

Gender Inclusive Peace Process and Protection Concerns amidst the Myanmar Coup

Written by Phyu Phyu Oo

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PHYU PHYU OO, MAR 2 2021

The military coup in Myanmar on 1 February raises two concerning questions: what will be its impact on the ongoing peace processes and what impact will the reintroduction of the military state have on women's participation in the peace process? Several decades-long conflicts in Myanmar since the country's independence had finally arrived at a breakthrough in 2011. With the initiation of the nationwide ceasefire agreement (NCA) process, ten ethnic armed organizations, through several bi-lateral and union level meetings, became signatories to NCA. However, it was not inclusive and it did not end conflict as most of the powerful armed groups in the northern part of the country remain non-signatories. The signing of the NCA by half of the Ethnic Armed Organizations (EAOs) was however, a significant step to build sustainable peace in Myanmar.

The EAOs responses to the recent coup have been diverse. During the same week of the coup by the military (Tatmadaw), the ten NCA signatories issued a joint statement affirming their position to abide by the NCA and continue working with the military government for the peace process in respective areas. Following this, the second meeting among NCA signatories issued another statement on 20 February stating their solidarity with Myanmar people. More interestingly, they declared their non-cooperation with the current Military administrative council. In an earlier period, two NCA signatories, the Karen National Union (KNU) from eastern Myanmar and Restoration Council of Shan State (RCSS) from northern Myanmar, also issued individual statements condemning the coup and called for the release of political leaders. The RCSS insisted on continuing peace talks with the detained government. Among non-signatories, while the Ta'ang National Liberation Army (TNLA) General posted on his Facebook that they stand with the Myanmar public; the Kachin Independence Organization (KIO), one of the most prominent armed groups in the northern part of Myanmar, issued a statement only on 17 February, highlighting the current challenges and called to avoid violent reactions to civilians who are peacefully protesting.

On 8 February, the military senior general Min Aung Hlaing vowed to move forward the peace process through the NCA. He reformed Tatmadaw's peace negotiation committee after seizing power, which now includes seven lieutenant generals (the one formed prior to the coup included five lieutenants). EAOs, while restraining themselves from interfering with the act of Military's reaction, show their support to the current public movements against the Military coup. Nonetheless, it is unclear how the Military led peace process after the coup is planning to continue and bring diverse stakeholders for the inclusive peace talks.

Since the signing of the NCA in 2015, the peace process in Myanmar has been conducted through formal and informal channels. In 2016 the NLD government held the Union Peace Conference, known as 21st Century Panglong Conference, to develop peace dialogue once they took office. The conference extended the participation from Tatmadaw and government focal points to all EAOs and civil society organizations (CSOs). Following two annual Panglong conferences, 51 principles of a Union Peace Accord was agreed upon with NCA signatories in 2018. While the discussion on the topics of federalism and security reform have been less progressive in the series of annual conferences, the inclusion of CSOs to the platform meant that the Conference became a vital channel for local women organizations and activists to voice their needs.

There are three specific concerns about the NCA, if it continues under the coup regime, especially in terms of its

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impact on women's participation in the process. First, the military regime will proceed with a military-led peace process that is likely to hinder women's meaningful participation in the formal peace process. During the democratic transition period in Myanmar, strengthening legislation for gender equality, equal access to economic opportunities, and violence against women was challenging. The same year that the NCA was signed, the UN Security Council adopted Resolution 2242 on Women Peace and Security. This resolution called for member states to ensure there was increased representation and meaningful participation of women in peace processes. In Myanmar, under the NLD government, women's formal representation in the peace negotiation process remained below its own 30% target. But it was improving: in 2015, the participation of women in the formal peace process was 5%; it was 13 percent in 2016; 17 percent in May 2017; 22 percent in July 2018; and 17 percent in August 2020. It is unknown whether the military-led peace process will keep the channels open for women's inclusion and maintain the growing numbers of women at the table.

Even if the military maintains current levels of women's representation, will the regime permit the participation of those at the table to be meaningful? In other words, will the voices of women representative in the table be heard or be integrated appropriately to the peace building process? For example, 13 women organizations announced their resignation from the Women Participation Technical Working Group and refused to provide technical support to the Military until the civilian government resumes office. The departure of crucial stakeholders such as these organizations from the process increases the risk that the military led peace process will result in few gender responsive inclusions and outcomes.

This leads to the second concern: the ongoing need to protect populations from sexual and gender-based violence in the conflict-affected states. Like many other conflicts affecting states worldwide, the risk of women and girls experiencing various forms of violence in Myanmar's conflict are high. The UN Human Rights Council reported widespread sexual and gender-based violence in the northern part of Myanmar (Kachin and northern Shan) and Rakhine states. These crimes were a continuum of local and state level practices of gender inequality, gender abuse, and gender discrimination. In heavily militarized zones, the restriction of movement, long-term displacement in temporary accommodations, and the presence of multiple armed groups, collectively compound the daily risk of violence against women and girls in these conflict areas. Even prior to the coup, despite Clause 9 (m) of NCA stating that 'Avoid any form of sexual attack on women, including sexual molestation, sexual assault or violence, rape, and sexual slavery,' it is often unknown if the agreement is being strictly abided by individual parties. Based on its history of sexual and gender crimes, the military is less likely to be faithful to Clause 9(m) and there is less opportunity to record these crimes when committed, due to the ongoing disruption of internet and phone lines that limit access to reporting and support services.

Finally, despite the existence of the NCA, delivering humanitarian assistance to the conflict-affected populations in Myanmar is already hindered by multiple factors. In recent years under the NLD government, there had been a gradual increase of approvals in Travel Authorizations (TAs) to access IDP (Internally Displaced Person) sites. However, regular access was limited and sporadic, particularly in rural areas. These populations could not rely on regularly receiving aid assistance. In Kachin State, IDPs' access to assistance and livelihoods, especially in areas controlled by non-state armed actors, was challenging due to the ongoing conflict with Tatmadaw and movement restrictions. In northern Shan, COVID-19-related movement restrictions and intermittent armed clashes in the area have continued to limit the ability of local actors and international organizations to deliver a full-scale humanitarian response. In the northern part of Rakhine, prior to the coup and COVID-19, there were movement restriction regulations in response to the conflict, since 2017. There are highly vulnerable civilians living in one of the poorest regions without access to essential services, livelihoods, formal education, and health care.

Those challenges, unsurprisingly, are expected to increase under the military regime. Since the Military attained power, access to information is limited by intermittent cutting blocking of internet and phone services. The international community has reacted quickly to the Myanmar coup with varied actions. Among them, diverting aid from the government channels to local CSOs assures the continuation of humanitarian assistance to the conflict affected population. Yet, the limited capacity of CSOs and the restriction of movement and service delivery in those regions will remain as barriers for their work. How will affected populations safely monitor the violations of human rights committed by armed parties under the situation especially when the Military is in power?

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The military's capacity to lead an inclusive peace process, to ensure women's meaningful representation in the peace process, and to protect women and girls from all forms of violence, is diminishing before our eyes. It is of the utmost importance that the international community works together to find ways to support local CSOs, including women's organizations. The priorities should be given to provide the latter with technical (including digital and communication technology) and financial means to be able to safely monitor violations of human rights by armed parties, develop strategies to mitigate the risks of women and girls from experiencing all forms of violence, and ensure continued access to deliver services for those residing in rural and conflict-affected areas.

About the author:

Phyu Phyu Oo is a PhD candidate at School of Government and International Relations of Griffith University in Australia. Her research focuses on state-level prevention and response mechanisms for Conflict-related Sexual Violence (CRSV). She has extensive working experience in the field of sexual and gender-based violence in Myanmar's conflicts. She has a Master of Public Health from Johns Hopkins University and has worked for Myanmar's public health sector.