

**Tavoyan Women's Union (TWU)**

# **Empowering Nebulal women to defend their rights to land, livelihoods and decent work**

## **Introduction**

Tavoyan Women's Union (TWU) led a Feminist Participatory Action Research (FPAR) on rural women's rights to land and natural resources (Land FPAR) between September 2018 and June 2020 with women living in three villages in the Nebulal area of Dawei district. Through the initiative of the Land FPAR, the Nebulal women from Paradat, Mudu and Bawah documented the impact of the Dawei Special Economic Zone (DSEZ) project on their land and livelihoods.

## **Background**

Dawei is a district located in Tanintharyi region in southern Burma/Myanmar. The Dawei Special Economic Zone (DSEZ) is one of the biggest projects in Burma/Myanmar, which was initiated by the governments of Burma/Myanmar and Thailand in May 2008. Italian Thai Development Co. (ITD) and the Myanmar Port Authority (MPA) signed a contract in 2010 to implement the work of the project. The project plan is to convert 204.5 square kilometres of land area to DSEZ, which is estimated to affect 20 to 36 villages in Dawei district. Since the project initiated its operation, land grabbing has become a widespread issue in the community. No detailed land law was in place to address the issue, and it became more complicated when the government and the company did not have consultations with the landowners. The quasi-civilian government introduced a controversial land law in 2012 which favoured investors over protecting the

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poor communities, and did not address women's rights to own and manage land. Land confiscation by ITD caused almost all villages in the DSEZ area to suffer loss of livelihoods, destruction of farmlands and restricted access to the coast, which had a severe impact on women. Nearly half of the women in Nebulal had completely lost their income from their former livelihoods, such as working in cashew nut plantations, rice farming and collecting shells from the sea area, etc., and many were forcibly relocated as the company occupied the coastal area. Throughout the process of land management, women have been excluded from decision making over land sale and compensation, as men's names are automatically listed on land documents as household heads due to the prevailing patriarchal culture.

## FPAR process

The Land FPAR team consisting of a young woman researcher and a mentor from TWU carried out a series of pre-research consultations with the targeted Nebulal women. A group of young women from Mudu, Le Shung, Paradat and Bawah villages joined the FPAR as co-researchers. The FPAR team held one-on-one consultations with village authorities in six villages to inform them about the FPAR initiative and organised women in the three selected villages to gather data. The women used participatory tools such as problem tree analysis, drawing, power mapping and social mapping to discuss the purpose and direction of the FPAR. Out of the 1,355 households in Mudu, Paradat and Bawah villages, the research team surveyed 120 households (40 households per village). The team also conducted focus group discussions (FGDs) with women in each of the villages. A total of 62 women (12 from Paradat, 34 from Bawah and 16 from West Mudu) participated in the FGDs. The women's awareness of human rights and land rights were built through organising workshops.



## FPAR findings

### Land confiscation via land laws and policies

The Burma/Myanmar military government developed the DSEZ plan in 2011, which consisted of 12 sections stating its objectives and how the DSEZ will be developed in Nebulal area. Section 4 outlined the process for establishing a DSEZ management committee, which included representation of Tanintharyi Regional governments and national government but completely excluded the role of the community. Section 5 of the law stipulated tax exemption for investors in the first five years and a low tax rate for the following five years. In addition, the law clearly stated that the project would include coal power plants and other types of energy production, steel mills, fertiliser and refinery factories as well as other factories necessary to develop an industry. Section 7 stipulated that the national government would decide the site of the land for the project, and the investors would be responsible for compensating and relocating the community where the government would rent out the land. Generally, the investor may be permitted a concession of at least 30 years of the allocated land with the option of extension for another 30 years. In the entire section, community consultation for land use was not mentioned. Therefore, the DSEZ law gave the decision-making power regarding the land entirely to the government and the investors without considering people's participation in the entire process. In March 2012, the government introduced land and waste land laws and changed the land use policy in the investor's favour. In 2017, these two laws were amended to confiscate unregistered lands. In the wake of the changes in land laws and policies, the ordinary people living on their lands became the "occupying residents" who faced arrest and lawsuits. This caused farmers, small scale enterprises and landowners to lose their livelihoods dependent on the land and be forced to migrate.



## Women's loss of livelihoods and migration due to loss of access to land

The main income sources of Nebulal women of Mudu, Paradat and Bawah villages are from plantations of seasonal fruits such as watermelon, gardening, farming cashew nut, fishing and picking up shells on the shore. During a social mapping exercise, the women reported that at least one person in every family has migrated to Thailand seeking better livelihoods and has remitted money to their families. Only the middle-aged (from 50 up to 70 years of age) community members have been left in villages with very limited income sources. Those villages will be relocated when the DSEZ operation begins, which means that they would lose their livelihoods reliant on the land and the coast.

## Women's lack of decision making-power and land ownership

The majority of the women in Mudu, Paradat and Bawah villages were not aware of the DSEZ project, particularly regarding how the project will develop and who will benefit from the project. Due to the prevailing patriarchal tradition and culture, women in the Nebulal area had been excluded from the decision-making process at the family, community and national levels. The Land FPAR finding shows that women are responsible for in-house work only, rather than sharing power in the community. At the beginning of the research, the women in Nebulal were not aware of their rights concerning the DSEZ project and were hesitant to speak up in public. Ownership of land and property had been limited to men only. According to research conducted by TWU in 2012, out of 60 women from six villages in Dawei, only two women were listed as the responsible persons of their land, as their husbands had died.



Through the initiative of the Land FPAR, Nebulal women from the Paradat, Mudu and Bawah villages became conscious of their human rights as they learned about the Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW) and analysed the DSEZ law. The young woman researcher, along with the co-researchers and TWU team, worked together to produce two videos depicting the FPAR journey of Nebulal women and stories of the impact of the DSEZ on their lives. A video of the consultations with women in Nebulal on the DSEZ project posted on Tavoyan Women's Union Facebook page received over 4,600 likes.

Through the FPAR, the Women in Nebulal area became more active, and their participation in various events organised by TWU and its partners increased, such as the celebration of International Day on Violence against Women. Another important activity was the knowledge exchange between women in Nebulal and women from other SEZ areas, namely Kyaukphyu SEZ in Rakhine state and Thilawa SEZ in Yangon region. Participation in these activities deepened the women's understanding of their common struggle on land and livelihoods against systemic oppression as well as strengthened the solidarity amongst them. In the next step, the Land FPAR team plans to mobilise women in Nebulal to meet different government institutions and ministries such as the Planning and Finance Ministry, members of parliament at the Township level, as well as the National Committee on the DSEZ to put forward their demands in relation to the DSEZ project.





## Recommendations

- All parties, including the governments of Burma/Myanmar and Thailand, private sector and community leaders shall respect women's human rights and create an enabling environment for their participation and inclusion in meetings and discussions related to the SEZ.
- The Government of Burma/Myanmar shall disseminate all the SEZ-related information publicly and ensure that Nebulal women are able to access and understand the information.
- The Government of Burma/Myanmar shall conduct meaningful discussions and audits on the laws and policies affecting women, including on women's human rights, especially their rights to land and resources.
- The private sector shall comply with the international human rights instruments to advance and fulfil the rights of rural and marginalised women groups in Burma/Myanmar.
- The Government of Burma/Myanmar shall prepare fair remedy and compensation systems for the affected villages.
- The Government of Burma/Myanmar shall provide an alternative approach for the Nebulal women to promote and support their livelihoods and decent work.
- The Government of Burma/Myanmar shall create decent work opportunities to promote and support the livelihoods of Nebulal women and other vulnerable groups in the country.



### **About Tavoyan Women's Union**

The Tavoyan Women's Union (TWU) represents women of the Tavoyan minority ethnic group from the Tanintharyi Division in Southern Burma/Myanmar. TWU works actively to promote women's participation in society, improve safety and education for women, achieve gender equality and protect women's rights.

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### **About APWLD**



Asia Pacific Forum on Women, Law and Development (APWLD) is the region's leading network of feminist organisations and individual activists.

For 35 years, we have been carrying out advocacy, activism and movement-building to advance women's human rights and Development Justice.

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