



BURMA/MYANMAR

Mali Nmai Zup

Indigenous Women's

Womaniifesto

for Their Human Rights



Militarism, Conflict, and Gender Inequality

Burma/Myanmar is a highly diverse country with many ethnicities and languages. The military regime that has been in power for most of the country's post-colonial era, has neglected the socio-economic development of the ethnic minorities, while promoting ruthless natural resource extraction from indigenous lands. These oppressions have generated long-standing armed conflict between ethnic armed groups and Burma/Myanmar's national military. It is women and children that have suffered the most in the cross-fire, and have faced systematic targeting by the Myanmar army (or Tatmadaw) for sexual violence. Women's access to education, health, livelihoods and political participation have also experienced adverse impacts through the vicious cycles of militarism, dictatorship, corporate extraction and patriarchy.

After a decade of democracy, the country's military seized power again in 2021. Women are being excluded from important ministerial positions and caps have been placed on the inclusion of women even in mid and junior level positions in the government.¹ The peace process between 2011 to 2015 between the military and the country's armed ethnic groups, was largely negotiated between men from all sides, with only four women serving intermittently in senior negotiation delegations. Women were also largely excluded from the implementation structures of the ceasefire agreement and monitoring teams. Women were involved mostly as informal observers and in support roles. However, this enabled them to become information channels to civil society organisations on the ground, including women's organisations, enabling them to conduct a campaign for a gender-inclusive ceasefire process.² Not only did Burma/Myanmar embark on a peace-process without adequate participation of women, its institutional spaces even now continue to operate with patriarchal mindsets, with women's representation in the national Parliament growing only by five per cent in the 2015 and 2020 elections.³

There have been numerous reports of Sexual and Gender-Based Violence (SGBV) inflicted on women and minors since the recent military coup. Women in the country, particularly young women, are also leading protests against such oppressions, and are being targeted for resisting. More than a thousand women have been arrested by the military regime and are being held at unknown locations, with reports of being subjected to sexual abuse during interrogation.⁴ Security of women in their everyday lives has also become an issue and many women feel afraid to leave their homes.⁵

Kachin state is located in the northern part of Burma/Myanmar, bordering India and China. It has over six indigenous tribes living traditionally in the area. The life of ethnic communities

¹ Bardall, G. & , E. (2021, Feb 19). *The exclusion of women in Myanmar politics helped fuel the military coup*. The Conversation. <https://theconversation.com/the-exclusion-of-women-in-myanmar-politics-helped-fuel-the-military-coup-154701>

² Muehlenbeck, A. & Federer, J. (2016). *Women's inclusion in Myanmar's nationwide ceasefire agreement*. Swiss Peace Foundation. <https://www.inclusivesecurity.org/wp-content/uploads/2016/09/Womens-Inclusion-in-Myanmars-Nationwide-Ceasefire-Agreement.pdf>

³ Bardall, G. & , E. (2021, Feb 19). *The exclusion of women in Myanmar politics helped fuel the military coup*. The Conversation. <https://theconversation.com/the-exclusion-of-women-in-myanmar-politics-helped-fuel-the-military-coup-154701>

⁴ Kuehnast, K. & Sagun, G. (2021, Nov 30). *Myanmar's Ongoing War Against Women*. United States Institute of Peace. <https://www.usip.org/publications/2021/11/myanmars-ongoing-war-against-women>

⁵ United Nations Development Programme (UNDP) & United Nations Entity for Gender Equality and the Empowerment of Women (UN Women). (n.d.). *Regressing Gender Equality in Myanmar: Women Living under the Pandemic and Military Rule*. <https://asiapacific.unwomen.org/sites/default/files/2022-03/mn-Myanmar-Women%20Report-NEW-06032022.pdf>

has undergone tremendous disruption due to the construction of the Myint Sone Dam by the State Power Investment Corporation (SPIC), known as China Power Investment (CPI). The construction has been on-going since 2008, disrupting local ecology and livelihoods. The indigenous communities of the area, including the Mali Nmai Zup group, have been protesting against the construction of the dam since its start as they were not consulted in the process and the necessary social as well as environmental impact assessments have not been conducted.



Local livelihoods dependent on the Irrawaddy river have been declining, whereas residents have been internally displaced without support for proper rehabilitation or access to housing, healthcare and schooling. Many have lost their houses, farms and income sources. The project was officially suspended in 2022 due to protests led by indigenous women. However, on the ground, the dam construction continued unabated, whereas international media and humanitarian groups withdrew their interest and support based on the official suspension of the project. Moreover, the tensions have increased conflict and military presence in the region, which in turn have deepened the patriarchal structures and systems of the indigenous communities. All of these processes have compounded to suspend the human rights of Mali Nmai Zup indigenous women, both in their internal, community-based traditional systems of governance as well as their socio-economic lives. Women's limited representation in political structures at the local as well as state level result in their voices not being accounted for in policy making and peace building.



‘We agree with the need to increase women’s participation in decision-making because community concerns are not just men’s concerns, women are also community members. Women’s issues need to be addressed and we agree that lack of women’s participation in decision-making disadvantage women and they face cases judged by administrative or traditional/cultural leaders. Men need to acknowledge this and support women’s participation for fair and equal opportunities for women’ – U Maung Maung*, Village Section Leader and participant of Womanifesto.

**Name changed to maintain anonymity*

Womanifesto Journey



Photo: Mali Nmai Zup indigenous women gather to discuss their issues and demands.

Mali Nmai Zup Indigenous Women, Kachin State, Burma/Myanmar

During the struggle against Myint Sone Dam construction, Mali Nmai Zup women organised women from different walks of life including religious and social leaders, as well as members of civil society groups. Together, they actively participated to free the Irrawaddy river from dam construction, in addition to coordinating humanitarian support for those targeted for resisting the construction. This alliance of indigenous women set up the MNZ Women's Group in 2018, with the purpose of enhancing women's political participation and leadership in traditional justice systems of their tribe, to advance women's human rights, and to work towards freedom from GBV.

MNZ Women's Group is an activism-led space with indigenous women from 15 villages. The women are mainly engaged in agriculture and casual work, and are actively working towards raising women's voices in political and social platforms, from village to Kachin state level. It also works towards environmental conservation and community development. It is located in Tanghpore village, Myitkyina township of Kachin state, which has historically been under armed conflict between the military and Kachin ethnic armed groups.

MNZ Women's Group brought together a broader group of indigenous women from the 15 villages under their coverage. The women then led the process to develop this Womanifesto - a feminist manifesto that maps the key challenges and demands of indigenous women for their human rights. During the Womanifesto process, the women held dialogues to analyse the ways in which the confluence of militarism and patriarchy has affected their lives and undermined their rights. Collectively, they mapped their ideas for reducing male domination and to work towards gender equality in their communities, challenging patriarchal attitudes and practices. The Womanifesto process was not just

transformative for women, but also for many men and male community leaders who engaged with it, and who are now starting to take an interest in women's issues. Capacitated by the knowledge and process of the Womanifesto, many Mali Nmai Zup indigenous women are now assuming greater leadership roles in their villages, in addition to providing support to other women in their areas.

Mali Nmai Zup Indigenous Women Raise Priority Issues

Women's lives fall at the centre of the adverse trends of militarism, deepening patriarchy and state legitimised corporate extraction of indigenous people's resources. All of these compound to create and deepen poverty among women, particularly time poverty.⁶ Indigenous women in Kachin state have been coping by extending themselves even more to make ends meet for themselves and their families. During the Womanifesto process, Mali Nmai Zup indigenous women mapped the following key issues that they face, which intersects with the above-mentioned challenges in their everyday lives:

- ❖ **Non-implementation of constitutional guarantees on indigenous women's rights:** The constitution of Burma/Myanmar guarantees a range of fundamental rights to its peoples. For instance, Article 354(d) grants rights to communities to develop their own language, culture and customs. However, realising these rights require that indigenous communities have access to schools, hospitals, transportation and other basic facilities. The government in Burma/Myanmar has neglected the provision of these particularly in indigenous areas, which undermines the realisation of basic rights of indigenous peoples. The constitution also enshrines the principles of equal rights between men and women and the right against discrimination in Chapter 8. However, in practice, women are regularly discriminated against in education, employment, and other walks of life. For instance, women are required to have higher scores than men to enter medical school. Many political parties have different and higher criteria for women to get a ticket to contest elections. Indigenous women are doubly affected by these discriminatory policies, on account of being women and indigenous. Living in rural, conflict-ridden areas, indigenous women face a higher degree of socio-economic and political exclusion as well as violation of their human rights enshrined in the constitution.
- ❖ **Gender-based discrimination in customary practices:** The governance systems of the Mali Nmai Zup community is male dominated and women are largely excluded from its decision-making spaces. Leadership is male and deeply patriarchal in its attitude. Moreover, the 1967 Kachin Customary Laws followed by the MNZ indigenous peoples, treat men and women's rights unequally. For instance, indigenous women have limited inheritance rights, such that land and property is passed down the male line. This decreases women's control over economic resources, which in turn depletes their overall power and voice in decision-making in their families and communities. The armed conflict and long-drawn out military dictatorship has deepened the patriarchal practices of male leaders of Mali Nmai Zup community.
- ❖ **Deepening levels of Gender-Based Violence (GBV):** Since the military coup of 2021, indigenous women have been facing higher rates of human rights abuses and GBV. Growing poverty levels and unemployment stress has increased cases of domestic

⁶ United Nations Development Programme (UNDP) & United Nations Entity for Gender Equality and the Empowerment of Women (UN Women). (n.d.). *Regressing Gender Equality in Myanmar: Women Living under the Pandemic and Military Rule*. <https://asiapacific.unwomen.org/sites/default/files/2022-03/mn-Myanmar-Women%20Report-NEW-06032022.pdf>

violence and sexual violence against women. The male leadership of customary governance systems respond in a way that increases the injustice faced by the survivors of violence. Male leaders often force women survivors of GBV to marry their perpetrators. Instead of being punished, perpetrators enjoy impunity from legal action and only have to provide monetary compensation to the survivor. Furthermore, the male leaders of the community coerce women and their families to spend the compensation money on holding prayer sessions at their home, in which women survivors of GBV are made to confess their 'sins' over their 'unholy bodies'. Such oppression and gender injustice faced by the Mali Nmai Zup indigenous women is worsened by the lack of economic opportunities and declining traditional livelihoods, which makes women susceptible to being trafficked for sex work or to unsafe migration for casual work. Both of these expose women to different forms of harassment and violence from multiple actors. Indigenous women also face sexual violence at the hands of the military. All of these factors combined mean that indigenous women have to live in constant insecurity, fear and lack of safety.



Photo: Mali Nmai Zup indigenous women work together to form their Womanifesto.

Womanifesto: Mali Nmai Zup Indigenous Women Demand the Fulfilment of Their Human Rights

Indigenous women of Mali Nmai Zup community demand that the male leadership of customary governance systems, religious leaders and local administrators prioritise the safety, security and realisation of women's human rights as an urgent priority. Towards this end, Mali Nmai Zup indigenous women demand the following:

- ❖ **Reform customary practices to promote gender equality:** The customary laws of Kachin state must be reformed to enshrine equal rights to men and women through measures such as granting inheritance rights to indigenous women. Moreover, male leaders must actively promote the agenda of gender equality in the community by treating women's issues as priority, such that the widespread patriarchal attitudes of community members begin to shift. Male leaders must work towards a cultural change in social norms in their communities in the direction of gender equality.
- ❖ **Ensure women's political participation:** Mali Nmai Zup indigenous leadership must reform their patriarchal attitudes that deem women as unfit for public and decision-making positions, confining them to gender-stereotyped roles around care giving in domestic spheres. They must recognise that Mali Nmai Zup indigenous women have made a central contribution in mobilising local communities against dam construction and the destruction of their natural resources by state-corporate violation of indigenous people's ecological rights. Mali Nmai Zup indigenous women have already proven their capabilities and the powerful role they can play in the political life of their communities. Thus, leadership must provide for proportional and substantive representation of women at every level of decision making in village administration, as well as in education, health and religious spaces.



❖ **Indigenous leadership must commit to gender justice:** Leaders of the Mali Nmai Zup indigenous community must commit to women's human rights as well as gender-responsive governance. They must participate in capacity building activities conducted by the women with openness and reform their patriarchal response to cases of GBV faced by Mali Nmai Zup indigenous women. They must end practices such as worship sessions and shaming of women who have experienced GBV. Instead, the leadership must commit to learning and implementing legal measures that punish perpetrators of GBV and ensure a gender just process.

❖ **Improve women's access to education, health and transportation:** For the realisation of human rights of indigenous women, their access to basic public goods and facilities such as schools, hospitals and transportation services must be ensured. These are necessary to ensure that women have a basic degree of safety, security and opportunities to pursue the fulfilment of their socio-economic needs as women, citizens and political beings.





About APWLD

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