are still separated into their own units, and within that segregation, are relegated to traditional "women's domains." "Female combatant" is in fact somewhat of a misnomer, since most do not actively take part in front line combat, and still have the same fears as civilian women:

“Women in the NMSP women's unit were restricted to the headquarters, although they were also trained as back-up to the soldiers on the front line. In the headquarters, the women were responsible for growing and preparing their own food, (and) teaching younger soldiers Mon history and other subjects.”

— interview, Mawlamyine, 26 July 2014



Furthermore, while being involved in a women's wing sets them apart from other women in communities affected by conflict, their daily activities are traditionally women-oriented: gardening, teaching and health care. They do not take part in strategizing and experience discrimination when they participate in meetings:

“While we were asked to join meetings, my unit leader suggested the right things, but men present at the meeting did not accept her suggestions—they think her opinions are meaningless. My leader even faced verbal attacks, and she had fight to keep her say.”

— interview, Mawlamyine, 26 July 2014

The experience of female combatants provides an interesting perspective on how women navigate their roles and mitigate the impacts of armed conflict.

GENDERED IMPACTS OF THE ARMED CONFLICT IN MON STATE

The socially determined roles that women play in Mon society are intrinsically linked to how they are directly or indirectly affected by armed conflict. By qualitatively disaggregating specific impacts of the armed conflict on women and men, the particular risks and challenges women and men face are brought to light. This adds to currently limited knowledge on the gender-based causes, vulnerabilities, capacities and consequences of the armed conflict in Mon State.

Much of the information presented here is drawn from interviews with community members from Mon State, and in some cases, secondary data from organizations working in and with ethnic communities. The testimonies are the viewpoints of the individual Mon women and men who were interviewed by the researchers.

PHYSICAL: PHYSICAL ABUSE, TORTURE AND KILLINGS

A 2014 report from the Human Rights Foundation of Monland (HURFOM) proffers anecdotal evidence of cases as recent as 2007 of torture, beatings, physical abuse and the killings of ethnic civilians at the hands of the *Tatmadaw*. According to the report, these cases affected both men and women, but most involved men as victims, even as women faced added violations such as SGBV.⁵⁴ All documented cases reportedly took place in Ye Township.⁵⁵ Respondents also note cases of SGBV perpetrated by EAOs and civilians. Many women in conflict zones in Mon State have stayed behind as men fled, given their greater likelihood of being killed, tortured, arrested or forced into hard labour, including portering:

“ Even the village was destroyed at that time—if the villagers are only women, they sell products in the market; if it’s only men, they are taken as porters.

— interview, Mawlamyine, 17 October 2014

Similar to a Kayin case described by Oo and Kusakabe in 2010, women in Mon State had to respond to and cope with crisis by finding ways to survive.⁵⁶ Beyond fulfilling traditional roles as mothers and caregivers, they became protectors, income earners and heads of households when men fled.

There are very few existing data on what has happened to women left in villages affected by conflict in Mon State, but according to the respondents, there are important observations. Firstly, women’s lack of education rendered them less capable of earning income or finding alternative means of livelihood, and this was more pronounced in rural areas. Secondly, because of the numerous challenges women face, family and community networks become an integral strategy for survival—physically, emotionally and mentally.

The respondents reported that while men traditionally took care of livestock, the women took up this role⁵⁷:

“ They have to change their livelihood. The women went from gardening to farms when they found new land. There are no gardens now in that area.

— interview, Mawlamyine, 17 October 2014



54 It is important to note that while there are less documented cases of SGBV perpetrated by members of armed ethnic organizations or civilians living in conflict-affected areas, respondents have stated that these cases have also taken place.

55 HUFOM 2014.

56 Oo and Kusakabe 2010, p. 488.

57 Interview, Mawlamyine, 31 October.

Not only did women take up tending livestock, but they also embarked on income-generating activities traditionally meant for men, including going to the forest to cut down trees to sell as firewood; running small businesses; selling fish, vegetables or groceries; or even owning and working on rubber plantations.⁵⁸

Women in these new roles turned to their social networks and communities for assistance:

“Relatives look after them, or if they have a small business then they can stand for themselves. Businesses like selling fish, vegetables, some have a grocery shop.”

— interview respondent from a CBO, Maylamyine, 16 October 2014

Furthermore, where sources of livelihood were lost—for example, if livestock were confiscated, land seized or crops destroyed—victims depended heavily on other members of the community to survive.

“They can’t trouble the soldiers. They are scared only by hearing the news about army. They don’t dare to speak out even if their things were taken away. Only the civilians help each other. If the cows were taken away, the villagers borrow their cows to plow the fields. If it is chicken or pig, then nobody help. There are no differences in ownership on cows, pigs and chickens. If they own, it means both of the couples owns them. Usually, men look after the cows.”

— interview, Maylamyine, 18 October 2014

⁵⁸ Interviews, Maylamyine, 16 and 18 October.



FORCED LABOUR

While reportedly Mon State has largely been spared from forced labour, some reports of these violations have emerged around Ye Township due to its strategic location near Three Pagoda Pass.⁵⁹ Similar to Kayin State, the dominant form of forced labour during the conflict was forced recruitment as porters. According to reports, the *Tatmadaw* regularly recruited local ethnic civilians to carry food supplies and ammunition, often in unbearably heavy loads across long distances.⁶⁰ This form of forced labour affects men and women differently, since both secondary sources and interview respondents reported that men were more likely to be forced to be porters than women.

Respondents explained that men forced to become porters often faced inhumane conditions, in which many were threatened with death if they failed to comply or complete the given task. In some cases, men who were too weak or injured were killed. Porters have also doubled as human mine-sweepers for the *Tatmadaw*, forced to walk ahead of them to detonate any anti-personnel mines planted in conflict areas.⁶¹

“Those who don’t get the information are too late to run, so they get taken to be porters, to carry weapons for the army or to go in front of troops in case there are landmines. If there’s a mine, the porter gets injured, loses his leg. Then if he can’t work because of the injury he is killed.”

— interview with a CBO representative, Mawlamyine, 17 October 2014

The fear of being forced into labour has been, according to the majority of respondents, a chief reason for men fleeing when the *Tatmadaw* raided villages:

“Their husbands flee because they don’t want to be made to be porters, only the women are left and the Army takes the women’s possessions.”

— interview, Mawlamyine, 17 October 2014

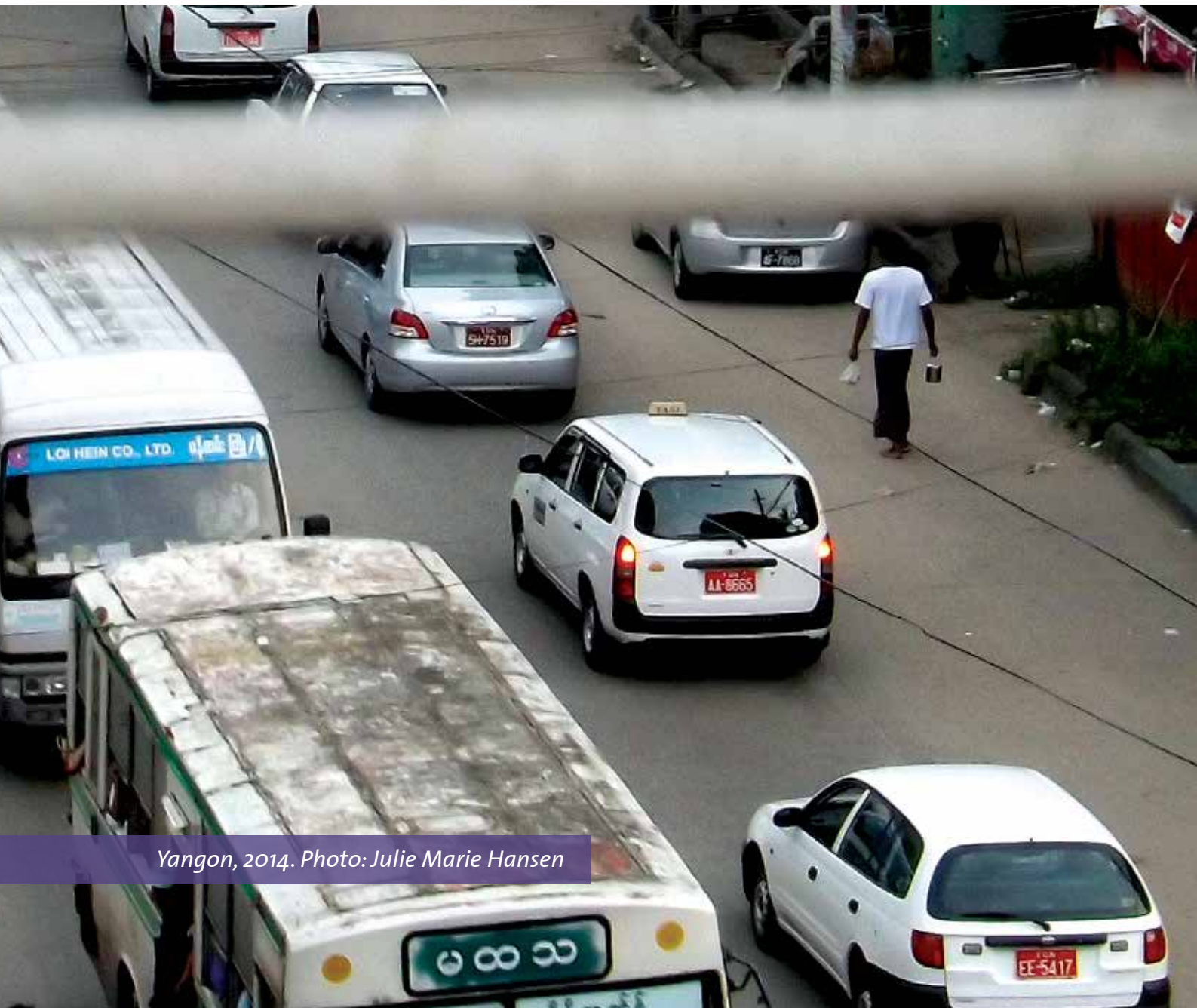


59 UNHCR 2014, p. 9.

60 Human Rights Watch 2011; WCRP 2005; HURFOM 2014, p. 48.

61 New Statesman 2008.

The impact of forced porter service on women in Mon State differed from men. Because it was understood that mostly civilian men were forcibly recruited, men usually fled when they heard that the *Tatmadaw* were approaching their villages. This resulted in women being left behind, vulnerable to forced conscription, and to sexual violence and other violations.⁶² The Woman and Child Rights Project (WCRP) cites several cases of women being forced to become porters and carry heavy loads, with threats and beatings when they could not do so. Some were separated from the group at night and raped.⁶³



Yangon, 2014. Photo: Julie Marie Hansen

62 WCRP 2005, p.18.

63 Ibid.



LANDMINES

Since its first report in 1999 to its latest study in 2013, the International Campaign to Ban Landmines (ICBL) has documented extensive use of anti-personnel mines by both government forces and EAOs.⁶⁴ Myanmar is not yet party to the international mine ban treaty. Although the heaviest deployments of landmines have been in Shan and Kayin States,⁶⁵ Mon State is one of several areas in south-east Myanmar affected by mines. While the NMSP denies the planting of any mines since the 1995 ceasefire, ICBL's landmine monitor reported in 2003 that both the NMSP as well as the armed wing of the splinter Hongsawatoi Restoration Party have laid mines.⁶⁶ Although landmines are indiscriminate forms of warfare and do not differentiate between genders, the gender-based division of roles in armed conflict creates different risks for men and women, boys and girls. As the Gender and Mine Action Programme states:

“ Their mobility patterns often mean that different age and sex groups hold different information on contamination and have different exposure to landmines and explosive remnants of war (ERW), and therefore might have different priorities for survey and clearance. The risk of becoming a victim, the ability to access medical and psychological services, long term reintegration, risk education and awareness, and the likelihood of getting employed in mine action are also different.”⁶⁷

In most landmine-affected countries, 85-90 per cent of landmine victims are boys and men.⁶⁸ Those who survive but sustain injuries are often unable to maintain their livelihoods, leading to the psychological and emotional stress of not being able to fulfill their socially prescribed role as the primary breadwinner. Women face added workloads and livelihood-related burdens if a landmine victim was the main income provider. Social arrangements around gender in many contexts tend to marginalize women from education about landmine safety and access to care when they suffer harm. Women may also face higher risks of being stigmatized when they are injured. At the same time, they have to maintain their social role within the household as mothers and primary caregivers.⁶⁹



64 UN Mine Action Service 2003.

65 Ibid.

66 This claim has been denied by the NMSP;
UN Mine Action Service 2003.

67 Gender and Mine Action Programme 2012a.

68 Gender and Mine Action Programme 2012b.

69 Ibid.

While the ICBL's landmine monitor reports six areas in Mon State suspected of having landmine or explosive remnants of war hazards (Bilin, Kyaikto, Mawlamyine, Thanbyuzayat, Thaton and Ye), there is a lack of sex disaggregated data on casualties and deaths. Given that more men are forced to become porters by the Myanmar Army, it is likely that they are more susceptible to being injured or killed by landmines, particularly given the accounts of male porters forced to act as human mine-sweepers. In interview accounts in one region, however, women were also forced to act as human shields or mine-sweepers:

“On Kalama Mountain, there was a lot of fighting and reports there were landmines there. The military came to take back the mountain so the EAO soldiers put down landmines. So the EAOs used civilian women to go in front and guide the military soldiers in that area. Many were killed in that area, and many women were injured.”

— interview, Mawlamyine, 17 October 2014

In the focus groups conducted for this project, the majority of respondents, especially women, had limited knowledge of the location and prevalence of landmines in the Mon region. Some male respondents had some knowledge on the issue:

“There was a case in Thanbyuzayat township. In the military camp, they call volunteers from the villages to search for hand bombs. One villager got a hand bomb and he wanted to take the chain attached to the bomb to use as a handle for his knife. The villager was dead because the bomb exploded.”

— interview, Mawlamyine, 18 October 2014

Since landmines affect men and women differently, landmine monitors should disaggregate their data by sex and undertake a gender analysis of landmine impacts and the basis for this, where possible.

DEATH OF HOUSEHOLD PROVIDERS

In no other area did gender differentials reveal themselves so clearly as in the discussion on the death of a household provider. The overwhelming response from the respondents was that if a man died due to the conflict in Mon State, life became extremely difficult for the woman surviving him. While this also creates new social roles for women, as described previously, it also presents various challenges as women try to cope with or mitigate the impacts of this upheaval. Widows become increasingly burdened as the primary breadwinner in the household, and often with no compensation if her husband was killed as a result of the armed conflict, as one respondent noted:

“The woman was forced to do the job as primary breadwinner, and men get injured or killed and there’s no right for compensation.”

— interview, Mawlamyine, 18 October 2014

At the same time, widows have had to continue raising their children and playing their community roles. When they can find work, they are often paid less than men for the same tasks:

“When the husband dies the woman becomes the widow. For widows in Mon community it’s very difficult to survive. It’s very difficult for these women because if they can’t read or write it’s hard to find a job, and especially women from rural areas find it very difficult to find a job in the city. They work basic work and sometimes women get unfair pay; men get 8,000 kyat per day and women get between 5,000-6,000 kyat per day. It’s enough only for the woman herself to survive by working as a daily worker, but then (she) can only work 10 days and then there’s no more work.”⁷⁰

— interview, Mawlamyine, 16 October 2014

⁷⁰ Unclear reference, but most likely refers to a limited number of days either available or set out for work.



The impact of the armed conflict on children was also discussed. With the loss of a parent (not differentiated as to which one), respondents noted that children were either sent to a boarding school (if the opportunity was available) or the children themselves worked to support their families. Many children have faced psychological problems as a result:

“The women can’t look after their children due to loss of income. Some families take the children to study at Mon Educational Department. Some children are made to work in teashops or they’re sent to Thailand to work.”

— interview, Mawlamyine, 18 October 2014

“Also mentally the children have problems, because the children are without their parents if the woman can’t take care of the children and the father is dead.”

— interview, Mawlamyine, 18 October 2014

When a parent dies, or where a man remarries, the new person or stepmother who comes into the family is sometimes stigmatized for raising children who are not her own:

“After the woman dies, and the man gets a new wife, if the men have children with the new wife, then it’s difficult for children to stay with the stepmother. There are social and economic aspects to it. Mostly the first children never get a chance to go to school because the stepmother might be cruel. But it depends on the people and the mindset.”

— interview, Mawlamyine, 16 October 2014

In contrast, interview respondents noted that if the woman is killed, the situation is not as difficult for men, who “simply” get a new wife. When the authors asked the respondents how a man and the family cope if the woman dies, general consensus seemed to be:

“He gets another woman. It doesn’t affect him that much.”

— interview, Mawlamyine, 16 October 2014

In Mon State, the disruption of social norms around a woman's place within society has in some cases created new opportunities, including to earn an income and perform different roles. Yet these can prove burdensome when combined with already existing responsibilities as primary caregivers and mothers within the family unit, amid the heightened insecurity of conflict. Interview respondents implied that men tend not to face the same complexities in this regard.

SEXUAL AND GENDER-BASED VIOLENCE

Sexual violence is tragically prevalent in conflicts around the world, where perpetrators violate women sexually to create fear, as a form of reprisal or torture, and to extract information. Despite relative stability since the 1995 ceasefire between the Government of Myanmar and the NMSP, a WCRP report from 2005 cited 37 cases of sexual violence against a group of at least 50 women and girls aged 14-50 years in Mon areas by military and authorities between 1995 and 2004.⁷¹ According to the report, the incidents occurred in Ye and Thanbyuzayat townships of Mon State, and neighbouring townships in Kayin State, the Tenasserim Division and Pegu Division. The incidents can be partly attributed to the continued operations of various ethnic armed groups in these areas.⁷²

Reports from women's and human rights groups in Mon State increasingly support the notion that women were especially targeted for SGBV. In Mon State, rape and sexual slavery were reportedly used by the Myanmar military as punishment for supposedly supporting rebels; for military entertainment during forced labour and forcible recruitment as porters (women were also conscripted when men in the village fled or were killed); or simply when soldiers entered villages when deployed or when confiscating land.⁷³



71 WCRP 2005, p.12.

72 Ibid.

73 WCRP 2005.

Respondents also claim that SGBV is perpetrated against women and children, not just by the military, but by other actors as well. Such violence occurs in conflict-affected areas and those not afflicted by conflict. In any event, they maintain that there is widespread impunity related to crimes of SGBV and access to justice is limited. As one respondent notes:

“Some women are raped by civilian men or the Army. But they stay silent. They go to the hospital. But mostly it is children who are raped and sometimes they are killed after the rape. The rapist threatens the parents and the children do not want to speak out. So cases almost never go to court. In my village, no rape case went to court.”

—interview with a CBO representative, Mawlamyine, 16 October 2014

However, steps are being taken to address this. The Government of Myanmar has committed to CEDAW, 1979, CRC, 1989 and Association of Southeast Asian Nations (ASEAN) regional agreements on stopping violence against women. It is developing a National Law to Prevent Violence against Women, and is revising the current Child Law to protect children from abuse and violence, including sexual abuse and violence. The NMSP is also taking steps to recognize the devastating effects of sexual violence and armed conflict. It recently took part in a workshop conducted by the Swiss NGO Geneva Call in April 2014 on international law surrounding sexual violence on the Thai-Myanmar border.⁷⁴



74 HURFOM 2014.

However, SGBV persists for a number of reasons, not the least is the inadequacy of the current legal system in Myanmar. Although a National Law to prevent violence against women is underway, SGBV in Myanmar is governed by an outdated, discriminatory, plural legal system that consists of statutory law (the Penal Code of 1860, the Code of Criminal Procedure, 1898, the Evidence Act, 1872), case law, customary laws and practice. Sections of the Penal Code 1860 (penalizing rape S375, sexual and marriage-related offenses S493 to 498, outrage of modesty S354 and S509, intentional infliction of injury and assault S319-338 and S349-358); the Criminal Procedure Code; Evidence Act; Village Ward/Tracts Act; customary laws/practices are outdated, have limited definitions and scope⁷⁵ and different and discriminatory standards/procedures that poorly protect women. Offenses committed by the *Tatmadaw* are dealt with under military law. Very little is known about the provisions of military law, including those governing SGBV, or about the process followed. The Child Law (1993), currently under review, lacks gender sensitivity and provisions on violence against children. Gaps in legal formulation result from institutional capacity-deficits in rights-compliant policy-making. Implementation is also tardy. This is anchored in capacity gaps as well and a lack of political will.

In Mon State, as elsewhere in Myanmar and other parts of the world, discriminatory attitudes that blame and stigmatize the victim for an offense committed against her/him and that let the perpetrator off lightly, contribute to a lack of reportage of such crimes and to a culture of impunity. The victims' lack of knowledge of their own rights, and in some cases, the lack of legal mechanisms with independent judiciaries exacerbate the problem. Corruption and the violent behaviour of authorities or perpetrators posing as authorities can make the situation worse.⁷⁶ In many cases, community leaders do not dare to report cases for fear of serious reprisals. However, women's groups continue to put pressure on authorities for their failure to acknowledge sexual violence and for perpetuating a culture of impunity, especially in relation to those in power.⁷⁷



75 S375 of the Penal Code, 1860 prohibits rape which it defines as sexual intercourse with a woman either without her consent, against her will, with consent obtained by fear or threat of injury or death, with consent obtained through deception, or if the woman is under 14 years, provided she is not married to the man. The Code states that "penetration is sufficient to constitute sexual intercourse necessary to the offense of rape." While many national laws focus on penetration and coercion as key elements, recent definitions in international law define a range of violent sexual acts as rape. For alternative definitions of, see the World Health Organization ("physically forced or otherwise coerced penetration – even if slight – of the vulva or anus, using a penis, other body parts or an object": (Etienne Krug et al, World Report on Violence and Health (Geneva: WHO, 2002, p.149). The Code of Criminal Procedure does not contain any specific provisions regarding prosecution and testimony in rape cases. There are few – if any – legislative protections for taking evidence from victims of rape. The Code of Criminal Procedure and the Evidence Act do not provide appropriate protection during witness examination. In cases of rape and sexual assault, government hospitals must obtain permission from the local police before they are permitted to examine and treat patients, in order that evidence is not destroyed. This is concerning, as women need to be assured the right to medical treatment regardless of whether or not they choose to report the crime. The legislation also does not indicate whether uncorroborated evidence from the victim will be accepted by a Court. According to S 114A of the Evidence Act, if the woman states that she did not consent, the Court is to presume that she did not. This runs the risk of not convicting the perpetrator if judges believe it is unfair to convict on the uncorroborated evidence of a woman. The lack of clear legal direction regarding prosecution of rape means that decisions related to weight and admissibility of evidence will be left to judicial discretion. See GEN 2013. Moreover, it is not uncommon for the woman to be pressured to marry the rapist, or for the rapist to pay financial compensation to the victim and/or her family or appease the community through some in-kind service such as a good meal.

76 WCRP 2005.

77 WLB 2008.

SGBV does not, by definition, only pertain to women. In Mon State, respondents were asked if they had heard of cases of sexual violence against men. No examples were forthcoming and one respondent stated that they had “never heard of it.”⁷⁸ This could possibly be due to an ingrained belief that SGBV is only perpetrated against women, or shyness and discomfort to talk about its perpetration against men and boys, as it is seen as “demasculinizing.”

CHILD SOLDIERS

The May 2014 “Report of the UN Secretary-General on Children in Armed Conflict”⁷⁹ observed that the recruitment and use of children by parties to an armed conflict remained a concern in 2013, when data for the report were collected. The report stated that in 2013, the *Tatmadaw* recruited 37 children, with 196 previously recruited in Myanmar.

However, both the Myanmar military and ethnic armed organizations are releasing child soldiers in large numbers. In 2012, the *Tatmadaw* signed an agreement with the United Nations⁸⁰ to release its child soldiers, and in September 2014, Myanmar news outlets reported 108 child soldiers were released from service—the largest single discharge from the *Tatmadaw*.⁸¹ This puts the total number of child soldiers released at 364 as of August 2014, according to the UN Press Centre.⁸² There have also been reports of individuals younger than 18 years recruited as soldiers to fight for the armed wing of the NMSP,⁸³ but in 2013, the NMSP signed an agreement with Geneva Call vowing to eliminate the use of child soldiers, and to engage in knowledge-building on child rights and protection in Mon State.⁸⁴



78 Interview, Maylamiyne, 17 October.

79 Report of the UN Secretary General on Children in Armed Conflict 2014.

80 UN News Centre 2014.

81 Irrawaddy 2014.

82 UN Press Centre 2014.

83 Coalition to Stop the Use of Child Soldiers 2004, Human Rights Watch 2002.

84 Mon News 2013.

Despite these positive developments, the experiences of those who became child soldiers remain indelible. A detailed Human Rights Watch report released in 2002 reported testimonies from children being recruited for both the *Tatmadaw* and EAOs, with the vast majority of recruits (by forced recruitment or recruited out of economic and other push factors) being young boys.⁸⁵ According to the report, they were often tasked with the lowest end jobs on the front lines and in battalions, including: clearing trees; carrying supplies; cutting wood; digging trenches; building battalions and camps; raising buffalos, pigs and fish for the barracks; and taking up sentry duty at night after long hours of hard labour. Many boys were subjected to physical abuse, poor health and sanitation, extremely low salaries and separation from their families.⁸⁶ Life as a child soldier had strong psychological effects on children, who had to witness, adapt to and engage in human rights violations. For boys who are released, the psychosocial rehabilitation process is difficult. They have poor self-esteem and self-identities and are emotionally scarred and confused. They find themselves unable to reintegrate into families and communities after long periods of alienation and estrangement. There is little existing information on girls as soldiers.

Interview respondents did not differentiate their responses on the basis of gender. Again, the awareness of attempts by both the military and the NMSP to address the issue of child soldiers has not percolated down to the community level, where the respondents could only refer to anecdotes when asked about child soldiers. To them, the issue of child soldiers was a complex discussion about push and pull factors that led minors to join the NMSP. These factors are not unique from other conflict-affected areas in Myanmar, but speak to the lack of socio-economic development. The respondents shared some reasons for and ways in which individuals under the age of 18 became soldiers with the NMSP.



85 Human Rights Watch 2002.

86 Ibid.

“There was one case in my village. Because they are young, they had disagreement with the parents as they didn't buy the things they want. They got angry and three of the brothers discussed to join NMSP. As they are very young, NMSP informed their parents and their parents also went to fetch them. They couldn't stay in the troop as they would have to practice like soldiers. NMSP accepted them until their parents came to fetch them. But they can't endure the life of a soldier while they are at the camp. At that time, they were around 15 or 16 years old.

— interview, Mawlamyine, 18 October 2014

“I would like to discuss about this. I don't know what are the reasons for those kids joining NMSP. The kids from those areas, they quit school at grade 3. Some parents sent their kids to NMSP by themselves. NMSP took care of these kids. They have to live like a soldier and have to follow the troop if they are going somewhere. It is not like putting them into a prison.

— interview, Mawlamyine, 18 October 2014

“The parents of the kids who are addicted to drugs sent them to NMSP in order for them to stop using drugs and to rehabilitate. If NMSP travels, they took them. Most of the cases, the parents themselves sent their child. When drug-addicted kids got to their troop, they gave military and political trainings. They keep them until they stop using drugs, but they do not calculate those kids as their soldiers. They gave military training, but they do not need to go to the front line. They have to follow the leaders and security of the back. It is not like they have to be committed to stay in the troop for life. They keep them until they quit drugs.

— interview, Mawlamyine, 18 October 2014

LOSS OF LIVELIHOOD AND LAND CONFISCATION

When asked about the impacts of the armed conflict on women and men, almost all respondents answered that the loss of property, assets and access to their livelihood had the biggest negative effect. This comes as no surprise, as for many families in Myanmar, forests and farmlands are their lifeline: the betel nut and rubber plantations, the fruit tree groves, the terraced rice paddies and the sea are essential for nearly three-quarters of Myanmar's total population as sources of shelter, livelihood and food.⁸⁷ As one villager interviewed by HURFOM noted: "This land is our lives."⁸⁸

After the 1995 ceasefire, foreign investors eager to profit from the "last frontier of Asia"—an area rich in natural resources—began investing in large-scale development projects in the region. According to several reports,⁸⁹ this has resulted in cases of land confiscation and extortion, especially in Ye and Yebyu townships, rendering farmers and villagers unemployed and thrown into extreme levels of poverty and food insecurity.⁹⁰ As one recent HURFOM report laments, "upwards of 50 per cent of farmers in areas of rural Myanmar are now [...] landless."⁹¹

An interview respondent for this report added that in his experience, male farmers were forced to take loans for their land that they could not possibly pay back, and were constantly at risk of being attacked or beaten.⁹²

Gender plays a role in land ownership in Mon State. Myanmar's Constitution grants women equal rights to hold and own property; Myanmar customary law also stipulates that women have equal rights to land ownership. However, the newest land legislation, the Farmland Law and the Vacant, Fallow and Virgin Land Management Law, 2012, does not adequately secure women's equal right to land. One recent report notes that, "Land registration, access to credit and access to training are directed at heads of households. These are mostly men. Only a small percentage of women are landholders, and land inherited by women may actually be registered in their husband's name."⁹³ This can create complications for women who become new heads of households, especially in an environment of unlawful land grabbing and confiscation, or in the event of spousal death or divorce.



87 HUFOM 2012, pp. 37-39

88 Ibid., p. 37.

89 HUFOM 2012; HURFOM 2014.

90 HUFOM, 2014, p. 34.

91 Ibid.

92 HUFOM 2014, p. 34.

93 Irrawaddy 2014.

The interview responses illustrated that the differentiated psychosocial impacts of conflict on women and men are largely related to traditional gender roles entrenched in Myanmar's social fabric at all levels. In conflict situations, however, these roles face upheaval, influencing the way men and women navigate and experience the impacts within their family units and their communities. This process is often underexamined or ignored, let alone analyzed through a gender lens.

Female respondents (and interestingly, no male respondents) explained that as most men in the region are heads of households and property owners, with social pressure and responsibility to act as protectors and stewards of their physical property and households, seizure or loss of property, assets and livelihoods was traumatic. It represented a loss of status, honour, self-esteem and threats to masculinity.

Several respondents observed that the inability of men to fulfill their traditional roles as the sole or main income generator for a household in refugee or IDP camps, or those experiencing difficulties finding paid work, caused some men to fall into depression and engage in substance abuse, particularly alcohol consumption. This placed an additional burden on women in the community. Several respondents mentioned that an often underreported or hidden impact of armed conflict on social relations between men and women is intimate partner violence or abuse. They spoke of women having to face the burden of an abusive or alcoholic husband in camps due to the men's inability to deal with the enormous social pressure of generating an income for their whole family.

According to one respondent, another underreported social impact is adultery, especially in IDP camps, by both men and women who are frustrated with their current partners. The situation in camps marked by close proximity, lack of privacy, close sleeping quarters, frustration and diminishing self-esteem creates fertile ground for this.

The psychosocial impacts of a loss of livelihoods for women include feeling responsible for the coherence of the family unit and the household. When relations within the household are negatively affected, this weighs on them as mothers and primary caregivers, causing great psychological and emotional pain and trauma, and resulting in shame and a loss of dignity, according to one respondent. This affects the well-being of entire families and communities, adding to the already heavy burdens conflict-affected persons bear.

DISPLACEMENT AND MIGRATION

Men and women in Mon State have coped with conflict by migrating or relocating from conflict-affected areas. Clashes between the NMSP and the *Tatmadaw* culminated in the fall of the NMSP Headquarters at the Three Pagoda Pass in 1990, causing thousands to flee to refugee camps in Thailand, and displacing up to 35,000 people in Ye Township alone.⁹⁴ After the 1995 ceasefire, the conflict abated somewhat, except for sporadic clashes in the mid-2000s resulting in IDP levels rising from 31,000 to 48,700 from 2003 to 2004.⁹⁵ According to a situation update by UNHCR in August 2014, an estimated 35,000 IDPs remain displaced in Ye Township.⁹⁶ HURFOM reports a similar number, also estimating double that amount for total IDPs currently in Mon State.⁹⁷

Resettlement is a sensitive issue. The lack of information coupled with the extremely divergent experiences of IDPs renders the issue a source of optimism for some and anxiety for others. A 2012 report from HURFOM on IDPs in Mon State emphasizes that the experience of women IDPs deserves special attention. Many fled because of sexual abuse or fear of SGBV, especially from Ye and Yebyu townships, before the ceasefire, and notably, even during a particularly tense period in the mid-2000s.⁹⁸ The report describes how women IDPs have also experienced sexual violence in the camps, for example when walking home alone or working in plantations before sunrise.⁹⁹

Besides sexual abuse, the 2012 HURFOM report also highlights concerns related to women's employment in IDP camps:

“In addition to sexual abuse, women living in IDP sites may have endured unfair employment practices, lower wages than their male counterparts, and heightened responsibility to provide for families after husbands or sons leave due to conflict or migrant work. A few women IDPs started their own local businesses, but most are at the mercy of sporadic income from seasonal work digging for bamboo shoots, working in orchards or rubber plantations, and cutting long grass to make brooms.”¹⁰⁰



94 UNHCR 2014, p. 2.

95 Ibid.

96 UNHCR 2014, p. 1.

97 HURFOM 2012, p. 15.

98 HURFOM 2012.

99 HURFORM 2012, p. 36.

100 HURFORM 2012.

Other options considered “suited” to IDP women include growing and selling vegetables; hunting; working on farms and paddy fields; clearing grass on plantations; carrying materials for business owners; and offering roadside cooking for travellers.¹⁰¹

In addition, women bear the major or sole responsibility for domestic and care work. A 40-year-old woman in Halockhani camp illustrates the discrimination against women and limited livelihood opportunities they face:

I divorced my husband over two years ago, and I need to care for and feed my children who attend school while I try to find work. In the camp many people work on the farm, but farm owners do not hire female labourers because they think women cannot work as hard as men. The male workers get paid 150 Thai Baht per day, and women should be able to work the same job for the same salary. It is very difficult for women who do not have a husband to get a job on the farm. If we could just get enough rice, I think we would not face such difficulties. Many women work hard and still only have enough money to buy food, but nothing extra.¹⁰²

Some men and women choose or take the opportunity to leave the country either as refugees or as migrants searching for work to cope with the impacts of the armed conflict. UNHCR estimates approximately 11,000 refugees from Mon State remain in Thailand, most originating from Bilin and Thaton townships.¹⁰³ Interview respondents for this report noted that women faced high security risks as refugees or migrants:

When we had once fighting on the border, we had to move to a safer place. In that case, women have less security than men.

— interview, Mawlamyine, 27 July 2014

Around 1992, there were refugee camps: Those who cannot run from the camps were women and children. Women need more protection and travel security if compared with men. For men the risk is less. Men will be involved in fighting more, but this is not in women’s tradition.

— interview with a CBO representative, Mawlamyine, 27 July 2014

101 HURFORM 2012.

102 HURFORM 2012.

103 UNHCR 2014, p. 1.

The militarization of areas and subsequent SGBV in villages force women to migrate, putting them at increased risk of being trafficked and once again being subjected to SGBV. Several case studies published in a 2009 report by WCRP are specifically from Mon State:¹⁰⁴

“She threatened me saying she would tell the police to arrest me and put me in jail. I was so afraid, so I had to agree to this job. I now work in the sex industry at TPP on the Thai side of the border.”

— Case 12, 19-years-old, Ye Town, Mon State

“The Thai broker sent a taxi driver to pick us up, whereupon he drove us to a building in an isolated area. The Thai brokers and taxi drivers had formed a collaborative group. When we arrived, it was very silent and they were the only ones there. The group then gang raped us.”

— Case 6, 17 and 22 years old, Thaton Township, Mon State

Interview respondents stated that more men cross the border to actively look for work as construction workers, traders in shoes or textiles, etc. Women either eventually follow their husbands or choose to leave their villages as well. Respondents explicitly pointed out that men usually left first while women stayed behind.

Yet women in Mon communities have increasingly been securing public employment, including overseas in the informal manufacturing and construction sectors and agro industries, especially in Thailand where there is demand for such work.¹⁰⁵ While this might suggest increased agency, women’s greater economic roles have not yet translated into greater decision-making opportunities at all levels, or palpable transformations of gender roles and relations:

“Women continue to shun the public sphere, and are reluctant to raise issues such as sexual violence publicly.”¹⁰⁶



104 WCRP 2009.

105 WCRP 2009, p. 20.

106 Ibid.

GENDER-BASED CONTRIBUTIONS TO CONFLICT PREVENTION, PROTECTION, AND PEACEBUILDING

Despite many barriers, women in Mon State have made rich yet formally unrecognized contributions to early warning, conflict prevention, protection and long-term peacebuilding. Recounting some of these provides evidence of how women effectively use their local knowledge, skills, leadership and social networks that could be of great value to formal peace processes.



ဘေးအန္တရာယ်ကင်းရှင်းရေးအတွက် အမျိုးသမီးတို့၏ အထောက်အကူပြုမှုများကို အသုံးပြုခြင်းသည် အရေးကြီးပါသည်။

ပြည်ထောင်စုတစ်ရပ်အတွက် အချစ်ကြောင့် အတိတ်ကို ဖျက်ဆီးခြင်းသည် အရေးကြီးပါသည်။

Hpa-an, Kayin State, 2014. Photo: Julie Marie Hansen

CONFLICT PREVENTION AND PROTECTION

There is very limited documented information on gender differentials in early warning or conflict prevention strategies in Mon State. Troop entry into villages, weapons stockpiling and the movement of troops in the vicinity of villages were seen as indicators of possible trouble. Women ensured men were in hiding as troops approached, so as to avoid violent confrontation: Interview respondents referred to word of mouth as the main way villagers communicate information about the possibility of conflict breaking out, stressing that women play an important role through their family and community networks.

“When the troops come in, the woman tells her husband to hide. Then when the troops leave, the woman goes to the hiding place and calls the husband to come back.”

— interview, Mawlamyine, 16 October 2014

According to one respondent, the NMSP played a role in preventing conflict that would directly impact civilians. If the *Tatmadaw* was approaching and the NMSP was present in a given village, it would move to another location to prevent the villagers from getting caught in the crossfire.

Respondents stated that women have had fewer options than men to physically protect themselves, their families and their communities, especially when men had to flee and women stayed behind. But they have done so in addition to assuming new economic and social responsibilities as primary breadwinners and heads of household. As one female respondent stated:

“You have to protect among yourself. If you are alone, then who will protect you?”

— interview, Mawlamyine, 27 July 2014

Women have protected themselves by avoiding the line of direct conflict, staying at home after dark, moving in groups and with escorts, negotiating with troops, sending young girls and children to relatives' homes in non-conflict sites, and hiding themselves and male family members in different areas around their home—from deep holes in the ground covered with bamboo and grass, to wells, toilet areas, unused lofts and stables.¹⁰⁷ They have also used traditionally important times such as meal times as a delaying tactic until troops get impatient and leave.

In my experience, when the troops come, if the family is having lunch or eating, they purposely sit and eat for a long time because then the troops don't ask them questions about where the husband is.

—interview, Mawlamyine, 16 October 2014

To address issues of security and protection in IDP camps, a respondent who was a school headmistress in a camp near the border in the mid-1990s recounted her experience of “clustering” around men for protection. She said that to protect them, the five to seven female teachers in the camp ensured there was always at least one male teacher around. She noted that if the perpetrators entered the camp, there were better chances of being protected if a man was present:

So first we worked as a teacher, about 20 years ago in 1994 before the ceasefire, I was the headmistress of the school. When we had to walk from our place to the camp when there was fighting between the NMSP and the Government, I had to ask someone that we could really trust, a family, so that we could stay together with them. We had one man to protect us. Actually they can do nothing, but they can come to you and say ‘hey what are you doing, oh you’re pretty’ if you have just one man, they cannot do something. [...] We organized among us not to be afraid and not to follow their bribes, we can be united and protect among ourselves so that they have respect to the women. We had about 7 female teachers and 2 male teachers, among us, we shared information...so it is great that we had a great group. The medic group also had lots of male staff, so they gave protection.

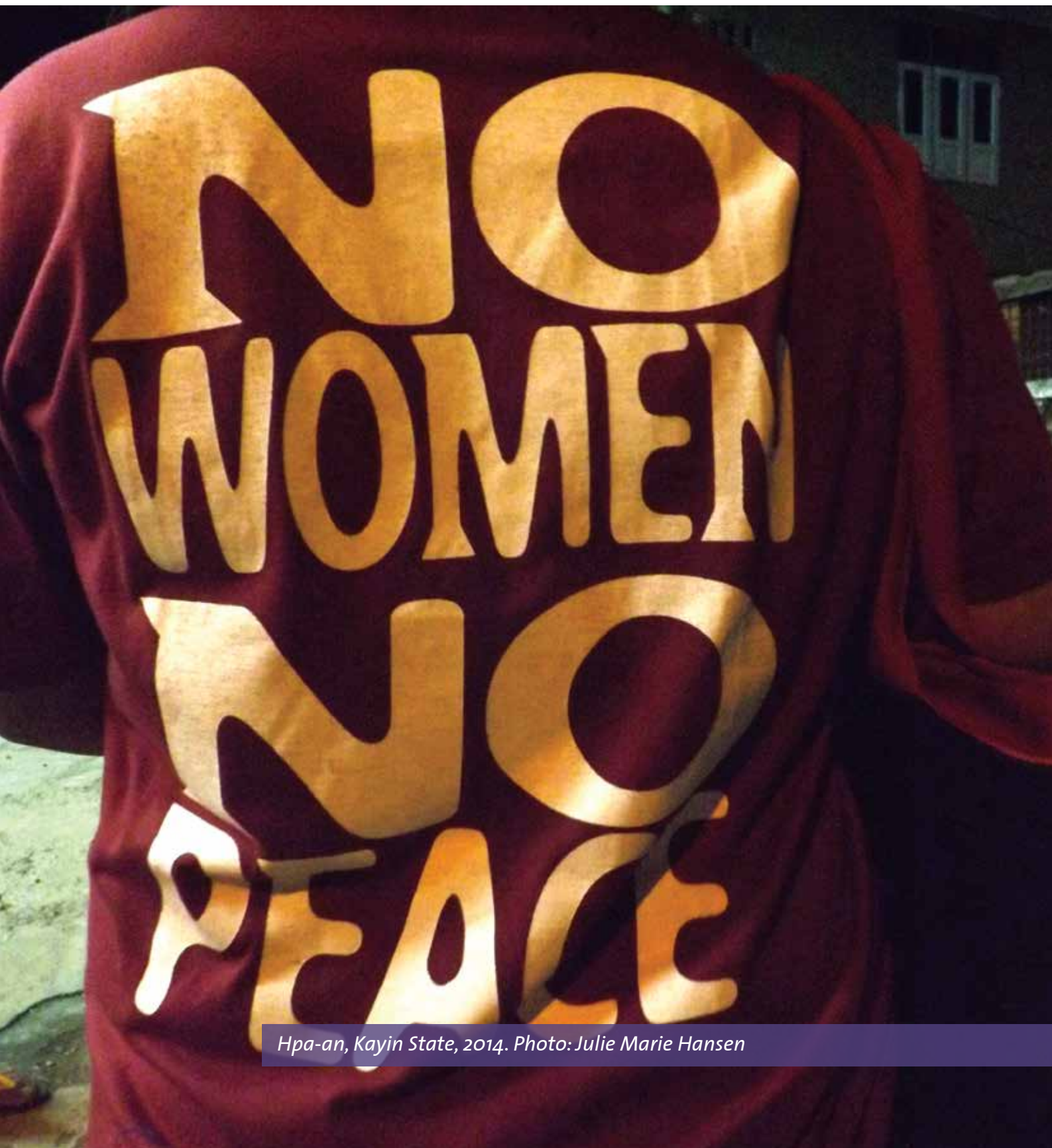
— interview with a CBO representatives, Mawlamyine, 27 July 2014

Families employed collective approaches and certain measures to protect women and girls against the risk of SGBV:

In the past when the troops came most women don't tell each other when they get raped. But after it happens the family knows. So the family makes a hole in the ground and when the troops come again then the family hides. Or the family moves to the city to avoid rapes.

— interview, Mawlamyine, 16 October 2014

While villagers and community members found it difficult to protect their land from seizure in conflict-affected areas, one respondent shared anecdotes of farmers and villagers who would destroy their own rice paddies if they knew that the troops were coming to their village so that the soldiers would not extort them or force them to labour on their own land.



Hpa-an, Kayin State, 2014. Photo: Julie Marie Hansen

LONG-TERM PEACEBUILDING

The new roles women played in Mon State during conflict and their desire for peace provided them with the opportunity to join CBOs and CSOs working towards peace. Women have played lead roles in many of these organizations and elsewhere, as illustrated in the following section.

INDIVIDUAL INITIATIVES ON PEACEBUILDING

Both male and female respondents maintained that a lack of access to information and exclusion from education plays a role in conflict. Women responded to this need both in terms of service provision and as a livelihood strategy:

“One female respondent ran an informal education centre out of her home, offering courses for 11-13-year-old youth in computer training and “capacity building” courses that consisted of English, history and politics. Her rate for the classes ranged from 4000–5000 kyat per month.

— Case 1: interview, Mawlamyine, 25 July 2014

“Another female respondent also ran an informal education centre out of her home, but with a slightly different approach. She opened up her home to the young children of migrant workers around the Thai border who could not return home every night to care for their children. She cared for them, housed them, fed them and ensured that they went to school and completed their homework. At the time of the interview, she was housing 13 children in her home. They slept five or six to a bedroom on straw mats on the floor and ate all their meals together. She asked for 40,000 kyat a month from their parents for this “all-inclusive” approach.

— Case 2: interview, Mawlamyine, 25 July 2014

On the individual and informal level, women have engaged in subtle yet effective ways to address and transform traditional and social norms that lock men and women into certain power dynamics within households and communities. For example, a female respondent, prominent in her community as a civil society leader, said that she openly shares the way her household works with others. As most of her work in civil society

organizations and networks is voluntary, she has to find means of economic support. Due to this extra burden, she says that she and her husband have alternative social arrangements within their home in which they share the housework equally and make decisions on important issues together. She says that she shares this with other women in her civil society networks and organizations, and she hopes that this alternative arrangement can serve as a model for transforming traditional gender roles in households and communities.¹⁰⁸

Many respondents acknowledged traditional and cultural norms surrounding the secondary status of women as the main barrier to greater women's participation in the peace process. Several respondents, both women and men, acknowledged that this transformation must begin within the household—only then will it be possible to change discrimination against women at a higher institutional level.

COMMUNITY-BASED PEACEBUILDING

The interview responses illustrated the rich and extensive network of CBOs and CSOs in Mon State that address peacebuilding. Women play active and leading roles in many of these organizations. Activities range from direct support and service provision in IDP and refugee camps, to information-sharing and awareness-raising about the peace process with community members (especially women and girls), to promoting women's human rights. The most immediate trend apparent from the respondents and their responses is that the vast majority of CBOs and CSOs are led by women, made up of women, and, with the exception of HURFOM, focus on social issues like health, education and community organizing – issues related not just to women's interests, but to their families (including children and the elderly), and their communities.

Many of these organizations have a strong women's rights approach underlying their activities. The Mon Women's Organization (MWO) and Mon Women's Network (MWN), for example, are striking examples of how, through service provision, awareness-raising, community-building and other civil society "functions,"¹⁰⁹ women demonstrate skills, abilities and raise specific concerns that should also be included in more formal peacebuilding structures. The remarkably active and extensive CBO and CSO networks is a women's strategy in itself that simultaneously mitigates the impacts of conflict and contributes to peace efforts, albeit on a community level through co-ordinated collective mobilization and action.



108 Interview, Mawlamyine, 29 July.

109 Paffenholz 2009.

The following is a non-exhaustive list of CBOs and CSOs active in peacebuilding as identified by local partners in Mon State: the MWO, the MWN, the Girl Aspiration Project (GAP), the Mon Youth Progressive Organization (MYPO), the Myanmar Youth Educator Organization (MYEO), the Border Health Initiative (BHI), the Mon National Teacher Group, Shin Saw Pu, Myanmar Maternal and Child Welfare Association (MMCWA), the Civil Society Development Network, and the Mon Civil Society Organization Network.

Women's peacebuilding work through CBOs and CSOs can be categorized as follows:

- **Data collection, analysis, stocktaking, and reporting on gender equality and women's rights:** Groups engage on data collection, including on SGBV, to advance the peace agenda. HURFOM is a key organization in this regard, producing monthly human rights reports and documenting abuses on a number of different issues, from land rights to trafficking in women and girls. CBOs and CSOs are also beginning to explore a crucial opportunity for greater civil society involvement in the peace process—civilian ceasefire monitoring. While this initiative has not yet been implemented, organizations such as the MWO and the Shalom Foundation are collaborating to map out the strategy and logistics, as well as to enlist and build the capacity of volunteers and community members who will undertake the actual monitoring. What that looks like on the ground remains unclear, but CSOs and CBOs view this as a key role for themselves in finding a way to liaise between the Government and the armed groups. Both male and female respondents agreed that this was a key entry point for women's involvement in the peace process. As a result of dedicated monitoring of abuses by HURFORM and other organizations, national and international organizations have been able to use data, evidence and testimonies to generate political will and understanding to address these rights abuses. As the lack of data on women's specific concerns in conflict is a pervasive problem in rural communities, the contributions of organizations engaged in data collection and analysis on women's rights facilitates gender-sensitive policy and practices in peacebuilding.
- **Establishing extensive networks:** Numerous CSOs and CBOs work on a large spectrum of issues related to women and peacebuilding. The strategy of establishing networks is key for organizational efficiency, mutual support and information-sharing. The sheer size and reach of these networks is one of the most conspicuous and remarkable features of how CBOs and CSOs operate in the region. For example, the MWO was established before the 1995 ceasefire as a women's unit of the NMSP, and grew after the ceasefire in membership and recognition. In 2012, the MWO consisted of women's groups from the township and village level,

with a total of about 100 women members, according to a respondent engaged in the organization. The Civil Society Development Organization consists of an impressive 43 organizations that collaborate on peace and development activities in Mon State. These women's networks have generated a better awareness of the conflict context and the need for effective conflict monitoring, and been strong advocates for women's socio-economic and political empowerment.

- **Training and capacity-building:** Training and capacity-building are key activities for the majority of CBOs and CSOs. For instance, the Civil Society Development Organizations' main projects revolve around capacity-building on freedom of association; coordination and mobilizing of farmers and labour organizations; training on land laws and land rights; women's development; organization and management trainings on project management; civic education; leadership and stronger civil society. The MWO, HURFOM and several other CSOs also list training and capacity-building as a major organizational activity. This results in capable women who have the substance and skills related to strategic negotiation, including communication and advocacy skills; technical knowledge on substantive issues such as human rights, land rights and ceasefire monitoring; and an awareness of incorporating women's priorities in peace negotiations.

- **Awareness-raising and information-sharing:** Raising awareness and sharing information about the peace process and the role of civil society, especially among women, is also a major priority for many CBOs and CSOs. Many respondents noted the significant lack of access to information on and interest in engaging in the peace process. Organizations for women, girls and youth are especially active on the issue. The Girl Aspiration Project works to build confidence in young girls through raising awareness about the need for education to transform socially constructed barriers to girls and women's participation in the peace process, holding workshops and circulating information on UN Security Council Resolution 1325 and other international mechanisms. The Mon National Education Committee works to inform and engage women in the peace process by familiarizing them with issues such as the ceasefire negotiations. The MYEO, which promotes youth education, conducts consultations with community members regarding the peace process and development. The Mon Youth Network aims to act as an observer in the peace process, and to educate youth on why it is important to engage in the peace process. The focus on awareness-raising and mentoring girls in Mon State could result in a next generation of women with capacities to contribute directly to the peace process.

- **Access to and engagement with national political and with international actors:** CBOs and CSOs are well placed to formally liaise with a number of key political and international actors. For example, the MWO's connection to the NMSP allows it to advocate for greater women's participation in formal decision-making roles. In 2012, the MWO submitted an official statement urging a 30 per cent quota for women's participation in the peace process. They did not receive a reply, but were able to formulate this due to their legitimacy as an established organization that represents the interests of NMSP constituencies in the areas that they administer. The MWO also partners with the NMSP to respond to women's issues in conflict-affected areas. For example, if a case of SGBV is reported to the village head in sites in which the MWO has a presence, the village authority is required to notify the MWO. After the ceasefire, when the NMSP had to release control of many of its areas, it relied on MWO, HURFOM and other CBOs to liaise with them and share information so both the NMSP and CBOs could access villagers and community members needing assistance. CBOs and CSOs are also well placed to engage with international actors via funding, capacity-building, advocacy, and research and documentation partnerships. For example, HURFOM, as a human rights organization, was able to appeal to international donors, and now has a field reporter who can document and collect data in new areas. This has resulted in better and more consistent, targeted and concerted national and international advocacy for accountability to women and their concern.¹¹⁰



PART 3: MON WOMEN AND MEN IN THE PEACE PROCESS IN MYANMAR

The following section outlines Mon women's current participation in the NMSP, the bilateral peace negotiations between the Government and the NMSP, and the negotiations for a nationwide ceasefire agreement. It also explores the incorporation of Mon women's priorities in bilateral ceasefire agreements and the nationwide ceasefire negotiations. It argues that specific gender-based impacts of conflict and contributions to peacebuilding make the meaningful inclusion of women and their priorities key to the sustainability and reach of the peace process.

MON WOMEN'S AND MEN'S PARTICIPATION IN POLITICAL DECISION-MAKING AND THE PEACE PROCESS

Despite the numerous ways in which Mon women have been impacted by conflict and are contributing to peacebuilding, they are vastly underrepresented in formal structures and institutions, that seek to mitigate conflict and contribute to lasting peace.

The NMSP makes upper-level decisions through a Central Committee¹¹¹ and a Central Military Committee,¹¹² among others. Currently, only 1 out of 32 Central Committee members is a woman. There are no women in the Central Executive Committee.¹¹³ According to a representative of the All Mon Regions Democracy Party,¹¹⁴ they have no formal party provisions on women's participation, and there is only one woman in the Pyithu Hluttaw. The party's Women's Affairs Department consists of three women and two men, and is currently led by a man. It is, however, pushing for the institutionalization of a 30 per cent quota for women in the State Government.



111 Containing chairman, vice-chairman, general secretary and joint secretary positions.

112 Containing commander-in-chief and deputy commander-in-chief positions.

113 Khen and Nyoï 2014, p. 43. These numbers reflect the reality during the research period, May – December 2014. Numbers may have changed slightly since the time of publication.

114 This party is part of the state political system, not to be confused with the NMSP or another EAO.

In a 2014 gender analysis of the current peace process between the NMSP and the Myanmar Government as well as two bilateral ceasefire agreements signed in 2012, GDI-Myanmar cited a lack of gender sensitivity in relation to all issues addressed in the ceasefire agreements—there are no gender-sensitive clauses, for instance, in the two bilateral agreements.¹¹⁵ The study also found that the NMSP has no policy on gender mainstreaming; there is no position for a gender adviser; and there is no policy on setting women’s participation at 30 per cent in political dialogues. The study also highlighted women’s organizations active in the peace process, the presence of women observers at talks, and the presence of one woman, Mi Sa Dar, on the NMSP negotiation team.¹¹⁶

A government representative overseeing a number of development projects in Mon State who was interviewed for this publication pointed out that the vast majority of implementing staff are women. Similarly, an NMSP representative engaged in rural development projects at the village tract level works with five main groups—women, teachers, health workers, youth and retired soldiers—among whom he says women’s groups are the most active.

Both of these interviewees stated that while there are Constitutional provisions for both men and women to participate equally in political structures and processes, women are poorly represented because of institutional and cultural barriers and a lack of experience. To be seriously considered for the election phase of the NMSP, candidates should have at least three years of experience within the party. “Women tend to leave the party after less than three years, lacking continuity and experience,” says the NMSP representative. This is often due to structural factors within the party and within society: parties often do not provide women with options for child care, mentorship, and training. In many cases, women simply do not have the time it takes to run a full-fledged candidacy because of their socially-mediated roles as primary caregivers and caretakers of households.

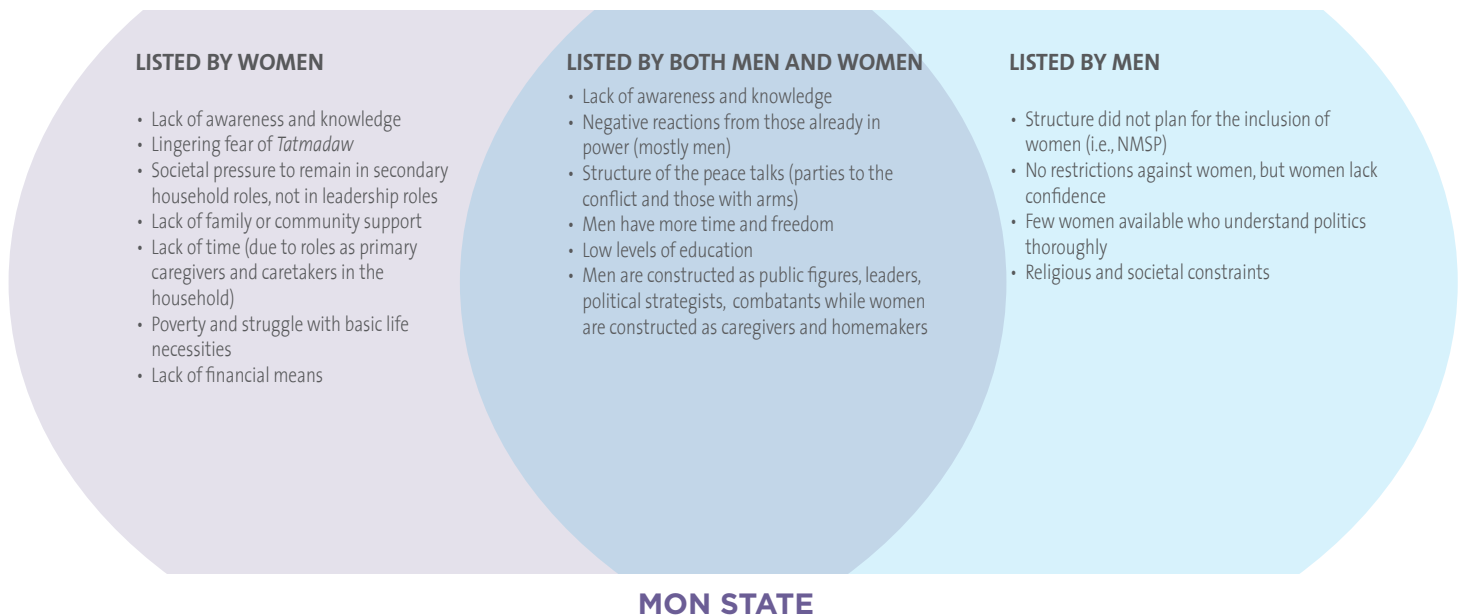
Women reinforced the fore-mentioned reasons for their political exclusion. Lack of awareness and knowledge, they say, is attributable to the secondary household role they play and the sheer lack of time, given the volume of domestic and community work. While women do participate in government, they are still restricted to secondary and supportive roles, and have few opportunities to occupy positions of decision-making.

115 Khen and Nyoï 2014, p. 39.

116 It is unclear what position this is or who holds it.



The following diagram outlines the most common barriers and obstacles to women's greater participation in the peace process, listed by respondents:



Institutional barriers and traditional cultural norms were by far the most common barriers to women's increased representation and meaningful participation in the peace process. In Mon State, the traditional role of men as leaders, decision-makers, combatants and primary breadwinners in households and communities relegates women to secondary breadwinners (if at all), whose primary role is to bear and raise children. Traditional cultural norms embed themselves in social relations and structures marginalizing women from decision-making. Some female respondents noted:

“*Before the ceasefire, the experience that we had was that women never got involved in decision-making roles, so whatever the leader decides, we just follow.*”

— interview, Mawlamyine, 21 July 2014

“*That is maybe because of the traditional culture that we have. Women also believe that, oh yes, that is the tradition, no need to complain and then we will accept whatever.*”

— interview, Mawlamyine, 21 July 2014

A male respondent who actively and formally champions women's rights and women's greater formal participation in political and peace structures recounts numerous instances when his colleagues and friends laugh at him as he makes his case for women:

“I introduce my position and responsibility everywhere I go. When I (tell) them that I am the head of Women Affairs Committee, they laugh at me because most of them are men.”

— interview with a state level political party representative, Mawlamyine, 29 July 2014

Other male respondents acknowledged that women have the same opportunities as men, but the reasons they don't get elected related to their lack of confidence in themselves. Some still saw women as inherently weaker and ineffective in political positions that require technical knowledge and a “stronger” disposition:

“In other ways, there may be some views on the participation of women. What I mean is that some people don't want to give place to the women. They don't trust women. Some people may have the opinion that nothing will happen if women involve in it and there will be no effect. We need to fight this kind of opinion. We need to explain that their involvement is important. There are people who disrespect women in the meeting and it could be also a reason to lose their confidence.”

— interview with a CSO worker, Mawlamyine, 29 July 2014

“There are some men who have the ideology that women are weak and unable to (do) anything. For example, in establishing an organization, we can see that they don't want to give a leading position to women. This is still happening everywhere. Although they may have the same capability and talent, men are given opportunity. It might not be discrimination, but it is happening.”

— interview with a CSO worker, Mawlamyine, 29 July 2014

Structurally, many barriers originate from the rigid gendered-division of labour and the lack of support for women in the domestic and care roles. Women who are interested in engaging in peacebuilding more formally must also undertake their “second shift”¹¹⁷ of raising their children and ensure that the household functions well:

“*If the husband is the head of the household, there are fewer efforts that the women need to put. When a woman became the head of the household, she needs to take care of the income and expenses and take care of the household chores at the same time. She has to put in twice as much effort.*”

— interview, Mawlamyine, 28 July 2014

Some barriers are simply consequences of women’s lack of education or financial means to travel extensively and be away from their children and families for longer periods of time.



WHY ADVANCE THE INCLUSION OF MON WOMEN AND THEIR PRIORITIES IN THE PEACE PROCESS

The foregoing discussion makes it obvious that Mon women’s participation in current political and peace processes will add value. They offer specific experiences, knowledge and capacities, and can highlight otherwise overlooked vulnerabilities that need to be addressed for peace to take firm root. Summarizing some of these factors from the Mon experience can help articulate more cogently how the inclusion of women and their priorities makes for more effective and sustainable peace processes.

Women's Equal Right to Representation in All Aspects of the Peace Process and to Seek Reparations

- Mon women have an equal right like men to participate in all aspects of the peace process and post-conflict governance. This is in line with the Constitution of Myanmar,¹¹⁸ the National Strategic Plan for the Advancement of Women 2013-2022,¹¹⁹ and international human rights standards that Myanmar has endorsed such as CEDAW, 1979¹²⁰ and the Beijing Platform for Action, 1995, UN Security Council resolution 1325 and related resolutions.¹²¹ Women’s equal representation in all aspects of the peace process is also an expression of democratic and accountable governance.
- Women have a right to seek post-conflict redress and reparation for harm suffered and damages they have incurred.



118 The Constitution of the Republic of Myanmar (2008) outlines women's equal rights in Chapter VIII: Citizen, Fundamental Rights and Duties of the Citizens (clauses 347 – 351)

119 The National Strategic Plan for the Advancement of Women (2013-2022) states that a key objective is to strengthen systems, structures and practices to ensure women's right to protection in emergencies, and to ensure their participation in emergency preparedness and response, and disaster and **conflict risk reduction**. It calls for practical initiatives by designated focal ministries that focus on (a) training; technical support; improved recording and handling of cases of violence against women by police, military, local authorities, community-based organizations and other agencies; and a Plan of Action addressing Security Council resolutions about conflict-related sexual violence; (b) women's equal access to protection, resources, benefits and services in natural disasters **and conflict situations**; and (c) equitable representation of female and male members in preparedness, relief, response, resettlement and civil society-based working committees.

120 “States Parties shall take all appropriate measures to eliminate discrimination against women in the political and public life of the country and, in particular, shall ensure to women, on equal terms with men, the right: (a) to vote in all elections and public referenda and to be eligible for election to all publicly elected bodies; (b) to participate in the formulation of government policy and the implementation thereof and to hold public office and perform all public functions at all levels of government; (c) to participate in non-governmental organizations and associations concerned with the public and political life of the country” (Article 7 of the Convention on the Elimination of all forms of Discrimination against Women).

121 Beijing Platform for Action (Chapter IV; E; clause 133) states that: “Violations of human rights in situations of armed conflict and military occupation are violations of the fundamental principles of international human rights and humanitarian law as embodied in international human rights instruments and in the Geneva Conventions of 1949 and the Additional Protocols thereto. Gross human rights violations and policies of ethnic cleansing in war-torn and occupied areas continue to be carried out. These practices have created, inter alia, a mass flow of refugees and other displaced persons in need of international protection and internally displaced persons, the majority of whom are women, adolescent girls and children. Civilian victims, mostly women and children, often outnumber casualties among combatants. In addition, women often become caregivers for injured combatants and find themselves, as a result of conflict, unexpectedly cast as sole manager of household, sole parent, and caretaker of elderly relatives.” As clause 134 states, in a world of continuing instability and violence, the implementation of cooperative approaches to peace and security is urgently needed. The equal access and full participation of women in power structures and their full involvement in all efforts for the prevention and resolution of conflicts are essential for the maintenance and promotion of peace and security. Although women have begun to play an important role in conflict resolution, peace-keeping and defence and foreign affairs mechanisms, they are still underrepresented in decision-making positions. If women are to play an equal part in securing and maintaining peace, they must be empowered politically and economically and represented adequately at all levels of decision-making.

Women's Unique Knowledge and Understanding of the Impacts of Armed Conflict on Themselves and Families

- Mon women have their own unique knowledge and understanding of the specific impacts of armed conflict garnered through their direct experience of conflict in their different roles as combatants, nurturers, protectors, conflict mitigators, peace advocates and peace builders or through their active roles in monitoring women's human rights.
- Women as caregivers also understand in great depth how conflict affects children, the elderly, the ill - groups other than themselves. For example, they are very aware that if children are marginalized from education and youth from jobs, they will turn to guns.

Women's Unique Understanding of Peace, and Greater Desire for Peace

- The Mon experience demonstrates that women view peace not just from the perspective of an absence of hostility, tension and violence, but as a situation marked by justice, equality, freedom and development for all—the absence of which are root causes of conflict. They believe that there can be no peace without development and no development without peace. This is also demonstrated by the extensive peacebuilding work that Mon women are engaged in to create more inclusive development—through education, for instance, and in calling for an alternative to arms.
- As elsewhere, Mon women in their socially mediated roles are neither the ignitors of conflict nor the majority of combatants. Through their nurturing and caring roles, they demonstrate a greater desire for peace, as they realize that conflict thwarts healthy socialization, the development of stable human beings and sustainable communities. Men by contrast tend to be preoccupied with combat.

Women's Knowledge, Skills, Resources and Efforts at Conflict Resolution and Prevention, Protection and Peacebuilding

- Mon women have learned that troop movement in the vicinity of their locales and troop entry into villages are potential signs of impending conflict. Through their community networks, knowledge of the local terrain, and adept word-of-mouth communication, they devised means of concealing themselves or family members in different areas around their home—from deep holes in the ground covered with bamboo and grass, to wells, toilet areas, unused lofts and stables or organize quick flight, thus mitigating conflict and protecting themselves and their communities.
- Women's socially acquired skills for surviving, circumventing barriers, diffusing tension, mediating conflicting interests, building trust, and listening with their heads and hearts make them good leaders and negotiators—skills that complement men's and are critically needed for conflict resolution and prevention. Mon women shared, for instance, how they invited troops to a meal as a delaying tactic to give their husbands, brothers and fathers the opportunity to hide or escape.
- Mon women have collected and analyzed data on the situation of women on the ground. This is critical for policy advocacy and reform and effective implementation of policies and programmes. They have demonstrated their ability to work closely with the NMSP and have begun to get its attention in terms of gender equality and women's rights in the peace process as well as to ensure that cases of sexual violence reported to the authorities are referred to the Mon Women's Organization, for their involvement as well. They have also demonstrated their ability for local, national, regional and global networking, and have obtained national and international resources to support their advocacy and capacity-building to influence current peace negotiations and long-term peacebuilding on women, peace and security. In their socially mediated roles as mothers and teachers, they have demonstrated their ability for advocacy and awareness-raising to promote peace through initiatives on education and shared domestic responsibility as a model for others to follow. A rich network of CBOs and CSOs, including the Mon Women's Organization, HURFORM, the Mon Women's Network and others are engaged in peace building work related to building women's leadership capacities, their knowledge and capacities on access to land rights, engagement with the peace process, and the need for education.

Women's Ability to Best Represent Their Own Interests

- Women are best able to represent their own priorities and ways in which they can contribute to all aspects of the peace process, given their in-depth understanding of how they experience and cope with conflict, and how they contribute to peace.
- Women are able to forge cross-ethnic and cross-sectoral alliances with other women and ally with a range of stakeholders to obtain a common women's peace agenda..

Women's Greater Ability to Address a Wider Range of Interests and Priorities in Peace Agreements Than Men, making for Greater Inclusiveness and Sustainability

- Women in their socially prescribed nurturing and caregiving roles have a good understanding of the impacts of conflict on children, the disabled, the ill and the elderly. Mon women in their peacebuilding work with varied population groups address the particular development needs of different vulnerable groups.

Women are thus more likely than men to represent not just their own interests, but the interests of a range of groups on social and economic issues such as health, education, water, sanitation, livelihoods, shelter, safety and security, etc., making for more representative, comprehensive and sustainable peace agreements.

Women's impressive knowledge, repertoire of skills, resources and leadership styles complement those of men, making for more effective peace negotiations and agreements. That women and their priorities must be included in political decision-making and the peace process, was strongly reinforced especially by women respondents, and men.





Hpa-an, Kayin State, 2014. Photo: Julie Marie Hansen



Myanmar

Kayin state

Mon state

3

Chapter III **KAYIN STATE**

PART 1: INTRODUCTION: KAYIN STATE

DEMOGRAPHIC AND SOCIO-ECONOMIC CONTEXT

Kayin State comprises a long stretch of mountainous land in the south-east of Myanmar running along part of the country's border with Thailand. The state is also bordered by the Mandalay Region and Shan State at its northernmost tip, and by Kayah State to the north-east. Along the western border are Mon State and the Bago Region. Preliminary findings from the 2014 census show the population of Kayin State to be 1,502,609¹²², while some estimates show the population of Kayin ethnic people living both inside Kayin State and other regions in Myanmar somewhere between 2-5 million.¹²³ There are thought to be currently over 89,000 IDPs in Kayin State and around 52,000 Kayin refugees in Thailand.¹²⁴

The majority of those living in the state belong to the Kayin ethnic group, which consists of a range of unique cultures and languages, including the Sgaw, Pwo, Bwe and Paku Kayins. People from non-Kayin groups such as the Shan, Pa-o, Mon and Bamar ethnicities also reside there. The majority of inhabitants, 67-80 per cent, are Buddhists, while Christianity is embraced by 15-30 per cent of the population and Islam and others by a much smaller proportion.¹²⁵

Traditionally, the majority of families in Kayin State depend on agriculture. The most common cash crops include rice, sugarcane, coffee, cardamom and rubber, as well as seasonal fruits and vegetables.¹²⁶ Rubber and sugarcane cultivation has expanded recently with the development of thousands of acres of plantations.¹²⁷ Land is thus an essential asset for local people: "As expensive possessions and large financial savings are infrequent, wealth is inextricably linked to land."¹²⁸ Land ownership tends to be informal and customary legal rights to land prevail.¹²⁹



122 Myanmar Ministry of Immigration and Population 2014.

123 Figure from 2012; UNHCR 2014a, pp. 1-2.

124 UNHCR 2014a, p. 1.

125 UNHCR 2014a, p. 3.

126 UNHCR 2014a, p. 7.

127 UNHCR 2014a, p. 8.

128 KHRG 2006, p. 24.

129 Ibid.

Animal husbandry is another source of livelihood. Men raise large livestock such as cows, and women breed small livestock like chickens and pigs.¹³⁰ Men find other livelihood opportunities in trading or working as labourers, which involves travelling to neighbouring villages or towns.¹³¹

A lack of employment opportunities in Kayin State has led to people migrating to countries like Malaysia and Thailand in search of work.¹³² For those who remain, an inadequate education system has meant that many find it extremely difficult to obtain jobs in civil society organizations or government, where they are perceived as lacking the necessary qualifications.¹³³ Thus, agriculture remains the dominant source of livelihood for many in the state, with small businesses and cross-border trade providing some other opportunities for income.¹³⁴

Following the 2012 ceasefire between the Kayin National Union (KNU) and the Myanmar Government, Kayin State has enjoyed higher levels of stability, which has increased the levels of mobility and economic activity. This has led to greater international investment and commercial interest in the area, especially in the manufacturing sector.¹³⁵



130 KHRG 2006, p. 16.
131 Ibid.
132 CPCS 2010, p. 253.
133 CPCS 2010, p. 253.
134 Ibid.
135 UNHCR 2014a, p. 8.

HISTORY OF THE CONFLICT

The Kayin region has been ruled as part of various Burmese kingdoms and dynasties for much of its history. Following the two Anglo-Burmese wars in the 1800s, the last dynasty of Myanmar, the Konbaung Dynasty, was defeated by Britain and the Kayin region came under British colonial rule. In 1947, with Myanmar's independence in sight, Kayin leaders began a movement for the region's self-determination and an independent Kayin state.

Kayin leaders were dissatisfied with the prospects of a Bamar-dominated independent Myanmar, reportedly due to abuses perceived as perpetrated against the Kayin people by the armed forces and militias belonging to Myanmar's dominant ethnic group during and after the Second World War.¹³⁶ This perception was coupled with a strong sense of nationalism rooted in campaigns by the Karen National Association (KNA). The KNA has sought to forge a common Kayin identity since its formation in 1881. Its leaders have viewed an independent state of their own as the only way to live peacefully and free from oppression.¹³⁷ As such, on 5 February 1947, one month after the Aung San-Atlee Agreement¹³⁸ was signed, three organizations, including the KNA,¹³⁹ merged to form the KNU.

The KNU refused to sign the 1947 Panglong Agreement that would unite the formerly British-controlled regions under an independent Burmese-led Myanmar, and instead demanded the right to decide their future in either an independent state named Kawthoolei or an autonomous region.¹⁴⁰ When in 1949 the demand for self-determination remained unfulfilled, the KNU took up arms against the new Central Government, at first utilizing local militia groups collectively known as the Karen National Defence Organisation (KNDO), and then in 1966 mobilizing a military wing called the Karen National Liberation Army (KNLA).¹⁴¹ Despite a history of splits and the existence of a number ethnic armed organizations in Kayin State – the Democratic Karen Buddhist Army, now renamed the Democratic Karen Benevolent Army (still DKBA), KNU/KNLA Peace Council (KPC), Brigade 5 and others, each with their own equation with the government, the KNU remains a significant political force for the Karen people.



136 KHCPs 2006, p. 8.

137 KHCPs 2006, p. 8.

138 An agreement signed by General Aung San and British Prime Minister Atlee stating Myanmar would gain independence by 1948.

139 The other organizations were the Buddhist Karen National Association (BKNA), the Karen Central Organisation (KCO) and the Karen Youth Organisation (KYO).

140 UCDP n.d.

141 Ibid.

THE CURRENT PEACE PROCESS

According to the majority of interview respondents for this study, the security situation in Kayin State improved after the bilateral ceasefire agreements signed between the Union Peacemaking Work Committee (UPWC) and the KNU in 2007. Women respondents noted that there is no more heavy shooting; there is freedom to move, to raise poultry and pigs, and to work with ease and tranquility.¹⁴² Other respondents disagreed. A male interviewee from Hpa-an Township said that he is not confident enough and is not expecting much from the current peace process because he does not see tangible results of agreements signed between the two conflicting parties. According to him, a nationwide ceasefire agreement has not been signed, and no clear framework or political dialogue process has been developed. As one respondent noted, the road to peace will be long:

“As the conflict in the country has lasted for 60 years, so the finding a solution will not happen within one or two years.”

— interview, Karen Affairs Committee, Hpa-an, 17 August 2014

Despite general optimism from respondents, who view the current peace process as more transparent and offering greater chances for success compared to previous processes, important issues remain unaddressed. Transitional justice was highlighted as a key issue, with one female respondent from Hpa-an stating:

“The people feel hurt for many years suffering from a sense of injustice...so that the people do not feel much sure.”

— interview, Hpa-an, 16 August 2014



PART 2: WOMEN IN ARMED CONFLICT: GENDER-BASED ROLES, IMPACTS, IMMEDIATE RESPONSE STRATEGIES AND CONTRIBUTIONS TO PEACE

GENDER ROLES IN KAYIN SOCIETY IN PEACE AND IN CONFLICT

Women in Kayin State are generally perceived as home-makers primarily responsible for domestic work and childcare. They also hold decision-making power related to household finances and childcare.¹⁴³ Despite women's primacy in the domestic sphere, men are deemed heads of the household, relegating women to a secondary position. Men also dominate the public sphere. While both women and men are engaged in agriculture (with women representing almost half the agricultural labour force as in Mon State) or travel outside the village for work, the gendered division of labour is still evident. As in many other states across Myanmar that are heavily reliant on agriculture as a primary means of livelihood, men are socially expected to carry out "heavy" work such as raising large livestock and working in the fields, while women do the "lighter" work like breeding small livestock such as pigs and chickens, and tending to family matters.¹⁴⁴ As in Mon State, the specific contribution of women to the agricultural sector and their disproportionate reliance on it as a means of livelihood (compared with men) is not to be understated.

In Kayin State, there is occasional flexibility in the gendered household division of labour, possibly more so than in other states. In some Kayin households, men help with domestic work and childcare. There is a generational difference as well: Boys and girls are encouraged to work in both the private and public spheres, and as adults are therefore less likely to perpetuate a rigid gender division of labour.¹⁴⁵ Likewise, women occasionally work with their husbands in the field or raise cattle when their husbands are travelling. In many communities and villages, however, women rarely work outside their homes or communities as gendered norms render this



143 KHRG 2006.

144 Ibid.

145 KHRG 2006.

behaviour inappropriate. Women who do paid public work, beyond helping their husbands in agriculture, may be gossiped about or stigmatized by other women and the community at large.¹⁴⁶

Notably, Kayin culture is understood to emphasize respect for community elders, and as such, older women enjoy some form of “maternal authority,”¹⁴⁷ exemplified by the following comment:

“When I talk, I have the right to speak because of my old age.”

— interview, Hpa-an, 14 August 2014

While Kayin women are actively engaged in community work, it is often in the realm of women’s traditional domains such as social welfare, and the preservation of culture and religion. Christian women often play lead roles in church support groups and Buddhist women are frequently responsible for exercising oversight over temple offerings and alms. Women are rarely community or religious leaders - positions occupied by men.¹⁴⁸

KAYIN WOMEN IN ARMED CONFLICT

While Kayin women have taken up arms as female combatants alongside men, they have also played supportive roles, such as providing food, health services and shelter to combatants. Aside from these additional responsibilities, they often also respond directly to the needs of communities affected by conflict.¹⁴⁹ As civilians, they have not been passive victims, but active agents in protecting their families and communities against violence and preventing the escalation of hostilities. As a result of the armed conflict, Kayin women have taken on new roles previously dominated by men, such as liaising between the KNU and *Tatmadaw* or village heads. One female respondent told the authors that village leaders have sent women to be messengers and liaise between the KNU and the *Tatmadaw*:

“They don’t send men. If men are sent, they will be killed by the other side. Women like to do it because they don’t want her husband to be killed.”

— interview, Hpa-an, 5 October 2014



146 Ibid.
147 Ibid.
148 Ibid.
149 Ibid.

When asked about whether there was any concern for women’s safety, the respondent replied that although there was the risk and fear of sexual assault while waiting in the shelter where the messenger is stationed, women are sent anyway on the premise that they are less at risk, leaving them to protect themselves:

“*Only the woman worries about the woman. If her husband is sent, it is inevitable he will be killed. The woman just needs to protect herself.*”

— interview, Hpa-An, 5 October 2014

GENDERED IMPACTS OF THE ARMED CONFLICT IN KAYIN STATE

As in many other conflict-affected areas in Myanmar, the military Government used the “four-cuts strategy”¹⁵⁰ in Kayin State to sever links between EAOs and the civilian population. Cutting off food, funds, information and recruitment resulted in many civilians not only being deprived of basic necessities of life, but suffering violations by the *Tatmadaw* and the EAOs. The four-cuts strategy and the resulting human rights violations and negative impacts of the armed conflict affected women differently from men.



Hpa-an, Kayin State, 2014. Photo: Julie Marie Hansen



150 U Ne Oo 1996.

PHYSICAL: ARBITRARY DETENTION, PHYSICAL ABUSE, TORTURE AND KILLINGS

Interview respondents in Kayin State identified perpetrators of human rights violations from both sides of the conflict, claiming that:

“ Villagers are victims of both the KNU and Tatmadaw.¹⁵¹ ”

All armed actors reportedly perpetrate abuses to varying degrees against the local people in Kayin State. The local Kayin Human Rights Group claims that while the *Tatmadaw* and its associated groups perpetrate many serious human rights abuses, local EAOs are complicit as well.¹⁵² Women, children and men have been subjected to arbitrary detention in Kayin State, mostly under the suspicion of associating with the “enemy.” Respondents highlighted that both the *Tatmadaw* and the EAOs were responsible for acts of arbitrary detention:

“ If children’s fathers were in the KNU, the children and family are arrested by the military and then released. The village militias from the KNU put many people in jail, because they suspect them of sharing information. ”

— interview, Hpa-an, 6 October 2014

Respondents noted that men suspected by the *Tatmadaw* of being in or associated with the KNU/KNLA were arbitrarily detained, and during detention were often tortured and even killed. The temporary absence of men in villages increased women’s risk of other human rights violations, as they found themselves in “situations of heightened vulnerability and responsibility” that could lead to injury or death.¹⁵³ Women suspected of associating with KNU/KNLA members have reportedly been subjected to arbitrary detainment and torture to elicit information on where the men are and what they are doing.¹⁵⁴



151 Men’s focus group respondent, Hpa-an, 6 October.
152 KHRG 2013.
153 KHRG 2006, pp. 26-27
154 Ibid

FORCED LABOUR

Various groups have reported forced labour, including as porters, as a widespread human rights violation throughout the armed conflict in Kayin State. For example, the Karen Women's Organization (KWO) in a 2007 report suggested that 90 per cent of human rights abuses related to forced labour.¹⁵⁵ Local people have been forced to carry military loads such as rice, weapons and ammunition, as well as to build roads, army camps and other buildings, and function as sweepers for mines.¹⁵⁶

Interview responses reflected the prevalence of "forced portering" in Kayin State throughout the conflict. It has mainly entailed government soldiers taking healthy, strong male villagers from their villages. According to the majority of respondents, the fear of being a porter and subsequent ill-treatment led many Kayin men to flee their homes upon signs of military deployment to their localities:

Men who are young and strong flee because they are the ones who will be made porters if they stay. The elderly, sick, women and children stay behind in the village.

— interview, Hpa-an, 6 October 2014

Porters faced harsh conditions; one respondent described them as only occasionally receiving food, and being beaten, kicked and punched by soldiers.¹⁵⁷

Although respondents viewed forced portering as the main way in which men in Kayin State have been affected by armed conflict, women were also subject to it. With men fleeing villages, women were taken in their place.¹⁵⁸ Some took on a protective role of sorts: "By remaining to receive the brunt of abuse, women served, in some respects, as the protectors of men who are thus able to evade military personnel"¹⁵⁹ However, women were also taken as porters while men were still present in villages, as recorded in a Karen Human Rights Group (KHRG) report, 1993 documenting testimonies by Karen women.¹⁶⁰

The KHRG report showed that female porters were also forced to carry weapons and food for soldiers. A respondent for this study noted that female porters were also made to transport bamboo down from mountains, and



155 KWO 2007.

156 Ibid.

157 Male interview respondent, Yangon, 13 October.

158 KHRG 2006, p. 26-27.

159 Ibid.

160 KHRG 1993.

carry out camp services such as cooking and cleaning, setting up tents and constructing shelters.¹⁶¹ Other tasks reportedly included burying the bodies of deceased soldiers and carrying torches at night while wounded soldiers were transported back to camps from the front line.¹⁶² Women who fell pregnant as a result of rape faced stigma upon returning to their villages. Many sought terminations, which resulted in further difficulties due to unsafe abortions and financial debt for abortion services.¹⁶³

The KWO has reported that female porters experienced increased risk of sexual abuse.¹⁶⁴ It documented the rape of women while working as forced porters for government military troops and some cases of so-called “comfort women” for soldiers.¹⁶⁵ Women porters also faced verbal abuse and other forms of physical abuse such as beatings, as well as having to live in harsh conditions with little food and water; little or no medical attention or treatment; and difficulty in maintaining personal and sanitary hygiene, all while walking for long periods carrying heavy loads with no breaks.¹⁶⁶



161 Male interview respondent, Yangon, 13 October.

162 KHRG 1993.

163 Ibid.

164 KWO 2007.

165 KWO 2004, p. 17.

166 KHRG 1993.

WOMEN WHO STAYED BEHIND

Men often fled due to the threat of forced conscription as porters, arbitrary detention or torture. Sometimes they were killed by landmines or as a result of the violations described above. As one respondent explains:

In areas where the conflict is nearby only women and children are left in the villages. When the military deploys to the area, the men run away because they are afraid of being forced to be porters. Women stay behind with the children.

— interview, female focus group respondent, Hpa-an, 5 October 2014

Women who stayed behind often shouldered the sole responsibility for ensuring family survival. This led to an increased workload, sometimes causing physical and emotional stress and other health concerns.

Women take the lead in the family economy. They can't send their children to school because they can't afford it. Living conditions are destroyed. In most cases they can't withstand the economic hardship, but they try very hard to maintain survival.

— interview, male focus group respondent, Hpa-an, 6 October 2014

Ensuring family survival often meant that women had to migrate for work within or outside Myanmar, placing large numbers at risk of being exploited or trafficked. Vulnerability to extortion and looting exacerbated these hardships.

Respondents also saw women who stayed behind in villages as more susceptible and vulnerable to extortion. Many believed that the *Tatmadaw* viewed women as easier targets for looting, citing instances where soldiers would demand livestock and valuables from women in the absence of their men. There have been cases of government military soldiers extorting money from women they suspected were related to KNU members.¹⁶⁷



“In the war zone where the government and the ethnic armed group are having a conflict, both sides do not trust the village. Both of them are suspicious of the villagers for joining their enemies. If the soldiers came from any side, they have to offer food and cattle for them. The lives of the civilians are not good. They are scared of both sides.”

— interview, Hpa-an, 14 August 2014

“When the military see only women in the village, they make big demands, for livestock for example. And the women fulfill these demands.”

— interview, Yangon, 13 October 2014

The threat of rape and other violence restricted women’s mobility, limiting opportunities for them to engage in livelihood and income-generating activities. Respondents said that women in their communities did not want to leave their homes or villages for fear of being raped as well as killed:

“Women are afraid to go out, they do not feel free, they are not free to go around as they want.”

— interview female respondent, Hpa-an, 5 October 2014



Hpa-an, Kayin State, 2014. Photo: Julie Marie Hansen

DEATH OF HOUSEHOLD PROVIDERS

In Kayin State, the death of the male provider of the household as a result of armed conflict had a significant economic impact on women and the household. Women bore the burden of being the sole income earners in an overall crisis situation, imposing workload increases and intensifying their stress levels. The impact extended to children, who often had to leave school to work in order to help support their families. One male respondent explained the strains his family felt when his father was killed by the *Tatmadaw* after being suspected of having an association with the KNU. His story bore similarities to accounts from several other respondents of children having to take on new responsibilities with the death of the traditional household provider:

“My mother was only 24 years old when my father died. After he died, the family no longer had an income. My siblings and I helped to maintain the family. My older sister helped my mother, and I started working. Most of my siblings including me had to drop out of school to work. I worked as a cowboy, looking after cattle.”

— interview male respondent, Hpa-an, 6 October 2014

The impact of a woman's death on the household economy highlights the differences experienced by widows and widowers. According to respondents, the family economy tended not to be as adversely affected economically because the male earner was still able to maintain the household income at subsistence levels.

The impact on the social fabric of a household also differed depending on whether a man or woman died. Respondents noted that when women died, men in Kayin State either remarried, or joined the military or KNU, motivated by revenge for the death of their wives. Some resorted to alcohol to cope with their loss and the stress of maintaining the family alone in cases where men did not remarry. Respondents provided several accounts of family breakdown related to the woman's death or disability:

The family is separated because the man cannot manage to maintain the family like the mother. Children are sent to live with relatives.

—interview, Hpa-an, 5 October 2014

The family situation is jeopardized and routines are destroyed. The structure is broken.

— interview, Hpa-an, 5 October 2014

Children also suffer from trauma when the mother is killed. They don't want to go to school and there's no one to care for the children.

— interview, Hpa-an, 6 October 2014

The men can't manage the family like the woman can. They can't make the children go to school. There is no mother to care for the children, so the children become disobedient and don't want to go to school. The man needs to go out to earn money, so there is no one there to care for the children. When the children grow up they go to Thailand to work.

— interview, Hpa-an, 6 October 2014

He gets stressed because he has to care for the family as well. Sometimes he can't manage it all, and sends his disabled wife to live with her parents so they can look after her. He also drinks alcohol because of the stress. And this is not good for the children.

— interview, Hpa-an, 5 October 2014

SEXUAL AND GENDER-BASED VIOLENCE

Despite numerous reports from local groups and women’s organizations documenting SGBV against Kayin women and girls, there remains a lack of comprehensive and systematic data on its prevalence in armed conflict in Kayin State. Available data show only the tip of the iceberg. In a 2004 report, the KWO documented 125 cases of rape against women and girls in the state by government military soldiers within an 18-month period. It claims that the figure is much higher, however, and that hundreds of more women and girls have been subject to the same violation.¹⁶⁸ Respondents also report rape by civilians and EAOs and that rape is trivialized by all categories of perpetrators. This together with fear of retribution for reporting rape and other sexual violence and an inadequate justice system are important reasons for low reporting rates.

It is clear that SGBV is a significant security concern for Kayin women and girls. Both female and male respondents identified rape as a critical concern for women and girls in armed conflict. In comparison, they noted no reported cases of rape or other sexual violence against men and boys, although here too data are lacking, and it is not possible to say such cases have not occurred. A number of female respondents suggested that cases involving men and boys have not been brought to light as survivors may be reluctant to speak out.¹⁶⁹ Respondents noted that SGBV is generally not considered a “male” concern—it is seen as an issue that does not affect men and boys. This was reflected by one female respondent:

“*Men don’t have to worry about sexual violence. They don’t think it will happen to them.*”

— interview respondent, Hpa-an, 5 October 2014

While this study could not find recorded data on SGBV perpetrated by armed groups such as the KNU/KNLA and DKBA, interview respondents identified both *Tatmadaw* soldiers and civilian men as perpetrating rape against Kayin women and girls. There is a need for more research and reliable data on which to base a more nuanced understanding.



168 KWO 2004, p. 10.

169 Assumptions should not be made about the possible reluctance of respondents when speaking about SGBV against men and boys. In other contexts, as outlined by Charli Carpenter, men who undergo SGBV directly or indirectly can also be exposed to an assault on their masculinity. As Carpenter (2006, p. 96) writes, “Although there has been very little research on the psycho-social reactions of men to these forms of sexual violence, it is likely that such acts are deeply humiliating, violating private space, the sanctity of family relationships, and other cultural norms.”

Respondents highlighted two cases of rape in their communities in Kayin State:

A 15-year old girl in my village was raped and killed in a revenge attack by Tatmadaw soldiers. We didn't report it because we were afraid of being arrested and tortured.

— interview, male focus group respondent, Hpa-an, 6 October 2014

There was a disabled woman who was raped by an older civilian man with a wife and children. The woman became pregnant and the community saw this as shameful and brought it to the KNU. A local women's group decided to settle the rape by making sure local CBOs would provide support to the pregnant woman during her pregnancy and the man who raped her would have to give financial support until the child turned 18 years old.

— interview, female focus group respondent, Hpa-an, 5 October 2014

Rape by *Tatmadaw* soldiers reportedly took place when women were suspected of supporting the KNU or having family members in it, and when they worked as porters for *Tatmadaw* troops.¹⁷⁰ The KWO reported that other human rights abuses against women and girls, including beatings, torture and killings, occurred along with acts of SGBV by the *Tatmadaw*.¹⁷¹

SGBV has left survivors with mental health problems that in some cases have led to suicide.¹⁷² Rape resulting in pregnancy has affected women's physical and emotional health, including through unsafe abortions.¹⁷³ Attitudes treating rape and sexual assault as shameful have often led to female survivors being stigmatized by their families and community.¹⁷⁴ Some female survivors of rape were afraid that their husbands would blame them for being raped. Some husbands directed their anger at their wives' being raped towards the survivor herself, rather than the perpetrator. This anger was expressed by abandoning the woman, or by verbal and physical abuse.¹⁷⁵



170 Ibid.
171 KWO 2004.
172 Ibid.
173 Ibid.
174 Ibid.
175 KWO 2004, p. 20.

Some interview respondents spoke of a lack of political will to deal with rape, claiming that both the government and EAOs see rape as a minor concern that should not be turned into a larger public issue. In the few cases where families or communities had informed the *Tatmadaw* of rapes carried out by its soldiers, respondents said that no action was taken despite the military's assurances otherwise.¹⁷⁶ Respondents claimed that the vast majority of rape cases against women and girls are not reported to authorities or settled formally.¹⁷⁷ They maintained that mechanisms of legal redress were limited, including in KNU-controlled areas.

There is a pervasive belief that survivors of rape benefit little from cases being brought to court, as when a rape becomes public, the victim becomes more exposed and is thus more likely to face stigma for bringing shame to the family and community. When rape cases are brought before the KNU, it tends to be in order to settle cases “internally” among the local people, to avoid a blot on the community, rather than making them public by settling them through the government court:

“*The community thought that if a rape case is brought to the court and made public it would be shameful for the Kayin people.*”

— interview, Hpa-an, 5 October 2014

In some cases, the rape is settled informally with the perpetrator paying financial compensation to the victim's family.

Rape in Kayin State, as elsewhere in Myanmar, is surrounded by a culture of impunity,¹⁷⁸ and the silence around this crime contributes to this. Kayin women were said to have lived in constant fear and with a persistent sense of vulnerability to rape¹⁷⁹ that has had significant impacts on women's (and girls') mobility, and thus their everyday lives and livelihoods.

In areas where women's groups are active, rape cases have at least been acknowledged, and victims provided support and counselling.¹⁸⁰ One female respondent referred, however, to the combined effect of a lack of awareness of legal rights and rights to protection among both women's groups helping victims and rape survivors themselves. This raises concerns about the quality of support, and at times makes it difficult for survivors to receive the appropriate assistance and justice.¹⁸¹



176 Respondents claimed to have no knowledge on procedures employed by the *Tatmadaw* to follow-up rape cases involving soldiers.
177 While respondents did not explicitly state why this was the case, secondary sources and responses from similar contexts in conflict-affected areas across the country attributed underreporting to the victim's fear of reprisal or stigmatization; the lack of legal mechanisms in place; and administrative structures (local and national) lacking the political will and mechanisms to address cases.
178 KWO 2004, p. 6.
179 KWO 2004, p. 22.
180 Several interviews, Hpa-an, 5 October.
181 Female interview respondent, Hpa-an, 5 October.

LANDMINES

Kayin State is one of the most heavily mine-contaminated states in Myanmar and has among the highest number of recorded landmine victims in the country.¹⁸² Landmines have been used by both the government, military and ethnic armed groups, although according to some, the latter tended to inform villagers not to go where the landmines were or told them where to walk.¹⁸³

Respondents claimed that men were more often victims of landmines than women because more men entered contaminated areas either as combatants laying landmines, forced porters on the front lines, or male household heads who went to the forest to collect products or travelled between villages—all largely male roles. Respondents also claimed that while disabled male survivors tend to be cared for at home by their wives, women with disabilities were sent to their parents or other relatives to be looked after, as the husband was often unable to combine the new caregiving role with his role as provider.¹⁸⁴

Unmarried women disabled by landmines suffer more uncertainty. Respondents said that a single woman faces discrimination for being disabled, and will find it difficult to get married, stressing that:

“A man with no legs has no problems, but women and girls with no legs are marginalized.”

— interview, Hpa-an, 6 October 2014

Men sometimes also faced stigma from both their family and community when disability caused job loss. One male respondent attributed this to:

“Men who become disabled and cannot walk due to landmines tend to become depressed and idle.”

— interview respondent, Yangon, 13 October 2014

To this respondent, idleness was at variance with traditional expectations of men as active and capable of undertaking “heavy” labour and providing for the family. The situation leads to low self-esteem and reportedly to alcoholism.¹⁸⁵



182 LCMM Myanmar/Burma 2013, p. 8.

183 interview, Hpa-an, 6 October

184 Interview, Hpa-an, 6 October, 2014.

185 While respondents did not explicitly note the impact on women, responses from similar conflict-affected areas stated that in households where the lack of livelihoods led to male alcoholism, women faced higher risks of domestic violence.

While armed actors in Kayin State reportedly no longer plant anti-personnel mines, there are still cases of death and injury caused by existing landmines. This also limits mobility and the livelihoods of local people.¹⁸⁶ Local people have been found to use some protective mechanisms to avoid the effects of landmines, including:

Requesting that soldiers remove mines, choosing alternative routes and working with armed actors to mark the location of mines.

— interview respondent, Yangon, 13 October 2014

The livelihoods of landmine survivors are severely affected as a result of the injuries they sustain. In 2008-2009 in Myanmar, 85 per cent of persons with disabilities caused by landmines or other factors were unemployed.¹⁸⁷ Respondents said that male survivors can in some cases carry on livelihood activities like farming or selling vegetables, despite losing a limb. When men are killed by landmines or are severely injured and unable to sustain a livelihood, their traditional role as family provider ceases. Women face acute hardships in maintaining the family:

When the man dies, the woman has to work double. Most women manage to maintain the family's situation and keep the condition the same as before by making a double effort.

— interview, Hpa-an, 5 October 2014

These families are mostly farmers. So when the man gets injured, there is no more income. For the wife, it is a burden, and she gets stressed. She has to manage the childcare and earn the income, and at the same time care for her husband.

— interview, Hpa-an, 5 October 2014

186 KHRG 2014.

187 LCMM Myanmar/Burma 2013, p. 16.



Women were reported to cope initially with additional economic burdens by selling their gold and other valuables, and later sending their children to work in neighbouring countries such as Thailand when the children were around 12 or 13 years old, with daughters tending to work as domestic workers and sons as factory workers. The death or disability of the household provider also impacts women with children more than women who do not have children:

“The mother can’t look after her children because when the husband dies there is no more earning. Women rely on their husbands for earning money for the family. If the woman has no children, then it’s not such a big problem, but a widow with children finds it difficult to raise her children.”

— interview, Hpa-an, 6 October 2014



Mawlamyine, Mon State, 2014. Photo: Julie Marie Hansen

Women coped with these problems with courage and support from neighbours and religious groups:

In rural areas women are quite independent. They don't rely on their husbands for everything, and keep working and keep strong even if the husband isn't there. In Kayin culture, neighbours are supportive; a family shares rice with a neighbour that needs it, and then when the family needs rice the neighbour will give it.

— interview, Hpa-an, 6 October 2014

There are some programmes in the church that support them by providing rice and other food, and connecting them with NGOs that can give them more support.

— interview, Hpa-an, 6 October 2014



In comparison, when the woman is killed or injured, this was seen to have less of an impact on the family's economic survival:

The husband will take care of the family. The income isn't a problem, because the man already earns for the family. So they don't have to worry about money.

— interview, Hpa-an, 5 October 2014

Women's economic empowerment helps women better cope with the loss of the "breadwinner," exemplified by a respondent who told how a neighbour coped:

The wife (of the man who died) is a nurse and earns an income. She now takes care of the family on her own. She has three children. She's very good—she takes care of them and manages it very well.

— interview, Hpa-an, 5 October 2014



Hpa-an, Kayin State, 2014. Photo: Julie Marie Hansen

CHILD SOLDIERS

As in Mon State, both the KNU and the Myanmar military are taking steps to release child soldiers. As previously mentioned, in 2012, Myanmar become one of seven countries to sign an action plan outlining the release of recruited children, reintegration for those associated with the government armed forces and the prevention of further recruitment. In August 2014, the United Nations reported that 364 children and young people had been released.¹⁸⁸

In July 2013, the KNU signed Geneva Call's Deed of Commitment for the Protection of Children from the Effects of Armed Conflict.¹⁸⁹ This expanded on previous measures addressing the recruitment of individuals under the age of 18 that began in 2007 after the United Nations listed the KNU in the UN Secretary-General's Report on Children in Armed Conflict.¹⁹⁰ While the KNLA Military Law and Rules purportedly do have measures against recruiting children, it has acknowledged that these have not always been followed.¹⁹¹

This publication was unable to access much data on experiences of child soldiers in the KNU, but available data suggests they are similar to those recounted in Mon State. The *Tatmadaw* has been found to conscript children under the age of 17 years, even some as young as 9 and 10 years old, in former efforts to expand military capacity. According to available data, the DKBA has also been found to use child soldiers.¹⁹² Local people have resorted to paying money, fleeing their homes and becoming monks in order to avoid the continued forced recruitment.¹⁹³

Respondents also claimed that in the past the KNU followed a practice of demanding each family give one son to the KNU for military service. The KNU would tell families that their sons had to serve in the KNU military for the welfare of the Kayin people, and the family would be fined if they did not provide a son. Children were not always conscripted into combatant roles: Boys under 16 years of age did domestic work. When they turned 16, they were trained to be combatants.¹⁹⁴ The situation of the parents of children conscripted into armed groups, is complex:



188 UN Press Centre 2014.

189 Karen News 2013.

190 Report of the Secretary-General on Children in Armed Conflict.

191 Ibid

192 KHRG 2014.

193 Ibid.

194 Interview, Yangon, 13 October.

“*The parents feel pressure to do it, and don't want their children to fight and fear they might be killed. But they think they need to give away their child because Kayin people don't have self-determination and don't want to be under government control. So they feel they need to give something, that is it their duty to do it.*

— interview, Hpa-an, 6 October

In other cases, parents would send their children abroad, for instance to China and Thailand, to avoid their conscription, or mothers would find other ways of preventing their sons from having to join an armed group:

“*I have four sons and none of them have been sent to join the KNU. As soon as the oldest two got degrees, I made sure they both got work in the civil service, because when you're in government work you can't be called to the KNU.*

— interview, Hpa-an, 6 October

MIGRATION AND DISPLACEMENT

Among the human rights violations in Kayin State, villages have been destroyed as a strategy of the “four-cuts” policy.¹⁹⁵ This has led to forced relocation and displacement of local people either internally or across the border in Thailand.¹⁹⁶

A 2014 UNHCR report records the current number of registered refugees (mostly in Thailand) originating from Kayin State at 52,276, while the latest estimate taken from The Border Consortium places the current number of IDPs in the state as 89,150 as of 2012.¹⁹⁷ While the report says that the number of returnees has been modest, there is an air of “cautious optimism” among refugee communities considering the possibility of return in the coming months and years.¹⁹⁸

One respondent stated that refugees faced difficulties upon their return:

“There are many uncertainties around their return including the questions of where to live, how to rebuild their livelihood, what about basic infrastructure such as schools, health centres, religious buildings, etc., and...their administrative relationship with local government.”

— interview, Hpa-an, 17 August 2014

A respondent from the Maesot refugee camp said:

“Without having a transparent and clear process, a mechanism to inform the refugees as well as enough consultation with the refugees themselves, they cannot think about their return because they cannot take another risk to their lives.”

— interview, Hpa-an, 16 August 2014

Kayin women’s groups have strongly advocated for the safe and well-informed return of refugees; however, the bilateral/current ceasefire talks between EAOs and the UPWC have not quite addressed this issue adequately.¹⁹⁹ The remaining presence of *Tatmadaw* soldiers within Kayin State’s relocation sites is also a pressing issue.²⁰⁰



195 U Ne O 1996.

196 KWO 2007, p. 9.

197 UNHCR 2014a, p. 3.

198 Ibid.

199 Khen and Nyo 2014, p. 33.

200 The Diplomat 2012.

Female refugees face distinct concerns, such as the fear of SGBV (especially for those who experienced SGBV before fleeing), that prevent many from returning. Another respondent from Taungoo said that both women and men are afraid of physical and sexual assaults by government soldiers due to past experience. He further comments that:

“Both Kayin and government leaders should be aware of such perceptions if they really start to plan for refugees to return. Livelihood as well as basic support should be provided to the refugees. Otherwise, it might simply be a situation of refugees moving from one camp to another.”

— interview by telephone, 10 August 2014

Female respondents also commented on the differing ways that migrant women and men manage their earnings, savings and remittances. For example, respondents said that women who migrate are more likely to send money back to the family as they are “better at saving” and are aware of the needs of the family (namely the children). While some respondents agreed that men who migrate also send money home, others added that men are not as good at saving what they earn when they are away, and instead often spend the money on alcohol and drugs. A female respondent further claimed that in many cases, men “remarry” while abroad and abandon their families back in Kayin State:

“When women migrate to Thailand to work for the family’s income, the husband marries another woman. Even if the women stay and send their husbands to Thailand, their husbands still marry other women there.”

— interview, Hpa-an, 5 October 2014

“Women go to Thailand themselves instead of sending their husbands because the men are unable to save the money they earn like the women can; women save more.”

— interview, Hpa-an, 5 October 2014

PYSCHO-SOCIAL IMPACT OF CONFLICT

While the physical impacts of conflict are strikingly apparent, the psychosocial impacts are much less evident. According to respondents, people become more fearful during conflict and lose confidence to go about their routine business.²⁰¹ One respondent described this situation in her community:

*“For women in the conflict, they are always afraid. Especially in the summer, the women are suffering, they have trauma, there is no single day they live peacefully, because in the summer there is more army movement and fighting. They live in the town but are always prepared to run. They are afraid all the time, they can’t think about other things.”*²⁰²

— interview, Hpa-an, 5 October 2014

Though many Kayin civil society leaders are trying to reduce the fear and hatred against other parties to the armed conflict, fear has deep roots. A theological college instructor described his experience of trying to forgive and forget how his father and mother were brutally tortured and shot to death by a government military platoon in a remote village in Kayin State. However, this painful memory is still evoked whenever he sees soldier.²⁰³ The effect fear has on mental health can also inhibit people’s relationships and livelihoods, as one respondent explained:

“They [women] always look suspiciously at men and have doubt on them. They view on men like this because of the conflict. Their businesses have declined and they live with fear. When they go to the field or garden for plantation, they are scared but they have to take risk for their survival.”

— interview, Hpa-an, 18 August 2014



201 Interview respondent from the Shalom Foundation, Hpa-an, 18 August.

202 Female interview respondent, Hpa-An, 5 October.

203 Interview, Hpa-an, 15 August.

GENDER-BASED CONTRIBUTIONS TO PREVENTION, PROTECTION AND PEACEBUILDING

As in Mon State, women in Kayin State have overcome many barriers and made significant contributions to early warning, prevention, protection and long-term peacebuilding. In the process, they have gained knowledge and experience that are of great value to formal peace processes.

PREVENTION AND PROTECTION

Respondents noted a number of early warning indicators that signalled the outbreak of conflict. These included military preparations, intensification of activities and army deployment to their villages. Violence between drug dealers, which was then followed by conflict between the military and EAOs, accompanied by an increase in violence against women in local areas, were also mentioned as early warning signs. Sounds of landmines exploding and gunfire were other examples of early warning indicators. Channels of information dissemination included word of mouth, getting information from someone passing by on foot and through the radio. Women could predict conflict was coming when the men in the village held secret meetings:

“ We could tell something was going to happen when the men talked together secretly.

— interview, Hpa-an, 6 October 2014”

A common response to these early warning signs among men who feared being killed, detained or forced to be porters was to flee the village. Some responses, particularly among women, included protecting themselves and their children by staying in groups and ensuring the children remained close by, or running deep into the forest and hiding. A respondent shared her personal account of brewing conflict in her village when she was a young girl:

“One evening, I was out playing with my friends in the village and we heard guns shooting. The whole village could hear it and everyone was telling us to Run! Run! Run! I don’t remember who I followed, but we went to hide amongst the trees. I thought I was following my parents, but I think it was my neighbours. It was the rainy season, and we had to stay and sleep out in the forest, it was more like a jungle which people usually can’t reach. In the morning my father came and picked me up.”

— interview, Hpa-an, 6 October 2014

Women also prepared and packed “family kits” that included food rations and other essentials required if the family needed to flee. They stored food reserves in safe places; organized how to flee safely with children and small animals.

“Women are used to the long conflict, they are well-experienced in moving around and fleeing all the time. They keep food rations which they save and hide away elsewhere, and keep food reserves in the house. They put their small livestock in baskets so they can carry them easily when they need to run away. They carry the food reserves in baskets. There are big and small baskets the children take the small baskets, so they are ready to run. The women arrange all of this.”

— interview, Hpa-an, 5 October 2014

Respondents (mostly female) shared many examples of ways in which they protected themselves, other women, men and children in the face of violence. One simple yet effective strategy was to avoid potential sources and sites of violence. For example, women deliberately cycled or walked quickly past government military camps to avoid assaults, before they were stopped. Women sometimes lied or mislead military soldiers when interrogated for information about KNU soldiers, saying there were no KNU soldiers in their village, or giving the wrong directions to KNU locations. Another strategy included women negotiating with both parties to the conflict, such as telling KNU soldiers to fight away from their villages so as not to harm innocent villagers, and negotiating with the military to stop using porters. Women also communicated and interacted tactfully and graciously with the military when demands were made about the whereabouts of husbands suspected of being in or associated with the KNU, so as to minimize the risk of being assaulted.

Many female respondents referred to women protecting themselves and other women from sexual harassment and the threat of rape. Strategies included being tactful and negotiating with or confronting perpetrators, group movements, accompaniment by parents and elders, advising others as to how to stay safe, forewarning the community about particular perpetrators and reporting cases of rape to authorities as a deterrent and to protect others in the future. The following accounts convey the variety of strategies used:

“When the Tatmadaw moves into villages, all the men run away, including my father. One time my mother was left behind alone. Soldiers came to search the house and were going to check the bedroom. My mother worried that they would take the family’s money, so she ran to the bedroom where it was kept. But one soldier came after her and tried to rape her. At first she was scared and didn’t know what to say. But then she decided to pretend not to be scared and told the soldier in a normal voice that if he rapes her she will tell his captain and he will get punished. Then the soldier backed down.

— female interview respondent, Hpa-an, 5 October 2014

“At night in my township there are often high school girls walking to their tutor’s house. On their way back home, Tatmadaw soldiers follow them and harass them, and try to kiss the girls. Women ask the soldiers if they were following their daughters on their way home. The soldiers deny it, but the women keep asking, and when they are sure the soldiers have been doing this they report them to the military and tell a military captain that the soldiers have been disturbing their daughters, and ask the captain to tell his soldiers to stop doing it. The captain says the soldiers are disciplined and wouldn’t do things like that. So the women tell their daughters not to go out alone, to go in groups. If some of them get into trouble then at least another one can run away and get help. Before, the soldiers would sit in teashops and wait for the girls, but now the soldiers see parents and other relatives walking with the girls and they have stopped harassing them.

— female interview respondent, Hpa-an, 5 October 2014

“A government army captain was assigned to the area where I live and stayed at my house. At first I didn’t think the captain had a bad mind, but I heard from others in the neighbouring village that when the captain stayed there he asked for lots of things like food, chickens, even virgin girls. The villagers tell me to be careful about the captain. In one of the other villages, the village headman gave the captain young girls. In another village the headman negotiated with a widow to stay with the captain. She was paid to stay with him. The headman had no courage to confront the captain. At the time, I wasn’t married and people were calling me a spinster. The captain started making jokes about raping me in my house [so she would no longer be considered a spinster]. I confronted him and told him what people call him behind his back, that they call him ‘Captain Husband-of-Widow’. He stopped bullying me after that.”

— female interview respondent, Hpa-an, 5 October 2014

“There was a Burmese captain who visited the village. One time he raped a girl. It was a gang rape. He led his company to rape her. Then he killed her. The villagers told a higher ranking officer in the Tatmadaw about the rape and murder, and afterwards the army demobilized and left the area, and took away the captain’s rank and position and put him in prison.”

— female interview respondent, Hpa-an, 5 October 2014

As men tended to be the main victims of forced portering and faced particularly harsh conditions once recruited, women volunteered to be porters for the *Tatmadaw* in order to protect the men from the perceived inevitability of the abuses they would face. One respondent, who was a female volunteer porter, claimed that women believed that because they were women, they would not face the same harsh treatment as male porters. She described her experience as a volunteer porter to the authors:

“I had to carry bags of rice. But they weren’t too heavy. We were only made to carry what we could; we weren’t forced to carry heavy loads. My group didn’t have to walk far, but other groups of female porters had to walk far, so they got very tired. I portered two times, and each time I worked for one day. I don’t know how the other groups of women were treated by the soldiers, but in my group we were confident, so the soldiers knew not to mess with us.”

— female interview respondent, Hpa-an, 6 October 2014

Kayin women also took on new roles as village heads, albeit on a less voluntary basis than the others. The position was considered too unsafe for men, and as such women were assigned as heads. As one female respondent explained:

“In my township, the village administration is mostly women [...] Because the army come to the village and ask for information, and if the leaders are men they are beaten and tortured. So no men dare to be the head. They assign women because they see them as free from torture or beatings.

— interview, Hpa-an, 5 October 2014

To protect their own safety as village heads as well as the safety of their villages, these women used skillful communication, distraction and tension-diffusing strategies to avoid confrontation with *Tatmadaw* soldiers. Their conflict prevention strategies included informing KNU soldiers about when they needed to run and hide, hiding evidence of KNU soldiers' presence and negotiating in tense situations.

Case 1: *The respondent heard a story of an old woman who cooked food and fed some KNU soldiers who came to her village. While the men sat in her house eating, the Tatmadaw moved into the village. To distract the Tatmadaw the old woman pretended to be mad. The shoes of the KNU soldiers were sitting outside her house and the Tatmadaw asked who they belonged to, so the woman started acting mad and told them that the shoes all belonged to her. After the Tatmadaw left, the woman went back inside to tell the KNU soldiers to run away out of the back of the house, and to take their dinner plates with them and hide them in the forest so there was no evidence they had been in her house. The KNU thanked the old woman for what she had done for them.*

— female interview respondent, Hpa-an, 5 October 2014

Case 2: Two years ago, KNU soldiers arrived in the respondent's village. The Tatmadaw got information that the KNU was there and also came to the village. One woman who saw the Tatmadaw coming got on her bike and cycled back to the village to get all of the women together in the church. When the Tatmadaw arrived the women served them with cold drinks. The KNU soldiers were in a house only a few rows away from the church. While the Tatmadaw were busy eating and drinking, one of the women sneaked off to the nearby house to tell the KNU that it was safe to run away.

— female interview respondent, Hpa-an, 5 October 2014

Case 3: Several years ago in the respondent's village there was a guesthouse where KNU soldiers used to come often to drink, and the Tatmadaw got information that a KNU soldier would be sleeping there that night. That night the KNU soldier was at the house, and while he was drinking the woman who ran the guesthouse noticed a whole government military group approaching the house. She warned the KNU soldier, telling him to run away. He ran away but forgot his gun under a pillow. When the Tatmadaw came to search the house, the woman hid the gun and pretended she had no guests. The soldiers searched throughout the house but found nothing. Later, after the Tatmadaw had left, the woman ran to the KNU in the dark to return the gun.

— female interview respondent, Hpa-an, 5 October 2014

Case 4: Four years ago in the respondent's village, the KNU was collecting tax on crops during harvest time. They would come to the village each year to collect the tax. The Tatmadaw knew about this and each year military soldiers also came to the village and surrounded it. A couple of women, including the respondent, went off to the KNU base to tell them that the villagers would pay the taxes in full but that they had to stop coming to the village to collect them, since this only brought conflict to the village, and rape and harm to the villagers.

— female interview respondent, Hpa-an, 5 October 2014

LONG-TERM PEACEBUILDING

COMMUNITY-BASED PEACEBUILDING

Women in Kayin State are involved in peacebuilding through their work in CBOs and CSOs, where they contribute in a number of ways: providing education and awareness-raising on human rights, women's rights and the peace process; supporting skills training initiatives to improve women's livelihoods; assisting conflict-affected individuals and communities such as IDPs; and building trust between communities. Women's rights education is provided by the KWO and the Karen Women Empowerment Group (KWE), among others. The Karen Baptist Convention's Women's Department offers vocational training to women as well as awareness training on development and women's rights.

While not an exhaustive list, the following provides an overview of some of the local organizations in which women work towards building peace in Kayin State: Committee for Internally Displaced Karen People (CIDKP); the Hpa-an Diocese Mothers' Union; the Hpa-an Karen Baptist Christian Social Service and Development Department; the Hpa-an Thu Group; the Karen Affairs Committee; the Karen Development Committee (KDC); the Karen Environmental and Social Action Network (KESAN); the Karen Development Network (KDN); the Karen Environmental and Social Action Network (KESAN); the KHRG; the Karen Unity and Peace Committee; the KWE; the KWO; Sar Mu Htaw; and the Shalom Foundation, Karen State office.

Some of the female interview respondents were personally engaged in peacebuilding activities, such as in organizations working on women's political empowerment in refugee camps and ethnic areas. The respondent herself benefited from the organization's work on building women's leadership and capacity to participate in politics and peacebuilding. When asked what impact the organization has on empowering women to contribute to peacebuilding, the respondent pointed to herself as a living example of its effectiveness²⁰⁴.



Another respondent told the researchers about her part-time work for a women’s organization involved in peacebuilding. She provides logistics support in organizing peacebuilding events, organizing transportation and accommodation for staff and guests, and disseminating information about peace, peacebuilding and the peace process to local communities. When asked about her motivation, the respondent noted the importance of making the next generation of women aware of women, peace and security issues so they can be trained to be peacebuilders. She maintained the organization’s work was effective in raising this awareness:

“We can’t walk alone—we need young girls.”

— interview female respondent, Hpa-an, 5 October 2014

Despite there being few women in formal leadership positions working on the peace process and peacebuilding, a number are engaged in activities such as building networks between important peacebuilding actors, including civil society organizations and religious leaders; coordinating among stakeholders in the peace process; dealing with the media; providing technical advice and managing logistics. One female respondent talked about her own work with EAOs on building networks between youth groups, coordinating meetings with key actors and providing logistical support.²⁰⁵

A female respondent talked at length about the women-only logistics team used by the KNU on a trip in 2012, for the first round of union ceasefire discussions. Women were responsible for planning the trip, arranging accommodation and transportation. The women were all volunteers, and, according to the respondent, were motivated to provide support after seeing a Kayin woman, Naw Zipporah Sein, in a leadership position in the ceasefire talks.²⁰⁶ According to the respondent, the impact of this single trip had important implications for women’s participation in peacebuilding:

“The KNU saw that a team of women was more efficient, dutiful and smart than men. They then organized for female-only teams for other trips.”

— interview respondent, Hpa-an, 6 October 2014

However, several limitations hinder women’s involvement in peacebuilding activities, including a lack of awareness and capacity among women, and thus a lack of motivation and ability to participate. According to respondents, this can be attributed to a few civil society organizations dedicated only to women’s empowerment work. Fear of political or violent reprisals also inhibit women from taking part in peace activities:



205 Interview respondent, Hpa-an, 6 October.

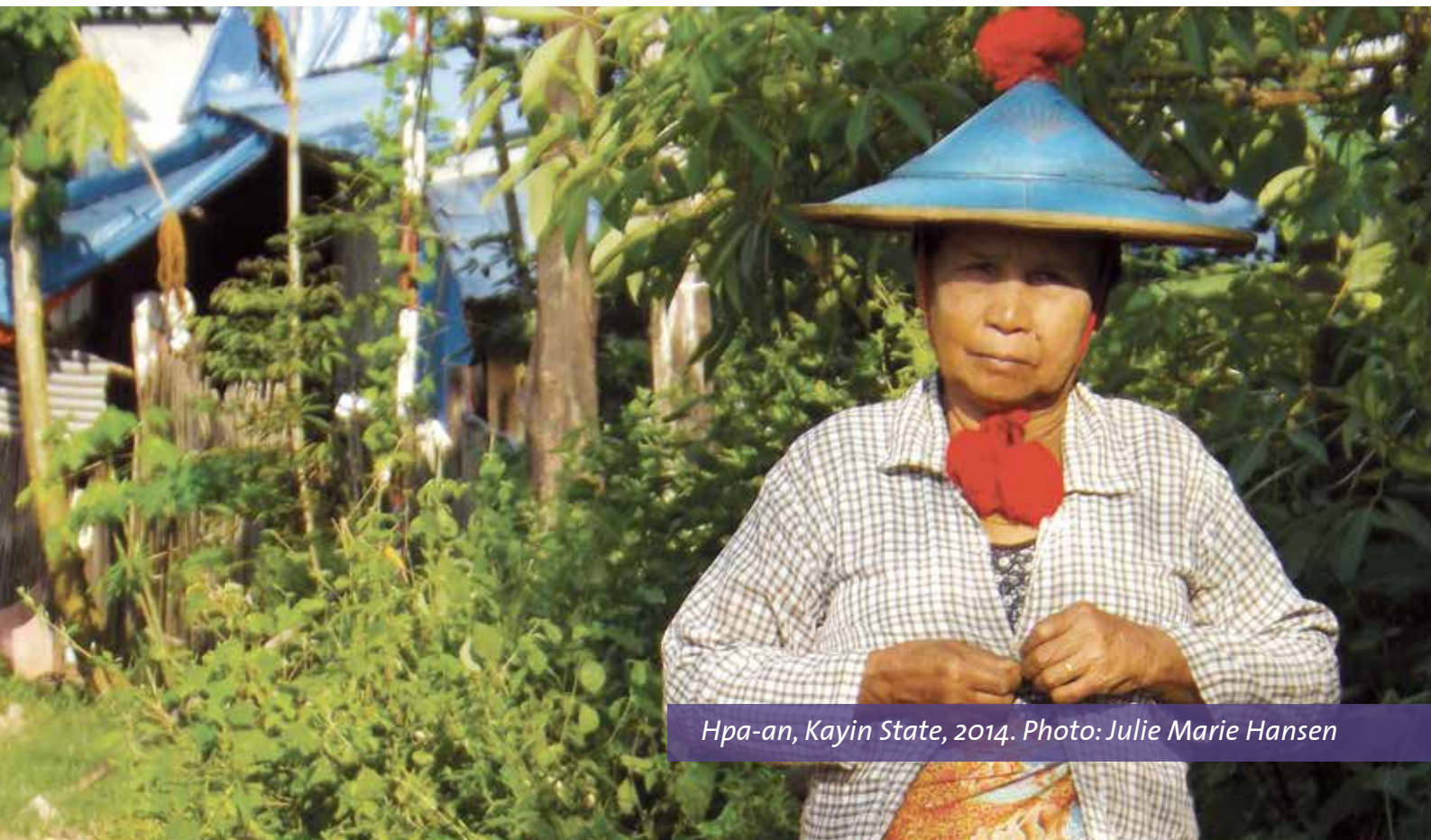
206 Interview, Hpa-an, 6 October.

“In the 97 villages that I am working in Kawkareik Township, women’s participation is still very weak. According to the circumstances, they have fears. There are a lot of percentages of women who know but (do) not dare to speak up.”

— interview, Hpa-an, 18 August 2014

Local CSOs and CBOs engaged in development and humanitarian work also encounter limitations due to need for security clearances and permissions, exacerbating the reluctance to engage in political affairs. Both female and male respondents perceived CSOs and CBOs as development service providers and charities rather than entities for political engagement.

While more needs to be done to assess the impacts of women’s contributions to conflict resolution and prevention, protection and peacebuilding, the rich anecdotal evidence given by the respondents showed that Kayin women have made tremendous positive contributions. Women’s deep knowledge and understanding of their communities made any suspicious activity a possible indicator of conflict, and allowed them to prevent it or respond accordingly. A strategy of collaboration and networking among households and families established not only a support network for victims, but also facilitated early warning where communication technology and access to radios are lacking. Further, women shared anecdotal evidence that their courage in standing up for their men, families and communities bore real results, including justice for SGBV crimes and the ceasing of abuse and violations. Those who became village heads in their husbands’ stead developed leadership, communication and analytical skills as their social roles fundamentally shifted.



Hpa-an, Kayin State, 2014. Photo: Julie Marie Hansen

PART 3: KAYIN WOMEN AND MEN IN THE PEACE PROCESS IN MYANMAR

Within the robust CSO and CBO community in Kayin State, many organizations are led by women and address women's specific needs as a direct result of conflict. As in Mon State, the longer term individual and community-based approaches to peacebuilding have provided women in Kayin State with unique perspectives, experiences, knowledge, skills, networks and leadership²⁰⁷ relevant to all aspects of the peace process.

KAYIN WOMEN'S AND MEN'S PARTICIPATION IN POLITICAL DECISION-MAKING AND THE PEACE PROCESS

The KNU is the only armed organization in the peace process that has women in top-level leadership positions in its main decision-making structure, the Central Executive Committee. Naw Zipporah Sein is the current Vice-Chairperson, 1 woman among 10 men.²⁰⁸ The group's Central Committee has 45 members, only two of whom are women.²⁰⁹ The fact that there are only three women in the organization's top decision-making positions shows that the KNU's 30 per cent quota policy has not worked as it should have.²¹⁰

Out of the 14 non-state armed groups that have bilateral ceasefires agreements with the government, 3 have had women in their negotiating teams. These are the Karen National Union (KNU), the New Mon State Party (NMSP)²¹¹ and the Karenni National Progressive Party (KNPP).²¹² The KNU had at least 3 women members in its cease fire negotiating team between 2011-2012, at the time of its 14th Congress.²¹³ The KNU also had a woman legal expert in the negotiating team. Though the numbers are still low, it holds promise for



207 Ministry of Social Welfare, Relief and Resettlement 2014, p. 143.

208 Khen and Nyo 2014, p. 31.

209 Khen and Nyo 2014, p. 43.

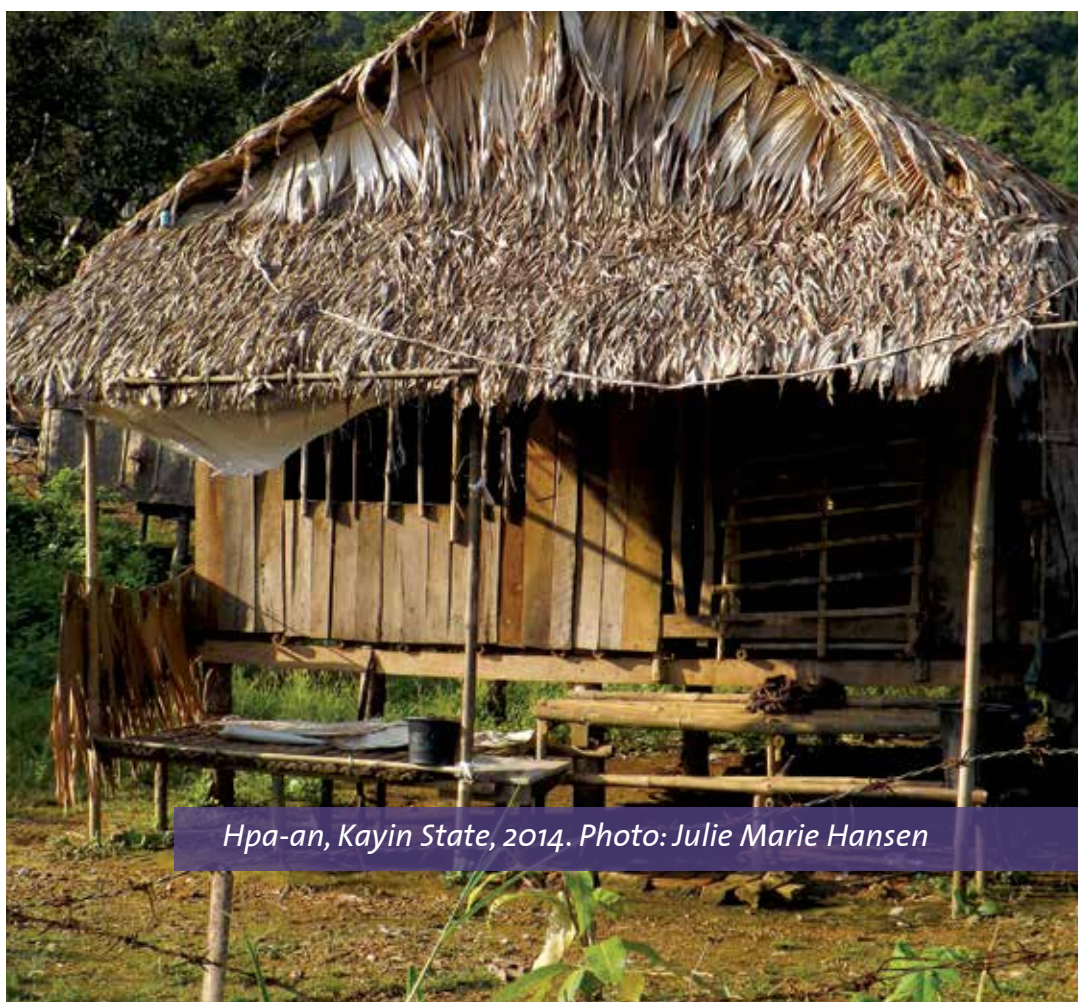
210 These numbers reflect the reality during the research period, May – December 2014. Numbers may have changed slightly since the time of publication.

211 The NMSP had one woman, Mi Sar Dar, in the negotiating team. She was a member of the Central Committee and Head of the Education Department. However, she was not involved in the recent meetings.

212 The KNPP has one woman member, Maw Oo Myah (alias Daw Dae Dae Paw), who is the Religious and Cultural Minister of the Karenni National Progressive Party (KNPP).

the future. The participation of these women at the peace table relates to their senior decision-making positions within the three non-state armed groups.²¹⁴ However, the low participation of women in the formal peace process persists despite the KNU's policy to include women at the decision-making level.

There are no female state ministers in the Kayin state government. There is only one female Member of the Union Parliament from Kayin State.²¹⁵ According to one of the state government officers, promoting the meaningful inclusion of women in political decision-making is not on the agenda of the Kayin State government. According to him, the state department of social welfare, the focal point for implementing the National Strategic Plan for the Advancement of Women needs increased financial and capacitated human resources; the Kayin State Working Committee on Women's Affairs is currently inadequately positioned to address issues such as violence against women and women's participation in public decision-making.



Hpa-an, Kayin State, 2014. Photo: Julie Marie Hansen



- 213 This included Naw Zipporah Sein, who was the General Secretary of the Karen National Union at the time and also a lead negotiator, Naw May Oo Mutraw former spokesperson of the KNU and Naw Blooming Night Zan, Head of the Karen Refugee Committee. However, Naw Zipporah Sein's has been promoted to Vice-Chair of KNU, and is not on the negotiating team and so are the other women.
- 214 Interview with Ja Nan Lahtaw, Deputy Executive Director of Shalom Foundation, in November 2013, Yangon.
- 215 Nan Say Awar from the Phlon-Swaw Democratic Party.

Some interview respondents saw possibilities for building linkages between the Kayin State government and EAOs based in the state, especially the KNU – given an easing of relationships between the two. Although there are other EAOs in the state, the KNU remains the umbrella organization for all of them. According to one of the respondents:

“Before, they didn’t even dare to mention the name, KNU. Now the Government has opened up, and the civilians can also present the needs and requirements of Kayin people to the KNU.”

— interview, Hpa-an, 10 August 2014

Most respondents supported greater and more meaningful inclusion of women and their priorities in the current peace process. Some lamented the lack of adequate efforts by the UPWC and the Nationwide Ceasefire Coordination Team to increase women’s representation to a benchmark 30 per cent. The respondents also mentioned the limited chance for ordinary women and men, let alone for women to be part of the peace process, because representatives are nominated or appointed by leaders from both sides—the Government and the armed organizations.

Both female and male respondents described with frustration how the dominant “official” role women play in the peace process is logistical—organizing events, meals and hospitality. As in similar contexts around the world, men usually hold community and religious leadership positions. Since peace structures call for the participation of leaders, inevitably, men are the main actors and decision makers, leaving women mainly in supporting roles. This marginalization contributes to the lack of confidence that so many respondents cite as a key barrier to entry, further exacerbated by attitudinal barriers.

Another obstacle to women’s participation is that fear remains despite the cessation of armed conflict; as one respondent simply put it: “People still have fear.”²¹⁶ Fear is pervasive among men as well as women. An element contributing to continuing fear is the legal restriction on associating with armed organizations considered illegal entities (Article 17(1) of the Unlawful Associations Act). This poses a huge risk to ethnic community members, especially women, who often have less or sometimes no protection. A male respondent working to promote public participation in the peace process described women’s engagement in activities related to the peace process as still very weak in the 97 villages across Kawkaireik Township where he works:

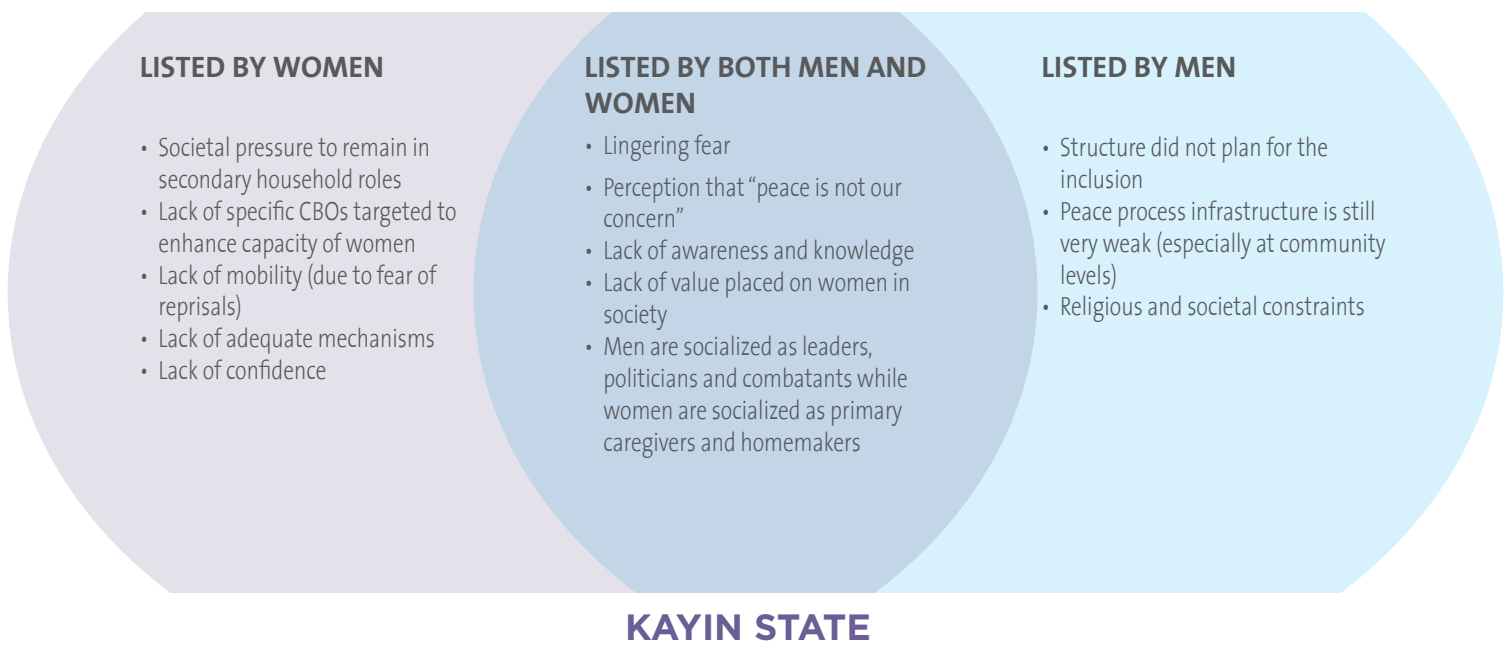


“When the organizations go there and talk to them and arrange mechanism for them, they tend to speak up. However, if the organizations return back, the women go back to their usual practice. Kawkareik Township is a conflict zone and there are a lot of organizations like KNU, KNLA, BGF, DKBA and also there is government power over in this area. As they have experience of living under the various governance systems from different groups, they know how to behave in order to safeguard for their lives. For them, their lives is at the first priority than any others including talking about peace.

— interview, Hpa-an, 18 August 2014

Respondents maintained that women in particular lack information, knowledge and political awareness of the peace process. In Myanmar as a whole, the media has become freer to some extent, and the peace process has been remarkably public. Both state and privately owned media regularly report on it. Despite this, few respondents were able to speak about it in depth. The majority of female respondents at community-level said that they did not know details or facts about the peace process or the ceasefire agreement. This perhaps underscores not just concerns related to woman-friendly dissemination of information, but also an attitude among both men and women respondents that peacemaking was not their concern. They knew little of how common people might tangibly participate in the peace process, and saw no clear mechanism for promoting public participation. Respondents specifically noted the lack of clear and transparent mechanisms for conflict-affected women to engage.

The following diagram outlines the most common barriers and obstacles to greater women’s participation in the peace process, listed by interview respondents:



WHY ADVANCE THE INCLUSION OF KAYIN WOMEN AND THEIR PRIORITIES IN THE PEACE PROCESS

Women's Equal Right to Representation in All Aspects of the Peace Process and to Seek Reparations

- Women have an equal right to be represented in different roles at all stages of the peace process and post-conflict governance. This is in line with the Constitution of Myanmar, the National Strategic Plan for the Advancement of Women 2013-2022, and international human rights standards that Myanmar has endorsed - CEDAW, 1979, the Beijing Platform for Action, 1995 and UN Security Council Resolution 1325 and related resolutions.²¹⁷ Women's equal representation in all aspects of the peace process is integral to democratic governance, and an important indicator of democratic political reform and accountable governance.
- Women have a right to seek post-conflict redress and reparation for losses, harm and damages they have suffered.

Women's Unique Knowledge and Understanding of the Impacts of Armed Conflict on Themselves and Their Families

- Kayin women have their own unique knowledge of the specific impacts of armed conflict on women and girls. This is garnered through their direct experience in the different roles they have played as combatants, nurturers, protectors, conflict mitigators, peace advocates and peace builders, or through their active monitoring of women's human rights abuses through organizations such as the KHRG. For instance, they know that if an unmarried woman is disabled by landmine explosions or other causes, she would have a problem in finding a life partner.
- Women through their socially mediated roles, including caring for children and family members, understand how conflict affects groups other than themselves. They know, for example, what it means for women and girls when they are sexually abused; or the effects of being a child soldier; or the long term impacts on children and society of exclusion from education, inadequate nutrition, clean water, sanitation and healthcare services.



²¹⁷ These instruments were referred to in the previous section for Mon State. For a detailed list of provisions, see page 38.

Women's Unique Understanding of Peace, and Greater Desire for Peace

- The Kayin experience demonstrates that women tend to view peace not just from the perspective of an absence of hostility, tension and violence, but as a situation marked by justice, equality, freedom and development for all. While some Kayin women have taken part in armed conflict as female combatants, many Kayin women like many Mon women believe that there can be no peace without development and vice versa. This largely stems from their nurturing and caregiving roles; their lived experience of the damaging short- and long-term impacts of conflict on families and entire communities; and their active involvement in peacebuilding, individually and collectively, to restore normalcy. This is illustrated by the rich network of CBOs and CSOs active on peace efforts, including the KWO, the Karen Affairs Committee and the KDN.

Women's Knowledge, Skills, Resources and Efforts on Conflict Resolution and Prevention, Protection and Peacebuilding

- Kayin women displayed recognition of indicators of brewing conflict. These included: military preparations, intensification of activities and army deployment to their villages, violence between drug dealers followed by conflict between the military and EAOs, the increase in violence against women, the sounds of exploding landmines and gunfire. Women could predict impending conflict when the men in villages held secret meetings. They checked information from passersby or the radio.
- Their informal early response strategies to avoid conflict included disseminating information through community networks by word of mouth to alert the community and EAOs, and informing combatants about when they should run and hide. To protect their own safety as village heads as well as the safety of their villages, Kayin women used skillful communication, negotiation, distraction and tension-diffusing strategies to avoid confrontation and conflict with *Tatmadaw* soldiers and armed combatants. They often successfully persuaded parties to the conflict not to engage in combat in inhabited areas, so as to avoid loss of lives and property.
- Kayin women also employed important protection strategies, including avoiding sites of conflict, staying at home after dark, being tactful and negotiating with or confronting perpetrators; moving in groups and being accompanied by parents, elders and men to avoid SGBV; advising others on how to stay safe; pre warning communities about particular perpetrators, and reporting cases of rape in order to secure justice and protect others in the future.

- Women’s knowledge, skills and resources, and leadership styles developed through their socially mediated roles tend to complement those of men. Women tend to be better listeners, more intuitive, more flexible, better able to find points of consensus and compromise, better able to diffuse tensions and better multitaskers. A few Kayin women have even been on negotiating teams and have been technical advisors in peace negotiations. These qualities and roles can only make for more effective peace negotiations and agreements. Evidence points to Kayin women’s demonstrated abilities to form networks, alliances and build trust across different communities and major peacebuilding actors, including civil society organizations and religious leaders. They engage with both political and international actors through advocacy. Their CSOs and CBOs have created more knowledgeable and conscious constituencies, including on women’s concerns from a rights perspective, through awareness-raising initiatives. In their support to public events related to the peace process, they have demonstrated expertise in networking with a range of stakeholders with different perspectives engaged in peace process, as well as their planning and operational abilities.

Women’s Ability to Best Represent Their Own Interests

- Women are best able to represent their own priorities and ways in which they can contribute to all aspects of the peace process. This is grounded in their in-depth understanding of how they experience and cope with conflict, and how they contribute to peace.
- Women are able to forge cross-ethnic and cross-sectoral alliances with other women and ally with a range of stakeholders to obtain a common women’s peace agenda.

Women’s Greater Ability to Address a Wider Range of Interests and Priorities in Peace Agreements Than Men, Making for Greater Inclusiveness and Sustainability

- Women in their socially prescribed nurturing and caregiving roles have a good understanding of the impacts of conflict on a broad section of society. Kayin women, in their peacebuilding work with varied population groups, including youth and religious organizations, address the development needs of different vulnerable groups.
- Women are thus more likely than men to represent not just their own interests, but the interests of a range of interest groups on social and economic issues such as health, education, water, sanitation, livelihoods, shelter, safety and security, etc., making for more representative, comprehensive and sustainable agreements. This is demonstrated by the priorities that women identify for a long-term peace agenda, and the nature of the long-term peacebuilding and development activities they are engaged in.





Kyauk Ka Lat Pagoda by Hpa-An, Kayin State, 2014. Photo: Julie Marie Hansen



Hpa-an, Kayin State, 2014. Photo: Julie Marie Hansen

Myanmar



Kayin state

Mon state

4

Chapter IV

CONCLUSIONS AND RECOMMENDATIONS



Kyauk Ka Lat Pagoda by Hpa-An, Kayin State, 2014. Photo: Julie Marie Hansen

CONCLUSIONS

This publication has sought to explicitly demonstrate the gendered impacts of conflict, the gender-based contributions to peace and the value of increasing women's formal participation in all aspects of Myanmar's current peace process. It does this through testimonies and insights drawn from interviews and focus group discussions, complemented by in-depth desk research and analysis.

The findings showed that in both Mon and Kayin States, armed conflict affected men and women differently. Conventional norms deem men the main actors in the public and private spheres—the primary breadwinners, heads of household, combatants, political leaders and strategists. Physical strength, risk-taking, bravery, strategizing, cognitive and leadership ability are associated socially prescribed attributes for men. Women are relegated to the private space of domesticity to serve as nurturers and caregivers. Patience, sacrifice, intuition, understanding are related socially determined attributes that women develop. While some of these gender roles have replicated themselves in conflict for both men and women, they were also reversed in some measure, especially for women.

More men played leadership and decision-making roles in conflict. The majority of combatants, forced porters and landmine sweepers were men. They were consequently more vulnerable to physical abuse, torture, killings, death and disability. By contrast more women played nurturing and supportive roles attending to the acute daily needs of their families and communities facing armed conflict. Some women joined and actively participated in EAOs, but women combatants rarely played front-line roles, though they were trained to do so. Many performed office support functions, or were assigned to education or training activities, or nurturing and caregiving roles or providing food, health care, and shelter to fighters, or functioned as messengers.

Role reversals became particularly evident for women when men became combatants or migrated, or fled their villages to avoid the risks they faced, or in the event of male death or disability. Women took on new responsibilities, including as leaders and village heads. They became heads of households and were often the primary or only breadwinners. All of this enhanced workloads for women, including the worst forms of work for survival. Where men remained and experienced the destruction of livelihoods, property and assets, and/or loss of employment, many lost self-esteem, leading to depression, substance and alcohol abuse, violence against women and/or eventual migration.

Torture or threats of it, especially sexual violence, reportedly occurred to extract information from women about the political affiliations of male relatives or community members, or as punishment for family or community members being part of armed groups. It was also perpetrated in the course of forced labour.

Role reversals for men occurred when women died or were disabled, or when men themselves were disabled by landmine accidents or conflict, and had to assume caregiving roles in the household, while women engaged in paid work. The lack of ability to cope, however, often resulted in children being placed in boarding schools or raised by women family members, or men remarrying or forging a new partnership. Women who were disabled were sometimes abandoned by spouses, and if unmarried, encountered difficulties in finding a partner.

Many women have employed creative strategies to prevent, de-escalate and mitigate conflict, and to protect their husbands, sons, fathers, brothers, children and communities. Women also engaged in long-term peacebuilding in the public sphere, although workloads and stress levels also increased. Over time, these new roles for women drew them into flourishing CSOs and CBOs. Through creative, skilled and politically sophisticated (albeit informal) protection, prevention and peacebuilding strategies, Mon and Kayin women gained technical, political, advocacy and communication skills, and a unique knowledge and understanding of the needs of their constituencies.

Their participation in formal political structures and in the peace process remains limited nonetheless, despite women's constitutional right to equal representation with men. Women's equal participation with men in political and peace processes is an expression of democratic governance, and an important indicator of democratic political reform and accountable governance.

“Women have the same right in every sector like economic, business and social, etc. If we regarded that women should only participate in business but not in politics, we cannot gain a perfect peace. In order for the peace to be perfect, all humans have a right to participate in it including the women. Therefore, we could accomplish it at once. We don't need to re-consider again and we will not waste time. For example, if we exclude women and only men did it and got all the agreement, our development will be slow if we only include women only after the agreement. It will be like we start all over again and it is a waste of time.”

— interview, Mawlamyine, 29 July 2014

This study shows that including women and their priorities in the peace process is a woman's right, but will add value to it in the following ways:

Women's Unique Knowledge and Understanding of the Impacts of Armed Conflict on Themselves and Families

- Women have their own unique knowledge of the specific impacts of armed conflict garnered through their direct experience in the different roles they play as combatants, nurturers, protectors, conflict mitigators, peace advocates and peace builders; and through their active role they play in monitoring the situation on women's human rights.
- Women clearly demonstrate an understanding of how conflict impacts their children, other family members and communities. Their socially mediated roles give them insights into the problems and needs of groups other than themselves. They know, for example, what it means for husbands, themselves and their families when husbands have to flee to avoid torture, death or forced portering; or when male family members are disabled or die in conflict; or when women and girls are sexually abused; or the effects of being a child soldier; long-term impacts of exclusion from education on children and society, inadequate nutrition, clean water, sanitation and healthcare services, living in constant fear and hate and enduring severely restricted mobility.

Women's Ability to Best Represent Their Own Interests

- Women are best able to represent their own priorities and ways in which they can contribute to all aspects of the peace process, given their in-depth understanding of how they experience and cope with conflict, and how they contribute to peace.
- Women are able to forge cross-ethnic and cross-sectoral alliances with other women and ally with a range of stakeholders to obtain a common women's peace agenda.

Women's Unique Understanding of Peace, and Greater Desire for Peace

- The Mon and Kayin experiences demonstrate that women view peace not just from the perspective of an absence of hostility, tension and violence, but as a situation marked by justice, equality, freedom and development for all—the absence of which are root causes of conflict. They believe that there can be no peace without development and no development without peace. These notions stem from their socially mediated nurturing and caregiving roles, and their lived experience of the damaging short- and long-term impacts of conflict on entire communities.
- As elsewhere, Mon and Kayin women are not the main ignitors of conflict nor the majority of combatants. While men tend to be preoccupied with combat, many women have a great desire for peace, as they realize that conflict cannot generate healthy socialization, stable human beings and communities. This desire is demonstrated by the numerous ways in which women contribute to conflict prevention, protection and peacebuilding and help foster more inclusive development—through education, for instance, and alternatives to arms.

Women's Knowledge, Skills, Resources and Efforts on Conflict Resolution and Prevention, Protection and Peacebuilding

- Mon and Kayin women recognized early indicators of conflict. These included military preparations, intensification of activities, troop movements and army deployment to their villages; violence between drug dealers followed by conflict between the military and EAOs; the increase in violence against women; and the sounds of landmines exploding and gunfire. Women specifically could predict conflict was brewing when men in the village held secret meetings. They checked information from passersby or the radio.
- Their informal early response strategies to avoid conflict included disseminating information through community networks by word of mouth, to alert the community and EAOs; informing combatants about when and where it was safe for them to move; through their community networks, knowledge of the local terrain, and adept word of mouth communication, they devised means of concealing themselves or family members in areas around their homes – from deep holes in the ground covered with bamboo and grass, to wells, toilet areas, unused lofts and stables; assisted quick flight of to avoid torture and death; and sent children to relatives in non-conflict sites.

- Women used skillful communication and tension-diffusing strategies to avoid confrontation and conflict with *Tatmadaw* soldiers and armed combatants. They often successfully persuaded parties to the conflict not to engage in combat in civilian inhabited areas, so as to avoid loss of lives and property. They negotiated with EAOs not to come to the villages to collect taxes on crops at harvest time, as the *Tatmadaw* also came to the villages at the same time. They negotiated instead that the community would pay them the taxes outside the village, thus preventing combat between the two conflicting parties in civilian sites.
- Women also took household preparedness measures. They prepared and packed “family kits” that included food rations and other essentials required if the family needed to flee. They stored food reserves in safe places and organized how to flee safely with children and small animals.
- Women employed several protection strategies, including avoiding being in the line of direct conflict; staying at home after dark; being tactful and negotiating with or confronting perpetrators of violence; group movement and accompaniment by parents, elders and men to avoid SGBV; forewarning communities about particular perpetrators; reporting SGBV with the intent to seek justice and ensure deterrence.
- They protected the men by staying behind and taking over their roles including as village heads, household heads, forced porters, lest the men got tortured and killed.
- Out of the 14 non-state armed organizations that have bilateral ceasefires agreements with the government, 3 have had women in their negotiating teams - the Karen National Union (KNU), the New Mon State Party (NMSP)²¹⁸ and the Karenni National Progressive Party (KNPP).²¹⁹ The KNU had at least 3 women members in its cease fire negotiating team between 2011-2012, at the time of its 14th Congress.²²⁰ The KNU also had a female legal expert join the team. Though the numbers are still low, it holds promise for the future. The participation of these women at the peace table relates to their senior decision-making positions within the three non-state armed groups.²²¹



218 The NMSP had one woman, Mi Sar Dar, in the negotiating team. She was a member of the Central Committee and Head of the Education Department. However, she was not involved in the recent meetings.

219 The KNPP has one woman member, Maw Oo Myah (alias Daw Dae Dae Paw), who is the Religious and Cultural Minister of the Karenni National Progressive Party (KNPP).

220 This included Naw Zipporah Sein, who was the General Secretary of the Karen National Union at the time and also a lead negotiator, Naw May Oo Mutraw former spokesperson of the KNU and Naw Blooming Night Zan, Head of the Karen Refugee Committee. However, Naw Zipporah Sein's has been promoted to Vice-Chair of KNU, and is not on the negotiating team and so are the other women.

221 Interview with Ja Nan Lahtaw, Deputy Executive Director of Shalom Foundation, in November 2013, Yangon.

- Despite the paucity of women in formal leadership positions in the peace process, they have been playing important roles that support it. A number are engaged in activities such as building networks among important peacebuilding actors, including CSOs and religious leaders; coordinating among stakeholders in the peace process; dealing with media; providing technical advice and managing logistics. Mon and Kayin women have demonstrated their ability to work with the dominant EAOs in their states, including to begin calling their attention to gender equality and women's rights. They have also demonstrated skill in local, national, regional and global networking. This has resulted in securing national and international resources to support their advocacy and capacity-building for a women's peace agenda.
- Finally, both Mon and Kayin women have been engaged in a range of peacebuilding activities. They have established CSOs and CBOs and networks of these to mobilize community action on a peace and development agenda. These organizations address the concerns of children, youth, women and men on a range of issues – data collection on human rights and women's rights abuses; access to education, health care, vocational and skills training, land rights; dismantling barriers to women's participation in politics and the peace process; disseminating information on the peace process, including to girls and women; addressing sexual and gender based violence; engaging in peace education in communities. Women lead many of these organizations and have developed an understanding of development needs of their communities. They have also developed leadership, planning, organizational, communication, advocacy and negotiating skills in the process.

Women's Greater Ability to Address a Wider Range of Interests and Priorities in Peace Agreements than Men, Making for Greater Inclusiveness and Sustainability

- Women in their socially prescribed nurturing and caregiving roles have a good understanding of the impacts of conflict on children, the disabled, the ill and the elderly.
- Further, Mon and Kayin women in their peacebuilding work engage with varied populations, including children, youth and religious groups, understand and address the development needs of different vulnerable groups. They are thus more likely than men to represent not just their own interests, but those of other groups on social and economic issues such as health, education, water, sanitation, livelihoods, shelter, safety and security, etc. This makes for more representative, comprehensive and sustainable peace agreements.

Women's Complementary Skills in Peace Processes

- Women's knowledge, skills, resources and leadership styles developed through their socially mediated roles tend to be complementary to those of men. Women tend to be better listeners, more patient and intuitive, more flexible and able to find points of consensus and compromise. They are better able to diffuse tensions and better multitaskers. This can only make for quicker, more effective peace negotiations and agreements. Data from Mon and Kayin States show that women have demonstrated abilities to form networks and alliances, and build trust between different communities; and engage with both political and international actors through advocacy. Women's civil society and community-based organizations have transmitted knowledge and experience through awareness-raising initiatives that created more conscious constituencies, including on women's concerns from a rights perspective. Women's invaluable knowledge, skills, resources, social and political linkages and demonstrated leadership in CBOs and CSOs engaged in peacebuilding and development work needs to be capitalized on as integral to the peace process. This will make for more inclusive and sustainable peace and development, and be an important indicator of the success of the current reform process.

Inclusion of Women and Their Priorities Optimizes Investments in Longterm Recovery

- Further, more equal representation of women and their priorities in all aspects of peace processes is critical to addressing women's long term recovery needs. Where women's issues are not included in peace agreements from the outset, it becomes increasingly difficult to address them later on.²²² This is because the amount of 'gender-based expenditures' in post-conflict budgets is partly determined by the prior analytical and planning instruments that identify needs and enable priority-setting. Less than three per cent of the indicative budgets of Post Conflict Needs Assessments or Poverty Reduction Plans worldwide are dedicated to women's and girls' specific needs.²²³ The exclusion of women-half the constituency from peacebuilding and poverty reduction efforts fails to optimize the resources invested in reconciliation and recovery. This potentially undermines the pace of recovery and the equitable distribution of peace dividends.



222 Nicol, C. 2012., p.3

223 UN Women. 2012.; p.10

RECOMMENDATIONS

The following recommendations are crucial to ensure women's security, and meaningful and effective participation in all aspects of the peace process in Myanmar.

- Develop and disseminate sex-disaggregated data on women, peace and security, and undertake a gender analysis of peace and security issues rife in local contexts, in line with CEDAW, 1979, the Beijing Declaration and Platform for Action, 1995, and UN Security Council Resolution 1325 and related resolutions.
- Include provisions on gender equality and women's rights in Myanmar's prospective nationwide ceasefire agreement, and its implementation as follows:²²⁴
 - *Address gender equality, inclusion of women and their priorities, in line with the obligations and commitments of the Government of Myanmar and all parties to the implementation of CEDAW, the Beijing Platform for Action, UN Security Council Resolution 1325 and related resolutions, Myanmar's constitutional provisions on gender equality and women's rights, and the National Strategic Plan for the Advancement of Women (2013-2022).*
 - *Penalize sexual and gender-based violence perpetrated by parties to the conflict, entities under their control or by civilians under regulations related to a national ceasefire agreement and in accordance with relevant national law, and treat such acts as a breach of the agreement. Exempt perpetrators of sexual and gender-based violence from amnesty provisions.*
 - *Provide humanitarian assistance to IDPs taking into account the specific and different needs of men, boys, women and girls.*
 - *Recognize the specific roles, priorities and needs of male and female combatants, including girls and boys, and those playing support roles to armed and military actors, and ensure these are addressed in reintegration processes.*
 - *Include women (in equal measure with men, particularly in leadership positions) and their priorities in early warning, conflict-monitoring, and early response committees, mechanisms and systems at all administrative levels.*
 - *Include women in equal measure with men in mechanisms to implement the national ceasefire agreement.*
 - *Include women in decision-making positions, and incorporate their priorities in developing the framework for political dialogue and the dialogue itself.*



²²⁴ Complementing and reinforcing recommendations emerging from this research were those proposed by ethnic women's networks on women, peace and security at a training organized by Shalom, swisspeace and UN Women in 2014.

- Develop and implement well-resourced National, Regional/State Action Plans on Women, Peace and Security with gender-sensitive targets and indicators, in line with UN Security Council Resolution 1325 and related resolutions. Ensure multi-stakeholder and multi-sector participation of relevant government ministries and departments; civil society organizations working on women, peace and security; UN organizations and development partners on the basis of complementarity.
- Develop and implement well-resourced operational plans for the National Strategic Plan for the Advancement of Women. Ensure that they have gender-sensitive targets and indicators, and based on multi-stakeholder and multi-sector participation by relevant government ministries and departments, civil society organizations, UN organizations and development partners on the basis of complementarity.
- Fast-track the adoption and implementation of the National Law to prevent Violence against Women in collaboration with women's groups, in accordance with CEDAW and the Beijing Platform for Action. Ensure that this law has provisions to deal with sexual and gender-based violence in conflict by all categories of perpetrators.
- Provide accessible psychosocial support, health services, legal aid, emergency shelters and employment for survivors of all forms of violence, in normal times and in conflict.
- Ensure well-resourced post-conflict economic policies, plans and programmes which enhance women's economic empowerment, especially that of the most vulnerable groups of women, including ethnic women, women from conflict-affected areas, poor women heading households, migrant women, refugee and displaced women, female combatants, and survivors of sexual and gender-based violence.
- Ensure that Myanmar's draft land use policy and proposed revisions to the Farmland Law and the Vacant, Fallow and Virgin Land Management Law, 2012, incorporate the suggestions of women in agriculture and gender equality and women's rights advocates. This should include women's equal rights to secure land tenure, independent or joint titling, access to the range of productive resources in agriculture, women's perspectives on land use and development and access to a range of remedies and reparations in the event of land confiscation.
- Pursue security and justice sector reform through the introduction and implementation of gender-sensitive mandates, standard operating



procedures and gender-sensitive capacity-building for personnel at all levels of these sectors in government and non-government controlled areas so as to enhance security for women and their access to justice. This should be in line with international humanitarian instruments, including the Geneva Convention, CEDAW, the Convention on the Rights of the Child, and UN Security Council Resolution 1325 and related resolutions. Provide for a sustained, transparent and multi-stakeholder mechanism for monitoring and reporting on implementation.

- Ensure increased representation of women, especially ethnic women, and their priorities, in post-conflict governance mechanisms, including conflict-monitoring mechanisms, mechanisms for political dialogue, and senior positions at all administrative levels of the legislature and executive branches, and of the security and justice sectors in government and non-government controlled areas.
- Disseminate information and build women's capacities in the following key areas: data collection and analysis; understanding of international human rights architecture on women, peace and security, and the national architecture and peace process; work with government and non-state actors to formulate, implement, resource, monitor and evaluate policies, laws, plans and programmes on women, peace, security and development; and practical skills related to advocacy, coalition-building, communication, negotiation and mediation.
- Disseminate information and build the capacities of Government, parliamentarians and non-state actors in the following key areas: data collection and analysis; understanding of international human rights architecture on women, peace and security; the impacts of conflict on women and their contributions to peace; the formulation, implementation, monitoring and evaluation of policies, laws, plans and programmes on women, peace, security and development, and gender-responsive budgeting on the same; and on ensuring security and justice for women.
- Promote peace education, conflict sensitivity training, and education on gender equality and women's rights through all media, both state and private, and through revised educational curricula. Ensure that state/ regional governments allocate adequate financial and technical resources for peace-related educational campaigns in collaboration with civil society and women's organizations.
- Support networking and coalition-building among women's and peace organizations and a work plan on women, peace and security that they develop and implement.



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