This Context Analysis and Recommendations Paper from the Alliance for Gender Inclusion in the Peace Process (AGIPP) is the first periodic assessment of the status of women in the national peace process in Myanmar. AGIPP will update this analysis at least annually.

The Context Analysis provides an overview of the environment in which women’s formal participation and decision-making in the peace process is occurring, or more accurately, not occurring. It is recognised that women are involved in informal peacebuilding actions across Myanmar. In this document the peace process refers to the official Nationwide Ceasefire Agreement (NCA) and the forthcoming formal Political Dialogue (PD).

This paper is relevant to a range of actors:

- The Government of Myanmar (GoM),
  - Its advisers at the Myanmar Peace Centre (MPC),
- The Nationwide Ceasefire Coordination Team (NCCT) and the Senior Delegation (SD),
  - And their advisers at the Nyein (Shalom) Foundation, Euro-Burma Office, Burma Centre for Ethnic Studies (BCES) and Pyidaungsu Institute (PI),
- The United Nationalities Federal Council (UNFC),
- Members of parliament at the Union, State and Regional levels,
- The Civil Society Forum for Peace (CSFoP),
- The International Peace Support Group (IPSG),
- The Peace Support Group (PSG),
- The Joint Peace Fund (JPF),
- And relevant others.
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Ten recommendations are offered and include:

1. **Implement a minimum 30% gender quota in the Political Dialogue.**

   The NCA includes an opaque clause, “We shall include a reasonable number of women representatives in the political dialogue process” (Chapter 5, Clause 23). This confirms that women are an exception to the norm in this process. The ‘normal’ being a process almost solely dominated by men. The exclusion of women from the NCA negotiation process and the implementation committees serves to demonstrate in no uncertain terms what happens when the status quo goes unaddressed. Myanmar signed and ratified the 1979 Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) in 1997. In doing so it accepted that temporary special measures, such as gender quotas, are necessary to remedy generations of discrimination against women in all areas of public life. The peace process is no exception. AGIPP believes that a “reasonable number of women” is best operationalised with a commitment to ensure that women are included in all aspects of the PD at a minimum of 30% in number. This should be seen as the starting point, not the end point or ceiling as women comprise 50% of the population there is no logical reason to cap their inclusion at 30%.

2. **Agree on dedicated inclusion policies within formal peace process entities, including, but not limited to, a minimum 30% quota for women in decision-making roles.**

   Such quotas should be a starting point not an end point for opening up spaces for women to participate in public life. Myanmar can draw from a growing evidence base that supports the carefully crafted design of quotas in parliaments, peace processes (and more) in order to foster greater diversity of leadership and representation. Ethnic organisations, political parties, civil society networks and associated organisations are wholly male dominated, thereby inhibiting women’s ability to provide expertise and input into public policy. Quotas can provide a mechanism that can help women access decision-making positions.

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for women to access positions ‘traditionally’ assigned to men regardless of their skill, experience or relevance for the job.

3. Women as ceasefire monitors and commissioners. Recognising the male-dominated NCA-process to date, the implementation phase provides an opportunity to rectify the overall exclusion of women by ensuring that women are actively included as local ceasefire monitors, commissioners on the Joint Monitoring Commission, members of the Union Peace Dialogue Joint Committee and other entities. It is clear that women have also been marginalised from the NCA implementation phase with just 3 out of 90 positions across three Union-level mechanisms are occupied by women: 3% inclusion rate.

4. Gender inclusion audits can be undertaken across all types of organisations and processes to assess how women are involved, in what ways and levels, and how gender as a policy concern is integrated into programming or activities. National and international stakeholders involved in the peace process, regardless of type, agenda, mandate and size, can conduct gender audits to better understand where practical action and policy development is needed to increase the participation of women and the inclusion of gendered perspectives within the organisation or a policy process. The use of surveys, interviews and other techniques to identify patterns, perceptions and blockages to gender inclusiveness are well-established practices.

5. Implement practical solutions to reduce barriers to women’s participation in the peace process. Peacebuilding institutions at international, national and local levels can allocate funding for women’s travel, stipends, accommodation, childcare support, and other needs, recognising that many women are disadvantaged economically and time-wise in comparison to men due to societal expectations that place the responsibility on women to maintain households and serve as the primary caregivers within families. Peacebuilding institutions could consider organising meetings outside of capital cities to ensure the inclusion of women from minority groups as well as from rural locations directly impacted by violent conflict. Logistics for meetings could include relevant translators to ensure the effective and substantive participation of women speaking a range of languages. Also translation of materials into an array of relevant languages is crucial to broaden accessibility.

6. Support implementation of the National Strategic Plan for the Advancement of Women and ensure this is the framework for a future Women Peace and Security National Action Plan. International actors working to implement a Women, Peace and Security National Action Plan (WPS NAP) in Myanmar are strongly urged to ensure their efforts link to, or at the very least ‘Do No Harm’ to efforts to implement the National Strategic Plan for the Advancement of Women (NSPAW) 2013-2022. The NSPAW provides a clear policy framework for advancing women’s rights across 12 priority areas aligned with the 1995 Beijing Platform for Action (BPfA): livelihoods, education, health, violence against women, economics, decision-making, implementation mechanisms, human rights, the media, environment, and girls. The one area where there is a difference is the BPfA theme on women and armed conflict. In NSPAW this is categorised as ‘women and emergencies’ encompassing different kinds of emergencies, in relation to both armed conflict and environmental or ‘natural’ disasters. These 12 priority areas were agreed by the international community as they are considered essential for progress towards implementation of the CEDAW, to which Myanmar is a party since 1997, but whose policies do not conform with the treaty. While a future WPS NAP

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See for example some of the resources listed in reference 6 as a useful starting point.

For information about Do No Harm, please see http://www.donoharm.info/
is an important goal, current initiatives should not be overlooked in its favour, especially given the urgency to operationalise and implement the NSPAW with a dedicated budget and political will.\(^5\)

7. Gender power analysis consistently included in the peace process.
Actors involved in the peace process are encouraged to apply a ‘gendered power analysis’ to their work. This entails examining how gender dimensions, perspectives and priorities inform broader power structures. Peace processes are ultimately about power, though it remains uncommon for gender relations to be consistently considered a form of power in the context of peace and conflict because it has traditionally been a male-dominated sphere. While peacebuilding seeks to transform power structures, it can also reinforce existing power structures and the roles of elites, by upholding the influence of men largely from military backgrounds. Actors conducting, commissioning or funding peace process analysis, are therefore firmly encouraged to include practically-guided and rigorous consideration of gender concerns into such analysis.\(^6\)

8. Civil society forums and groupings actively focus on women’s participation and gender inclusion.
International Non-Governmental Organisations (INGOs) and Civil Society Organisations (CSOs) are increasingly active on a host of issues related to the peace process, as well as power relations in Myanmar. Ensuring that women’s rights and gender equality are core considerations across these coordinating and mobilising efforts is critical. As such the dormant Gender Working Group within the Civil Society Forum for Peace (CSFoP) is encouraged to activate and assess how and where CSFoP is focusing on gender concerns. INGO groupings such as the International Peace Support Group (IPSG) could include a more active focus on women’s participation and integrating gender analysis into their work and discussions.

9. Convene an International WPS Funding Group to promote information exchange and coordination of WPS activities and grant making.
INGOs, the United Nations (UN) and other donors providing funding in this area are encouraged to convene and share information in concert with national stakeholders such as AGIPP and its members. Funding ought to match the priorities identified through on-going consultative processes. While increased funding is welcome, this has potential to increase duplication, division, and fracturing between women’s rights and peace groups. AGIPP intends to reach out to INGOs, the UN and donors to establish a periodic dialogue in this area to promote greater flow of information.\(^7\) Relevant actors convening as funders and donors (including INGOs that sub-contract through ‘partnerships’) are encouraged to convene separately in advance of the AGIPP-led meetings to assist in greater coordination between international actors.

10. Recognise that representation, inclusion and participation are not one and the same.
Understanding the differences between women’s participation, representation, and inclusion is necessary to advancing the goal of gender inclusion in peacebuilding. These are concepts that are

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5 The lead AGIPP member on NSPAW matters is the Gender Equality Network (GEN) who provided expert input and assisted with the drafting of the document.


7 Quarterly meetings will be convened by AGIPP with international actors to facilitate information exchange. The first meeting will occur on 22 January 2016 in Yangon.
frequently conflated or used synonymously. It is, therefore, important to recognise the differences between “representation”—a quantitative category—and “participation,” which incorporates a deeper qualitative or meaningful involvement in a given social and policy context. Similarly, the concept of “inclusion” (or “presence”) refers to women’s ability to access peace processes, whether they be high-level negotiations or other spaces in which the brokering of decisions around peace and security occurs. See Box 1 for more information.
SECTION 1

GLOBAL POLICY CONTEXT

In past decades, most notably since the *Fourth World Conference for Women in Beijing* in 1995, analysis and policy development related to gender and power in peace processes have become a central theme in the international arena. The under-involvement of women, their presence and influence in political and public life, peace processes and peacebuilding more broadly, has been widely explored and documented.8

Global concern and mobilising around women’s exclusion from peace and security architecture has informed a host of formal standards and policies at every level: globally, regionally, and nationally, sub-national and organisationally. This revolution to integrate a gender perspective into policy development is commonly referred to as the Women, Peace and Security (WPS) policy agenda. This is a set of international standards and law starting with CEDAW, further developed in the BPfA to accelerate implementation of CEDAW though to numerous resolutions from the United Nations Security Council starting with UN Security Council Resolution 1325 (UNSCR 1325) in 2000.9 As a UN Member State, Myanmar is bound to respect and implement such resolutions.

The WPS policy agenda contains a range of policy positions, ideas, and communities and fundamentally seeks to increase women’s participation in peacebuilding in all its forms. One of the most well-known elements of the WPS agenda is UNSCR 1325 which posits four ‘pillars’ around which policy development can be framed: Participation, Prevention, Protection, Relief and Recovery.

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AGIPP is generating a Policy Brief on the relevance of such standards in Myanmar in 2015 and beyond.\(^\text{10}\)

Applying a ‘gender lens’ to peacemaking processes reveals factors that inhibit women from participating in peace processes, including socially conditioned relations between men and women and gendered divisions of labour. These social norms directly affect the design and conduct of peace processes around the world. \(^\text{11}\)

Women’s participation in peace negotiations and processes—a fundamental pillar of the WPS agenda—remains a challenging area in which to achieve impact. In 2012, the UN reported that based on a representative sample of 31 major peace processes between 1992 and 2011 only 4% of signatories in these peace processes were women. Furthermore, women were absent from chief mediating roles in UN-brokered talks. \(^\text{12}\) The growing body of literature that applies a gender lens to peacemaking identifies common barriers to women’s participation, including the inability to access male networks, self-doubt, gender-based violence, and lack of recognition among society that women’s existing skills and abilities are relevant to peacemaking. \(^\text{13}\)

Paramount to the formation of the WPS agenda is the argument that women’s involvement in peacebuilding is essential for sustainable peace. One study concludes that peace processes that include women are 64% more likely to realise sustainability. \(^\text{14}\) This can be linked to the fact that countries that enjoy a high degree of gender equality experience wars less than countries that do discriminate against women. \(^\text{15}\) Indeed, the absence of women from peace processes has been identified as a key contributing factor for the recurrence of conflict. \(^\text{16}\)

Women’s participation has the potential to increase the legitimacy of peace processes, not least because they are able to voice different needs and aspirations from traditional power holders. Due to their gendered experiences, many women are uniquely situated in their ability to build ties among opposing factions and have proven to be astute coalition builders in contexts where trust is low and the stakes are high. \(^\text{17}\) Ample global evidence demonstrates that women have mobilised around these differences in creative and effective ways, of direct relevance to inclusive peace negotiations. \(^\text{18}\)

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10. To be published in the first quarter of 2016.
11. Refer to references in note 8.
18. Refer to references in note 8.
Box 1

Women’s participation and gender inclusion - One and the same?

Women’s participation in peace processes—as in any area of governance and public life—is a key human right reflecting the principle of gender equality. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), commits state parties to guarantee equality between women and men in political and public life. UN Security Council Resolution 1325 (UNSCR 1325)—and all subsequent resolutions—specifically mandate the inclusion of women at all levels of decision-making related to peacemaking, peacebuilding and peacekeeping.

The Myanmar National Strategic Plan for the Advancement of Women (NSPAW) also sets out key outcomes with regards to enhancing women’s participation in public life and decision-making. This includes: redressing underrepresentation; the consultation of women in matters that affect their lives; increased opportunities for women to take on leadership positions; and the operationalisation of a legal framework in line with international standards.

Gender inclusion relates to analysis and policies that lead to gendered outcomes: decisions and actions that fully factor in the different needs and realities for everyone regardless of sex or gender. Women’s participation is a necessary but not sufficient condition for gender inclusion. The nature and quality of women’s participation is pivotal here, as well as the recognition that women alone are not responsible for ensuring gendered outcomes. Men are responsible too. ‘Substantive equality’ or ‘equality of results’ is elaborated in CEDAW and calls for effective strategies aimed at not only overcoming underrepresentation of women but also at ensuring redistribution of resources and power between men and women. This means strategies such as gender quotas which try and create a more level ‘playing field’ for women.

UNSCR 1325 and subsequent resolutions, particularly UNSCR 2122, also specifically addresses gender inclusion in peace processes by mandating the integration of all aspects of gender perspectives in peace missions. This was also strongly reaffirmed in the CEDAW General Recommendation 30 providing expert clarity on the linkages in CEDAW related to WPS. It outlines the importance of training on gender and women’s rights among military personnel, police, and other relevant agencies charged with public security and peacebuilding.

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19 This includes men, women, boys, girls and transgender and intersex people.
20 CEDAW General recommendation No. 25 (2004), General recommendation No. 25, on article 4, paragraph 1, of the Convention on the Elimination of All Forms of Discrimination against Women, on temporary special measures, New York: United Nations
Status of women in Myanmar

The status of women in Myanmar is evolving against a backdrop of stark exclusion from public life. Women struggle to secure decision-making positions in the public sphere. Structural (and socialised psychological) impediments block their participation in certain sectors or occupations, for example, until October 2013 women were only allowed entry into entirely feminised roles in the army: secretaries, nurses, and support staff. Women are poorly represented in the Myanmar Police Force; comprising only 3.4% of personnel. The number of women in the Tatmadaw is unknown due to the opaque nature of the military and the dearth of publicly available data.

While the 2008 Constitution positively states that “the Union shall not discriminate [against] any citizen of the Republic of the Union of Myanmar based on race, birth, religion, official position, status, culture, sex and wealth,” Section 352 of the Constitution codifies discrimination by stating: “nothing…shall prevent the appointment of men to the positions that are suitable for men only.” Constitutional change in line with international standards is therefore a priority for many AGIPP members.

The reality of pervasive gender-based violence (GBV) experienced by women and girls further undermines women’s sustained involvement in public life. The scale of GBV is yet to be fully understood in Myanmar. This in turn inhibits the creation of evidence-informed policy. However, AGIPP members such as the Gender Equality Network (GEN) and the Women’s League of Burma (WLB), have undertaken a range of nuanced qualitative studies identifying and describing the
prevalence of GBV.\textsuperscript{26}

Women who enter the public sphere do so at the risk of ridicule, intimidation, violence or the threat of violence, especially when speaking out on issues deemed controversial.\textsuperscript{27} The proliferation of hate speech, and cyber-related crime through social media is also growing concern, with frequent attacks on women public figures.\textsuperscript{28} Cast as ‘bearers’ of culture, linked to gendered norms that hold women to be foremost reproductive beings, women who do not conform to expected norms face threats of violence, often articulated or manifesting in sexual violence, and are held responsible for the abuse they may encounter.\textsuperscript{29} These risks form significant barriers to more women entering the public sphere.

Gendered norms and biases, reinforced by media reporting, inform public perceptions regarding women in politics. As Myanmar women involved in the peace processes have noted: “Traditional culture in Myanmar has a significant influence on attitudes towards women in leadership roles.”\textsuperscript{30}

In Myanmar, women and girls are socially obligated and expected to be in charge of the household, children, elderly relatives, and take on other caring responsibilities. The expectation that males are leaders, combined with the social expectation that women play supportive roles, is entrenched in daily Myanmar life.

Exclusionary policies and practices—spoken and unspoken—undermine women’s capacities, resulting in many women lacking the confidence to claim space and argue their case and cause. It is frequently stated that women are “decorative”.\textsuperscript{31}

Low levels of education and poor quality education also inhibit confidence and capacity. As noted by one observer, “…social and cultural pressure, along with years of exclusion, is impacting Myanmar men’s and women’s attitudes towards the current transition…the lack of confidence in their skills and knowledge, the lack of financial and political support and the feeling of being powerless are also important factors restraining women from playing a meaningful role in the current context.”\textsuperscript{32}


\textsuperscript{29} Gender Equality Network (2015), Raising the Curtain: Cultural Norms, Social Practices, and Gender Equality in Myanmar, Yangon: GEN.

\textsuperscript{30} Lahtaw and Zahkung (2012).

\textsuperscript{31} Yen Snaing (2014), “Within the Political Structure, Women Are Treated as Decorative,” The Irrawaddy, 27 January.

\textsuperscript{32} Gasser (2014), p. 20.
Peace process

The nationwide peace process, underway since 2011, has been wholly male dominated. This lack of diversity and representation is gaining some, though minimal, measure of recognition. In February 2014 U Aung Min, Chief GoM Negotiator and Chair of the Myanmar Peace Centre (MPC) reflected that future (unspecified) meetings would devote attention to the near total absence of women in the process.33

This multi-year, multi-actor process concluded a Nationwide Ceasefire Agreement (NCA) between the GoM and the NCCT/SD in October 2015, signed by eight Ethnic Armed Organisations (EAOs). The NCA was preceded by a series of bilateral state-level ceasefires through the 1990s and into the contemporary period: narrowly framed to focus on troop movements, violence management, and monitoring. Notably, the initial set of bi-lateral ceasefires from the 1990s neither transformed violent conflict nor built the foundations for sustainable peace.

The low levels of women’s participation in the ceasefire talks at the national and state levels are indicative of the parlous status of women in Myanmar. At October 2015, the Union Peacemaking Working Committee (UPWC) was male dominated entity with two women amongst 52 members; the Union Peacemaking Central Committee (UPCC) had 11 members, all men.

The male dominance of the UPWC is exacerbated by the 25% quota system in place for the Tatmadaw across all parliaments in Myanmar. This effectively provides a pipeline for men into public office regardless of their skills, expertise or competencies.

The two women in the UPWC were Mi Yin Chan, parliamentarian for Mon State’s Ye town and Doi Bu Nbrang, a Kachin parliamentarian and Secretary of the Pyithu Hluttaw’s Committee on Ethnic Affairs and Internal Peacemaking. Doi Bu Nbrang has met with paternalistic resistance to involvement in ceasefire negotiations in her home state:

“I requested Minister U Aung Min to include me as a member of the negotiation team for the talks with the KIO. But he told me the road to the place where the talks would be held is so bad and it’s not easy for women to travel. Actually, the place where the talk would be held is not an unfamiliar place to me. It is really nonsense that a responsible woman for her own people was not allowed to go there…” 34

Within the ethnic armed groups, women rarely feature in leadership structures. Civil society leadership can also replicate this dynamic though women are increasingly leading many NGOs. This reproduces the dominant norm across Myanmar institutions and culture, in which women are relegated to inferior positions in social and political life.

Of the 16 EAOs who comprised the Nationwide Ceasefire Coordination Team (NCCT) there was one woman. Saw Mra Raza Lin of the Arakan Liberation Party (ALP) has been included since its inception, however she has not consistently been ‘at the table’ as the EAOs took turns to be at the actual negotiating table due to numbers. 35 She also faced significant resource constraints, which means that she was not always able to travel to the talks. 36 This highlights the acute need to fund mechanisms—such as child and travel support—to enable women to substantively participate in the peace process.

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34 Khen and Muk Yin Haung Nyo (2014), p. 24
In June 2015, Naw Zipporah Sein, former General-Secretary of the Karen Women’s Organisation (KWO), one of the pioneering co-founders of the Women’s League of Burma (WLB), former Secretary-General of the Karen National Union (KNU) and now KNU Vice-President, was elected to lead the ‘Senior Delegation’ (SD) for the final rounds of NCA talks. The SD had 15 members. Saw Mra Raza Lin and Naw Zipporah Sein were the only women in the SD.

There are other notable women who have been involved substantively in ceasefire talks at the state level on the NCA talks. This includes Mi Sa Dar, who was on the New Mon State Party (NMSP) negotiation team in 2012. She is also a Central Committee member of the NMSP. Women from the Karen National Union (KNU), and the Karenni National Progressive Party (KNPP) have also been involved in state-level ceasefire talks. Representatives from the Women’s League of Burma (WLB), an umbrella group representing women’s community groups, have undertaken much important work in monitoring and pressuring the negotiations to include gender perspectives. Though limited in number, these women are leading by example and demonstrating that women play multiple roles and are agents, not victims, in the context of peace and conflict.

A number of women are also playing important technical and facilitating roles in the peace process, such as Seng Raw Laphai, Naw Susanna Hla Hla Soe, Naw Kanyaw Paw, Naw May-Oo Mutraw, Mi Sue Pwint. Also AGIPP founding members and Nyein (Shalom) Foundation leaders Ja Nan Lahtaw and Nang Raw Zahkung have been working with EAOs and the GoM, including co-coordinating and facilitating the NCA meetings. These experts have gained trust as a result of their knowledge, skills and expertise. Such—still relatively rare—cases are important for changing the leadership’s perception of the role of women in peace processes.

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38 For a list of SD representatives and advisors, see Statement Ethnic Armed Organisations Summit 2-9 June 2015. 21 July 2015.
39 Khen and Muk Yin Huang Nyoi (2014); Hedström (2013).
40 Lahtaw and Zahkung (2012).
SECTION 3

NOTABLE POLICY DEVELOPMENTS OR PROCESSES

This section outlines a number of policy developments with positive and negative implications for women’s participation and gender inclusion in the peace process. See Box 1 for further explanation of these terms.

NCA analysis and a gender quota in the Political Dialogue

The unfolding of the NCA has shown that the principle of inclusivity that the peace process claims to rest upon is not upheld with regards to women. While the EAO Lawkeelar summit of June 2015 agreed to mandate the SD to negotiate a gender quota for at least 30% in PD, this was rejected by the GoM and eventually an ambiguous compromise was included in the NCA: “We shall include a reasonable number of women representatives in the political dialogue process” (Chapter 5, Clause 23). Such vague and subjective wording offers no guarantees for women’s meaningful participation in the peace processes and directly contravenes the Government’s obligations under CEDAW.

Accompanying the confusion around the gender quota mandate is the contentious nature of the peace talk’s minutes. While some UPWC and NCCT/SD members agree that these minutes are binding, others do not and argue that the main text of the NCA is what has been agreed. Until full implementation of the ceasefire begins it remains unclear as to the binding nature of this document. This lack of clarity exacerbates the already precarious nature of the gender quota.

Quotas are one policy solution among many. It is a proven strategy for creating slightly more fairness for women in public life. Gender quotas work most effectively when part of a broader policy and cultural change, and can be bolstered by complementary, mutually-reinforcing mechanisms such as constitutional guarantees of equality, equality in recruitment procedures and capacity development.41 There is also increasing recognition of the importance of how women enter public life. This includes focusing on women’s pathways into political life and the institutions that nurture women’s political participation and in which women are able to articulate interest in and organise around gender-based injustices.42 While nascent, such spaces are increasingly being developed

by the women’s rights movement in Myanmar. In addition to the need for democratising public institutions, enhancing equality in the private sphere is critical to enable women’s participation in public life.

CEDAW binds Myanmar to: “take all appropriate measures to eliminate discrimination against women in all its forms, agree to pursue by all appropriate means and without delay a policy of eliminating discrimination against women.”43 Furthermore, UNSCR 1325 stresses the importance of women’s substantial and equal participation and inclusion in all peace building and conflict management, and urges member states, including Myanmar, to adopt and mainstream a gender perspective in all aspects and phases of peace agreements. In particular, it calls on state parties to ensure the “increased representation of women at all decision-making levels in national, regional and international institutions and mechanisms for the prevention, management, and resolution of conflict.”44

An immediate result of the failure to guarantee women’s participation in the NCA text can be seen in the formation of the Joint Implementation Coordination Meeting (JICM), the Joint Monitoring Committee (JMC) and the Union Peace Dialogue Joint Committee (UPDJC). Among the 90 confirmed members only 3 women are included, a parlous inclusion rate of 3%.45 See Table 1: Number of women in the peace process 2011 to 2015.

**Table 1: Number of women in the peace process 2011 to 2015**

<table>
<thead>
<tr>
<th>Negotiation body</th>
<th>Negotiation body</th>
<th>Inclusion of women if CEDAW quota applied</th>
<th>Number of women needed to meet minimum 30% standard</th>
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<td>NCCT</td>
<td>1 of 16</td>
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<td>4</td>
</tr>
<tr>
<td>Senior Delegation (SD)</td>
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<tr>
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<td>5</td>
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<tr>
<td>Joint Ceasefire Monitoring Committee (JMC-Union Level)</td>
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<td>8 of 26</td>
<td>8</td>
</tr>
</tbody>
</table>

43 CEDAW, Article 2.  
44 UNSCR 1325, Article 1  
45 At mid-December 2015.
The lack of gender perspective also has other consequences, including the absence of any reference to gender-based violence and female soldiers, thus directly contravening commitments made in relation to UNSCR 1889. This resolution states that Disarmament, Demobilisation and Reintegration (DDR) processes must “take into account particular needs of women and girls associated with armed forces and armed groups and their children” and that peacebuilding processes must ensure that women and girls are protected from GBV.  

Forthcoming policy briefs by AGIPP will provide a more detailed gendered critique of the NCA and an analysis of Women, Peace and Security standards and their relevance in Myanmar.

**Elections and the national parliament**

There are few female role models in formal politics in Myanmar. Across the country only 4.6% of parliamentarians are women. The male domination of the military and the 25% quota for the Tatmadaw in parliaments have further inhibited women from engaging in parliamentary politics in any numerical strength.

At October 2015, there were two female ministers in the Myanmar Government. This is the first time in the country’s history that women have been appointed to the Union cabinet, however both women are assigned ‘soft’ or ‘feminised’ portfolios such as social welfare and education.

The November 2015 general elections ushered in a number of highly capable women across the country into the national parliament. This is important not least because parliamentarians will be involved in the (PD) as outlined in the NCA (Chapter 5, Clause 22). Now women comprise 13% of parliamentarians. Still short of a minimum 30% ‘critical mass’ called for in CEDAW but a solid improvement from the previous parliamentary period.

There will be a pool of qualified women who cannot be overlooked for inclusion in the parliamentarian cohort in the PD including: Daw Shwe Shwe Sein Latt, former Chair of WON and Director of Phan Tee Eain (NLD from Bago Region for the Upper House); Naw Susana Hla Hla Soe, Coordinator of WON/Win-Peace and Director of the Karen Women’s Empowerment Group and a former AGIPP Steering Committee member (NLD from Yangon for the Upper House); Daw Zin Mar Aung, former political prisoner, founder of the Rainfall Gender Studies Group and the Yangon School of Political Science and a respected analyst (running for the NLD from Yangon for the Lower House), amongst many other capable women.

The desire to form a women’s caucus following the 2015 elections has been articulated by some women parliamentary candidates. Women’s caucuses can offer a potential mechanism that enables women in elected office to recognise and articulate interests, build alliances, broker differences and learn modes of cooperation and consensus-building to advance common goals. If established, such a caucus could offer much needed support to women parliamentarians and

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46 UNSCR 1889, Article 13
48 Data from the Danish Institute for Parties and Democracy (2015), *NLD Victory Confirmed*, 26 November.
50 See e.g. Thin Lei Win (2015)
51 For information about women’s caucuses, see Gonzales, Keila and Kristen Sample (2010), *One Size Does Not Fit All: Lessons Learned from Legislative Gender Commissions and Caucuses*, Stockholm: IDEA; *Inter-Parliamentary Union (2013) Guidelines For Women’s Caucuses*, Geneva: IPU.
could potentially be an important vehicle to catalyse the implementation of the National Strategic Plan for the Advancement of Women (NSPAW, see below).

**National Strategic Plan for the Advancement of Women**

Launched in 2013, the National Strategic Plan for the Advancement of Women 2013-2022 (NSPAW), set out a framework to advance the status of women in Myanmar across. The Plan is based around the 12 priority areas aligned with the 1995 Beijing Platform for Action (BPfA): livelihoods, education, and health, violence against women, economics, decision-making, implementation mechanisms, human rights, the media, environment and girls. The BPfA theme on ‘women and armed conflict’ is categorised in the NSPAW as ‘women and emergencies’ which is understood to cover environmental or ‘natural’ disasters as well as situations of violent conflict. In line with the commitments made by the international community, AGIPP understands this latter to include a focus on all forms of violence against women by armed actors. The BPfA priority areas were agreed by the international community and recognised as essential for progress towards implementation of CEDAW. Myanmar is bound by the BPfA. Therefore, NSPAW, when fully implemented and supported by a budget, could help cement Myanmar’s commitment to and compliance with CEDAW.

**Prevention and Protection of Violence Against Women Bill**

With the goal of bringing Myanmar’s laws into more effective compliance with CEDAW, the GoM has worked with the Gender Equality Network (GEN) and the UN, amongst others, to draft the Protection and Prevention of Violence against Women (PoVAW) Bill. In September 2015 this is undergoing a final review in the national parliament and is likely to be included in new legislation in 2016. If passed into law it will provide a legal framework for addressing women’s disproportionate experiences of violence.\(^{52}\) The bill stipulates the need to prevent and protect women from all forms of violence—including intimate partner violence, marital rape, sexual violence, harassment by stalking, harassment in work place and public place and violence through tradition and customary practice. Gender-based violence is relevant to the peace process in three ways:

- It inhibits women’s participation;
- It perpetuates a culture of impunity;
- It creates a climate of permissiveness around violating women’s human rights.

**The Four Laws on Race and Religion**

By August, 2015, four controversial laws were passed that severely restrict women’s freedoms and hamper their human rights. The laws, which were initially proposed by Buddhist nationalist group Ma Ba Tha in mid-2013, include the Religious Conversion Law, the Myanmar Buddhist Women’s Special Marriage Law, the Population Control Healthcare Law, and the Monogamy Law. The Religious Conversion Law mandates that a Myanmar citizen wishing to convert to a different faith must apply to do so through a state-governed body, thereby setting the stage for the establishment of “Registration Boards” populated by government officials who would have the power to approve or reject the application. Such a mandate clearly violates the right to choose one’s own religion.

The Myanmar Buddhist Women’s Special Marriage Law (the Interfaith Marriage Law) mandates that couples of differing faiths seek permission from authorities to proceed with marriage, in a move that critics argue will discriminate proportionally against Muslim citizens in the predominantly Buddhist

\(^{52}\) Gender Equality Network (2014); Gender Equality Network (2013), Discussion paper part 1; Gender Equality Network (2013), Discussion paper part 2.
country.\textsuperscript{53} The Population Control Healthcare Law mandates a 36-month gap between children for certain mothers and allows local authorities to determine birth spacing regulations in overcrowded, often Muslim-dominated areas, opening the potential for the state to enforce reproductive control measures, such as coerced contraception, sterilisation or abortion.\textsuperscript{54} Finally, the Monogamy Law ostensibly enforces the criminalisation of polygamy and extra-marital relations. This is regarded as enabling the state to interfere with the privacy of the family in violation of international norms.\textsuperscript{55}

SECTION 4

REPRESENTATION, PARTICIPATION AND INCLUSION: SAME OR DIFFERENT?

Understanding the differences between women’s participation, representation, and inclusion is necessary to advancing the goal of gender inclusion in peacebuilding. These are concepts that are frequently conflated or used synonymously. It is, therefore, important to recognise the differences between “representation”—a quantitative category—and “participation,” which incorporates a deeper qualitative involvement in a given social and policy context. Similarly, the concept of “inclusion” (or “presence”) refers to women’s ability to access peace processes, whether they be high-level negotiations or other spaces in which the brokering of decisions around peace and security occurs.

Real participation must also include the ability to make meaningful contributions to policy, and politics. Meaningful participation emerges when women’s presence reaches a “critical mass”—usually regarded to be around the 30% mark, which is why the BPfA set this as the minimum amount quotas should start from. This has the effect of women being “seen” and “heard.” Research indicates that the quality and influence of women’s contributions in these spaces are what makes a substantial difference to the sustainability and durability of peace agreements. Additionally, previous studies document that when women’s rights groups were able to influence the process through direct advocacy or advisory roles, the positive impacts of their participation were stronger.

Responding to criticism about women’s exclusion from peace processes by slotting in a few women as observers is an inadequate response. AGIPP seeks dynamic improvement in the numbers of women substantively participating in the process over time. Numbers are only one benchmark in achieving sustainable and meaningful change. Women’s real and meaningful participation occurs when women have both presence and influence over decision-making through formal roles as negotiators, mediators, advisors, or technical specialists. The range of formal roles that women can and should play in the forthcoming political dialogue include:

56 See for example, Stone (2014).
**Negotiators:** Negotiating parties discuss and agree on the substantive provisions of a given peace accord. They frequently also “set the agenda and the structure of the peace process – even the ‘shape of the table’ itself in terms of setting conditions on who participates and how.”[@] Saw Mra Raza Lin from ALP has played this role in the NCCT and Nay May Oo Mutraw has participated in the KNU negotiating Team in bilateral ceasefire negotiations.

**Facilitators:** Provide support to negotiating parties to coordinate their discussions, manage tensions and blockages and identify technical assistance. AGIPP founding member and Director of the Nyein (Shalom) Foundation Ja Nan Lahtaw, has been in such a role over the course of the NCA process, co-facilitating the process with a counterpart from the MPC.

**Mediators:** Apply conflict management tools to prevent the escalation, outbreak or exacerbation of violence and/or conflict. Skilled mediators provide independent and impartial guidance to the parties to reach agreements or plan to resolve differences. During peace negotiations, mediators often rely on access to technical expertise on a variety of issues such as gender inclusion.

**Technical advisers:** Thematic and process advisers, including experienced gender advisers with expertise in women’s rights, international policy and social issues related to gender. They focus on integrating gender inclusion and peace and security concerns into an organization’s activities and overall structure. AGIPP founding member Nang Raw Zahkung, Deputy Director from Shalom, has been one of the technical advisers to the NCCT during the NCA process. Naw May-Oo Mutraw has provided technical advice to KNU including drafting codes of conduct.

**Observers:** Observers can also be critical in documenting discussions and communicating outcomes to civil society groups and others not directly represented at the table, and coordinating outside pressure when gender issues are being subverted or ignored. However this should not be a substitute for women in the talks. Observers, if effective, can also provide important functions to assist with consultation and feeding back to local communities and specific constituencies to increase information flows and the legitimacy of peace process. Mi Kun Chan Non, Vice Chair and Director of the Mon Women’s Organization and representative of the Mon Women’s Network on the AGIPP Steering Committee has served as an observer to the bilateral ceasefire talks between the GoM and the NMSP. WLB has also participated as observers during EAO meetings.

**Signatories:** Signatories participate at the formal level of signing the texts of peace accords. Thus, these roles are rarely assigned to women. When women do participate as signatories, they often do so by signing on behalf of groups of women. Mi Sue Pwint from All Burma Students Democratic Front (ABSDF) has participated as a signatory for state and union level agreements, and is now one of the three women in the UPDJC.

**Monitors:** Women’s participation in the development of ceasefire monitoring agreements as well as in ground level peace monitoring is crucial. Peace process monitoring requires both gender balance in all monitoring implementation bodies and gender expertise. Where such expertise is lacking, gender training for monitoring implementation team members is a necessity. Including women’s organisations in monitoring teams or supporting them to set up their own teams are recommended.

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[@] UN Women (2012), p. 11.
strategies. \footnote{Buchanan, Cate and Antonia Potter Prentice Editors (2012), \textit{From Clause to Effect: Including women’s, rights and gender in peace agreements}, Women at the Peace Table Asia Pacific, Geneva: Center for Humanitarian Dialogue.} Shan Women Action Network, a founding member of the Women’s League of Burma, is involved in monitoring the peace process, including advocating for the meaningful participation of women at peace talks at different levels.

**Commissioners:** Peace Commissioners are appointed in some contexts, typically as honorary positions. Their duties and powers may consist of taking statutory declarations, witnessing signatures on documents required by various authorities and signing certificates and orders under various Acts.

**CONCLUSION**

The necessity for women in Myanmar to claim political space cannot be overstated; hence, AGIPP is committed to contributing to the achievement of this goal. In doing so, it will need to work within established parameters as well as create new ones. Naw Zipporah Sein articulated this best when she stated, “Women need to break the rules which are anyway established by men! Even if they are not invited, they should go [to peace talks]...Women really need to be brave enough to break the rules.” \footnote{OSF report (2014), p. 38.}

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Box 2: About AGIPP

AGIPP was formed to address two persistent challenges:

1. The low levels of women’s involvement in peace and security-related negotiations and agreements to date in Myanmar.
2. The critical necessity to improve the inclusion of gendered analysis and outcomes in ceasefire and wider peace agreement texts and implementation.

The forthcoming formal political dialogue will be a process to which the AGIPP pays considerable attention, and will be consistently offering and providing a host of policy-relevant suggestions. A set of Policy Briefs will be developed through 2015-17, available in English and Myanmar, and widely distributed.

AGIPP includes members from across Myanmar and welcomes membership from national women’s rights organisations and peace organisations who substantively address gender in their work. AGIPP members’ work span community level mobilisation to advocacy and policy engagement. Collectively AGIPP amplifies the voices of its member organisations and provides an arena for civil society concerns to be brought into the unfolding peace-process. International organisations and others, are invited to be “Supporters” of AGIPP, and are encouraged to participate in the work underway.

AGIPP is guided by a Steering Committee of eight organisations and networks: Gender and Development Institute, Gender Equality Network, Kachin State Women’s Network, Mon Women’s Network, Nyein (Shalom) Foundation, Women and Peace Action Network (Shan State), Women’s League of Burma, and WON/WIN-Peace. A small Secretariat operates in Yangon.

For more information about the Alliance visit:
Website     www.agipp.org (online in first quarter of 2016)
Facebook  Alliance for Gender Inclusion in the Peace Process (AGIPP)
Twitter  @AGIPPMyanmar

#MoreWomenBetterPeaceMyanmar  #WPSinMyanmar   #wherearethewomenNCA