



MYANMAR AND THE CASE FOR UN RESOLUTION 1325

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From sexual violence to socio-economic hardships, women have borne a disproportionate share of the burden in Myanmar's decades-long civil war. As the country undergoes a protracted peace process, more needs to be done to address the plight of conflict-affected women and ensure that women play a greater role in peacebuilding efforts. UN Security Council Resolution 1325 is instrumental to such efforts, argue Christopher O'Hara and Johan Klaas Krom.

Last month marked the 15-year anniversary of the UN Security Council's adoption of Resolution 1325 which addresses the impact of war on women, and the important part that they play in conflict management and peace-building initiatives. As Myanmar undergoes a peace process fraught with challenges, more recognition needs to be accorded to not only how women have been affected by decades of conflict, but also how they have an instrumental role in contributing to achieving sustainable peace. While efforts are being undertaken by various actors including civil society organizations and the government to address such, still more needs to be done towards heeding the principles and adopting an action plan in regard to Resolution 1325.

Women and Myanmar's Civil War

Myanmar has experienced decades of civil war between the country's armed forces or Tatmadaw and dozens of ethnic armed organizations (EAOs). While this has placed a strain on all sectors of society, women in particular, and furthermore women in ethnic areas worst affected by conflict, have borne a disproportionate share of the burden. This is especially the case in regard to sexual violence, socio-economic hardship, vulnerability to human trafficking, and a lack of basic services to address the specific needs of women.

Sexual Violence. Myanmar's armed forces are reported to be the main perpetrators of sexual violence such as rape, assault, and the threat of abuse in conflict-affected areas. Despite attempts to negotiate a nationwide ceasefire, women continue to be victims in conflict areas. According

to a March 2015 report by the UN Security Council, sexual violence remains widespread in Kachin State, northern Shan State, and Rakhine State, as well as ceasefire areas in Chin State and parts of Southeast Myanmar. The difficulty of gathering and compiling accurate data, stigmatization of victims and lack of recourse for women to officially report sexual abuse, mean that the prevalence of sexual violence is likely much higher than reported.

Socio-economic Hardship. Women are disproportionately affected by the socioeconomic impact of violence. Vulnerability of women is aggravated in cases where husbands or sons are away fighting, detained, disappeared, or killed. In such situations, women often have to become the sole breadwinners. Furthermore, when families are cut off from access to land and livelihoods, this puts immense pressure on these ostensibly female-headed households. These strains are worse yet for ethnic (non-Burman, and in particular Rohingya) women who continue to face discrimination along sectarian lines in addition to their gendered marginalization.

Human Trafficking. Conflict and displacement is one of the factors of vulnerability to human trafficking. The UN March 2015 report states that ongoing skirmishes have resulted in refugee crises that have increased the risk of trafficking for sexual exploitation and forced marriages, especially where the buffer of community and family structures has been seriously eroded. The UN report concludes that "since early 2014, there has been a marked increase in dangerous migration practices and a surge in the trafficking of adolescent girls." Shan and Kachin States—as well as Rohingya from Rakhine State—are of particular concern



in this regard. While information is difficult to verify, the majority of allegations are directed towards state actors as well as criminal groups.

Lack of Basic Services. Decades of conflict have also undermined the availability of adequate healthcare and basic services for conflict-affected women in Myanmar, particularly in terms of trauma and reproductive health. There are, furthermore, also very few judicial mechanisms that women can turn to when reporting cases of abuse or the threat of abuse.

In sum, it is clear that decades of conflict have exposed women to specific burdens and vulnerabilities—a situation which continues to the present day. As the country undergoes a peace process, it is essential that women’s experiences and needs are fully addressed as well as their contributions recognized in peacebuilding efforts. UN Resolution 1325 provides a platform for dealing with these issues.

UN Resolution 1325

UN Resolution 1325 was adopted in 2000 by the UN Security Council on the basis that women uniquely suffer in war. It encourages all nations to devise peace-building strategies, through the adoption of National Action Plans (NAPs) that lessen the suffering of women during violent conflict as well as bolster equal gender inclusivity, recognizing that women have important insights and contributions in peace processes. While the resolution has prompted extensive debate on the role of women in peacebuilding, to date only 48 countries have adopted NAPs. Myanmar is not among them.

Resolution 1325 consists of four pillars that form its base: 1) **Participation** promotes the increased role of women in decision-making institutions as well as involvement in peace negotiations and conflict prevention task forces including the police. It emphasizes the relevance of women as stakeholders in negotiation efforts, holding roles as negotiators, technical advisors, planners, observers, and facilitators—positions traditionally held by men; 2) **Protection and Prevention** promotes the protection of women from gender-specific sexual violence and stipulates the strengthening of women’s rights laws generally, the support of local initiatives towards empowering women, and prosecution of those who violate international law related to these issues;

3) **Relief and Recovery** urges all humanitarian efforts to adopt a gender-sensitive perspective on their engagements, for example by incorporating the specific needs of women and girls in the arrangement and management of IDP settlements.

Women and Myanmar’s Peace Process

In 2013, the Myanmar government outlined the National Strategic Plan for the Advancement for Women (2013-2022). A strategy document issued by the Myanmar National Committee for Women’s Rights under the Department of Social Welfare, Relief, and Resettlement, it consists of 12 priority areas which addresses, among other aspects, violence against women, decision-making, institutional mechanisms, and health. However, as is examined below, measured against the four pillars underpinning UN Resolution 1325, there is still much to be done in terms of addressing women’s needs and inclusivity relating to the conflict and peace process.

Participation. Of the main bodies involved in the formal negotiation process for a Nationwide Ceasefire Agreement in Myanmar, all 11 members of the government Union Peace Central Committee (UPCC), and all but 2 of the 52 total members of the Union Peace Working Committee (UPWC) are men. Of the 16 EAOs involved in the negotiations, there have only been a handful of female representatives. Women’s participation in formal negotiations has therefore been marginal, albeit women have played less formal roles.

Protection and Prevention. The Myanmar government has adopted a “zero-tolerance” policy (which remains weakly enforced) for sexual misconduct by its military personnel and, in 2014, prosecuted two soldiers accused of rape. Furthermore, the government signed the UN’s Declaration of Commitment “To End Sexual Violence in Conflict” in June 2014. Notwithstanding, Myanmar’s existing legal framework remains underdeveloped and outdated pertaining to women’s rights and human rights more generally. Moreover, a lack of judicial independence and constitutional impunity afforded to military personnel on both the government and EAO sides has enabled perpetrators of sexual violence to avoid prosecution, thus undermining victims’ trust and ability to resolve their plight through official channels.



Many overseas development agencies and international NGOs have organized events addressing the issue of violence against women in conflict. This plays an important awareness-raising role where knowledge of the issue is weak. Furthermore, there is a fairly active network of domestic women's organizations such as Women's Organisations Network Myanmar (WON), an organization made up of over 30 women's groups in Myanmar that largely draws its membership from ethnic minority women. There are also organizations and networks that have emerged from groups based in border areas and neighboring countries including the Women's League of Burma (WLB). (Women from this umbrella organization are from Burman and ethnic opposition groups that took up armed struggle or fled the country, many of whom returned to Myanmar after 2011.) The WLB runs a series of active grassroots-centered dialogue, capacity building, and advocacy programs aimed at furthering peace-building processes and enhancing women's agency therein.

Relief and Recovery. Myanmar's enduring conflicts continue to displace communities on a large scale, with the Office of the United Nations High Commissioner for Refugees (UNHCR) estimating some 587,000 people remain internally displaced as of 2015. Despite a Nationwide Cease-fire Agreement signed on October 15 with eight EAOs, recent clashes in Shan State has seen the displacement of over 6,000 civilians. Although the UNHCR claims to provide some form of basic assistance to some 312,000 IDPs, other sources note that many displaced women remain unaccounted for and are as such often beyond the reach of humanitarian assistance. In areas seeing active fighting, emergency relief is only possible on an ad hoc basis.

Recommendations

While the Myanmar government should seek to develop a NAP in line with Resolution 1325, a practical starting-point would be to build on the National Strategic Plan for the Advancement for Women which, as critics have argued, fails to place sufficient attention specifically on the issue of women in armed conflict. As a first step, the government should more effectively enforce its zero-tolerance policy for sexual misconduct by military personnel. In so doing, it should continue to actively seek out and prosecute individuals who engage in such acts, while simultaneously increasing access to legal support and establishing the correct judiciary procedures for victims.

More generally, however, it should be recognized that a lack of capacity, awareness, and understanding of Resolution 1325 and related gender issues remain obstacles to its promotion. In this regard, the international community and donor organizations should seek to:

- 1) Bolster the capacity of the Myanmar government and assist it with expertise in promoting the increased integration of gender commitments into Myanmar's development strategy and peace-building process, as well as promote the provision of improved response and protection services to women in ethnic areas.
- 2) Engage in dialogue and conduct capacity-building with the Myanmar Defence Services and ethnic armed organizations on Resolution 1325 and associated gender issues.
- 3) Further enhance the reach, capacity, and protection of local women civil society organizations (CSOs) in Myanmar who are working on women's issues and specifically the role of women in conflict.

While there are some initiatives regarding the above, especially for CSOs, these are given much less funding and support compared to other programs such as poverty reduction and/or are minor components of broader assistance to the peace-building process.

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