KEY FINDINGS

1. The final text of Myanmar’s National Ceasefire Agreement included three important gender-related stipulations.

2. A limited number of women participated formally in the ceasefire negotiations that culminated in October 2015.

3. However, women played informal observer and support roles, which enabled them to share information with civil society about the process and content of the talks. Some also conducted backchannel mediation between actors.

4. Women’s organizations conducted mass advocacy campaigns and presented concrete recommendations for an inclusive ceasefire process.

5. Following the signing of the ceasefire agreement, Myanmar embarked on a formal national peace process, which started with minimal participation of women. The parties have since agreed to a 30 percent quota, which has yet to be applied at the time of this report’s publication.
Introduction

Ceasefire agreements play a crucial role in ending armed conflict. They are often the primary tool to reduce or stop violence and create space for political negotiations. Due to their technical nature, ceasefire talks have been historically exclusive processes between governments and armed groups. While a growing body of research has addressed ceasefire design and implementation, there is still a dearth of knowledge about the inclusion of women in ceasefire negotiations. With the majority of military forces and armed organizations dominated by men, there is little information on women’s participation in ceasefire negotiation and implementation or their impact on related issues.

This study aims to fill that gap by exploring women’s entry points and possible influence in Myanmar’s ceasefire negotiations between 2011 and 2015. This agreement culminated in the Nationwide Ceasefire Agreement (NCA) signed by eight members of a coalition of 16 ethnic armed organizations (EAOs). Myanmar presents an interesting case for studying women’s inclusion in ceasefire negotiations, as the notion of inclusivity has multiple meanings in this context. “All-inclusive” typically refers to participation of certain armed groups in the Myanmar talks, not of women or civil society (non-armed) actors.

The case study addresses the following questions:

• What roles did women play in the negotiations toward the Nationwide Ceasefire Agreement between 2011 and 2015?
• Did their involvement influence the ceasefire negotiations in any way? If so, how?
• How does the text of the NCA explicitly mention women? What are the consequences?

These research questions were informed by an initial desk review of existing publications on women’s participation in the local and national ceasefires. Semi-structured expert interviews were conducted in July and August 2015 with 11 key stakeholders from Myanmar civil society and EAOs (10 women, one man) involved in brokering the nationwide ceasefire agreement.¹ The two provisions of the NCA public text that explicitly mentioned women were then analyzed.

The initial findings conclude that women’s participation throughout Myanmar’s formal national process was limited, though there were signs of their increased influence over time: one woman served as a lead negotiator to the NCA, one as a member of the Senior Delegation and Nationwide Ceasefire Coordination Team on behalf of the ethnic armed groups, and two in the governmental delegation. The ceasefire agreement also contains three gender-explicit stipulations: nondiscrimination on the basis of gender; “avoidance” of sexual violence as part of the protection of civilians; and ensuring “a reasonable number/ratio of women representatives” participate in the Union Peace Conference. It remains unclear whether the limited participation of women is specific to their gender or part of a larger phenomenon of exclusivity in the NCA process—however, this should become clear as the process moves swiftly into a phase of ceasefire implementation and political dialogue.
Background

Characterized as one of the longest-running conflicts in the world, violence began shortly after Myanmar’s independence from the British in 1948, when ethnic groups took up arms in a struggle for self-determination. Between the late 1980s and 2000s, 40 EAOs were involved in negotiated ceasefires in the form of unwritten “gentlemen’s agreements.” In 2011, President U Thein Sein’s quasi-democratic government officially reached out to armed groups as part of a suite of dramatic reforms. As the first phase of bilateral ceasefire agreements gained momentum, both sides saw the need for a political solution. As a result, the government created the Union Peace Working Committee (UPWC) and its leadership, the Union Peace Central Committee (UPCC), to negotiate on its behalf. In 2012, the president also established the Myanmar Peace Center (MPC), to facilitate technical aspects of the peace process for both sides.

The term “nationwide ceasefire agreement” was developed by the EAOs and accepted by the government in April 2013, initiating the nationwide ceasefire process. In late October 2013, at the Kachin Independence Organization (KIO) headquarters in Laiza, a conference between the EAOs led to the creation of the Nationwide Ceasefire Coordination Team (NCCT), a body of 16 major EAOs that agreed to work together on the text of the NCA.

Over 18 months and nine rounds of talks, the NCCT and the UPWC negotiated more than 100 outstanding issues. Multiple deadlines for signing the NCA were set and missed, and early optimism was tempered by renewed clashes between the KIO and the military. As these disputes worsened, the threat of a real breakdown in late 2014 breathed new life into the fraught process. Despite ongoing local conflicts, the government and the NCCT signed an ad referendum agreement on the NCA text in late March 2015. In June 2015, the NCCT reviewed the NCA draft text—endorsed by the highest levels of the government—but, after intense deliberation, NCCT representatives did not endorse the NCA, deciding that all groups within the team had to unanimously sign the agreement for it to be enacted. The NCCT was then replaced by a 15-member Senior Delegation, the negotiation team for the EAOs.

However, after months of continuing negotiation, on October 15, 2015, the Government of Myanmar and eight of the 16 EAOs that were part of the NCCT signed the agreement. The NCA is an open agreement, and the government and ethnic group signatories continue to encourage the remaining nine non-signatory groups to ratify it. Critically, the signing of the NCA initiated the beginning phases of the Union Peace Conference (UPC)—Myanmar’s formal national peace process—stipulating that leadership had 90 days to release the UPC framework and hold its first convening.
Women In The NCA Negotiations

Despite the prominence of Daw Aung San Suu Kyi in Myanmar politics during the latter years of the NCA negotiations, she was not closely involved in the peace process. In fact, women were largely excluded from the country’s ceasefire structures, negotiation delegations, and ceasefire monitoring teams. During the two-year NCA negotiations, delegations from both the government and ethnic armed organizations were fluid, taking a variety of shapes and structures. Ultimately, two women—Naw Zipporah Sein and Saw Mra Raza Lin—served on the 15-member Senior Delegation, the negotiation team for the EAOs. Notably, Naw Zipporah Sein was selected as lead negotiator for the Senior Delegation in June 2015. Saw Mra Raza Lin was the only woman out of 13 members on the previous iteration of the Senior Delegation, the Nationwide Ceasefire Coordination Team. Both the SD and NCCT also had two women serving as formal technical advisors: Ja Nan Lahtaw and Nang Raw Zahkung from the Nyein (Shalom) Foundation.

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<td>National Ceasefire Coordination Team (NCCT)</td>
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<td>Union Peacemaking Working Committee (UPWC)</td>
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On the government side, there were two female members of parliament out of the 52 representatives on the Union Peace Working Committee (the official delegation). Both women, Daw Doi Bu Nbrang and Daw Mi Yin Chan, inconsistently sat at the formal table over the course of the NCA negotiations. No women served on the Union Peace Working Committee’s 11-person central committee. Ultimately, women were included as signatories to the NCA in small numbers: 1 of 10 government signatories, 1 of 24 EAO signatories, 2 of 21 witness signatories, and 0 of 6 international witnesses.
Modalities Of Women’s Involvement In The NCA

Modalities of Inclusion and Strategies for Involvement

The growing body of literature on inclusive peace processes provides useful frameworks to analyze women’s involvement in the NCA process in Myanmar. One such framework is Thania Paffenholz’s modalities of inclusion, which outlines seven modalities through which women can achieve participation. These range from direct forms of participation as mediators to indirect participation through observation. It also includes informal participation through mass action campaigns. Each has varying degrees of influence and representation, depending on context.

Three models are particularly relevant to the case of Myanmar:

1. Women as negotiators at the formal Track I level;
2. Women as observers at the formal Track I level; and
3. Women involved in mass action campaigns related to the peace process.

These modalities were identified through interviews with 11 key stakeholders (10 women, one man) in Yangon, who served as delegation members, technical advisors, observers, and activists involved in brokering the national ceasefire agreement. The semi-structured interviews were guided by a set of general questions focused on the participation of women, their entry points, and discussions of gender that took place around drafting the NCA. The methodology for this report is based on an interpretative and exploratory approach that seeks to understand social processes and individual perspectives.

Direct Representation

Mediators or negotiators can directly influence many important aspects of peace talks: the agenda, key issues, structure, the roadmap for implementation, and other outcomes of the agreement. As Myanmar’s formal Track I process did not employ an official third-party mediator or mediation team, the entry point for direct representation was largely through nomination or advisory capacities based on candidates’ experience, technical expertise, and knowledge.

At least three of four women formally involved in the delegations had prior experience with the local bilateral ceasefires through EAOs. One interviewee shared that spending several decades in the jungle as part of an EAO spurred her selection as a member of the formal negotiating team. She felt her experience serving with men in armed groups gave her greater credibility in military-centric negotiations as she “could speak their language” and “know their priorities.” Another interviewee noted that the lead negotiator for the Senior Delegation, Naw Zipporah Sein, was nominated because of the local leadership role she had cultivated within her EAO, the Karen National Union. While women from
the government delegation were unavailable for interviews, others noted that women on UPWC were marginalized due to their lack of seniority, which limited their voice and influence. One interviewee noted that on both sides, however, some women were reluctant to take a leading role due to what she called the “burden of conservative traditions” and the lack of an “enabling environment.”

Technical expertise provided one of the few entry points for women from civil society to play a formal role in the negotiations. Ja Nan Lahtaw and Nang Raw Zahnkung were selected as technical experts to provide guidance on a number of critical issues, including the design of the ceasefire process and advisory teams. Both recounted that they were effective as technical experts because they were seen as impartial, trusted by all groups, and had deep knowledge of the technicalities of ceasefire accords and implementation practices. Given their experience and strong track record with one of the EAOs, they started advising on day one of the negotiations. They also drew on their knowledge of Myanmar’s obligations under international protocols, as well as best practices and standards around gender inclusion. For example, while discussing a potential quota for women’s representation throughout the peace process, multiple interviewees recounted that the technical experts reminded both sides of the table about the country’s obligation as a signatory to Convention to End Discrimination against Women (CEDAW), which designates that women’s participation should be 30 percent.

Women’s participation was also supported by the two female delegates (Naw Zipporah Sein and Mra Raza Lin) on the NCCT/Senior Delegation. While the 30 percent quota ultimately did not make it into the text of the NCA, anecdotes indicate that women’s participation as delegates and advisors created opportunities to increase gender awareness among NCA delegations and in the final text.

The influence of women in these highly participatory negotiating roles is largely a function of how they were perceived by fellow negotiators at the Track I level. At this level, women were largely seen as representing interests other than a “women’s agenda”—an issue, a mandate, their delegation, party, or constituency. As one interviewee remarked, “[Delegations] do appreciate who is a tough negotiator regardless of gender. But when it comes to negotiation, we do not see any discriminatory treatment to the dialogue partner, as long as the dialogue partner is holding a position that represents her position of negotiation.” Participants’ roles and ranks may therefore overshadow their gender at this Track I level. Gendered norms are not absent, though, as the same interviewee later said, “[In fact,] we find it is better to talk with a woman than a man in a peace negotiation—they are softer.”
Observer Status

Of the women interviewed, three acted as formal observers or supporters to the NCA. Observer status to the NCA was not granted on a consistent basis; individuals or groups had to request to observe each segment or meeting. Anecdotes indicate that ethnic armed groups granted these requests more frequently, allowing women to attend as representatives of civil society organizations such as the Women’s League of Burma or the Gender Equality Network.

Interviewees also recounted that, in many cases, women’s initial involvement in the ceasefire negotiations was granted through peripheral roles like logistics support. From local ceasefires to the national process, these roles supported the transportation, notetaking, and even cooking that allowed the actual negotiations to occur. As one interviewee said when reviewing the role of women in the peace process, “we found them in the kitchen preparing food for members of the talks. [The men] joked that when there is no woman, there is no food.”

While not part of the formal decision-making structure, interviewees noted that these observer or support roles did allow women critical access and entry points to the ceasefire process. Multiple women from civil society noted that observing enabled them to:

1. Watch the proceedings and report out to their civil society organizations about the content and process of the talks—information that was otherwise extremely difficult to obtain in a timely fashion. This information was then used for both private and public advocacy efforts to influence the content of the draft, particularly around sexual violence and women’s participation in the political dialogue.

2. Conduct sidebar mediation or advocacy with delegation members in the hallways, using their proximity to delegations to relay backchannel requests or concerns to members.

Mass Action

Many civil society groups—including the Women’s League of Burma, Women’s Organizing Network, Gender Equality Network, and the Alliance for Gender Inclusion in the Peace Process—advocated for a gender perspective in the ongoing peace process. This advocacy took the shape of mass action campaigns as well as direct advocacy to ethnic armed groups, the Myanmar Peace Center, and other officials involved in the ceasefire process.

Women’s groups and networks have a long history in Myanmar, but their ability to engage in overt advocacy or mass action within the country was very limited until implementation of government reforms in 2011. Instead, nationally-based organizations historically conducted programming around a broader interpretation of “women’s issues,” engaging on everything from victims’ rights to education to entrepreneurship. Organizations based outside of Myanmar had a greater ability to conduct mass action campaigns around the various conflicts, including calls for access to justice and an end to impunity for sexual violence.
Advocacy focused on women, peace, and security initiatives within Myanmar has become more frequent in the past three years. Increasingly, groups have sought opportunities to create more cohesive messaging around women's participation. The Transnational Institute notes that “since 2013...Women's Forums, National Women's Dialogues and other joint events held by the women's movement to strengthen advocacy and alliance-building have resulted in platforms calling for attention from the government, international community and development organisations to the need for women's equal participation in peace processes and decision-making.”

Reacting to a need for more concrete recommendations and coordination around women's participation in ongoing peace and security processes, the Alliance for Gender Inclusion in the Peace Process (AGIPP) was founded in 2014. This civil society alliance was formed by eight national organizations and networks working on women's rights and gender inclusion, as well as those working on peace and security. They have sought opportunities to strategically engage primary actors in the NCA and UPC and have advocated to the international community, which funds many technical advisors and peripheral programs around the ceasefire monitoring and peace processes.

A number of public campaigns and mass displays have also called for women's participation. Under the slogan “No Women, No Peace,” activists marked International Day of Peace celebrations with organized calls for the government to expand its representation of women. As one interviewee stated, the message evolved from earlier campaigns focused on ending violence against women: “We started with messages like ‘No violence to women in conflict’ and ‘Stop violence against women,’—things like that.” Messages progressively became more specific, demanding women's participation in the peace process and gender balance in its committees.

Based on the interviews, several key factors contribute to women’s access and meaningful participation in Myanmar’s ceasefire process. The first is trust: Women who became directly involved were nominated or invited due to their experience, technical knowledge, and skill outside of a traditional gendered lens. In all cases, it also required many years of trust-building between the individual and multiple negotiating parties. The second factor is the existence of a champion or snowballing effect: Women directly involved nominated other women, articulated women's demands, or assisted them with technical support. A third factor is timing: Women involved in the talks had to decide when lobbying for a certain issue could influence the talks or derail them, leaving them to place other interests above solely gender-specific considerations when necessary. The fourth factor is the changing political landscape of the country itself. The peace process is nationally-owned and brokered, but recent reforms around transparency and media freedom, along with the influence of international actors supporting the peace process externally, were noted by interviewees as creating more space or pressure for the inclusion of women.
Gendered Text In The NCA

The NCA was signed on October 15, 2015. The 12-page document contains seven chapters, laying out the terms and conditions of the union-level (national-level) ceasefire agreement and subsequent processes.

Specifically, the NCA chapters are as follows:

- Chapter 1 - Basic Principles
- Chapter 2 - Aims and Objectives
- Chapter 3 - Ceasefire Related Matters
- Chapter 4 - Maintaining and Strengthening Ceasefire
- Chapter 5 - Guarantees for Political Dialogue
- Chapter 6 - Future Tasks
- Chapter 7 - Miscellaneous

Within these, women and/or gender are explicitly referenced in three sections: basic principles, the protection of civilians, and participation in the political dialogue. References to “inclusive” processes or participation throughout the NCA refer to ethnic diversity rather than gender.

Chapter 1 – Basic Principles

Section 1, Clause d

*Guarantee equal rights to all citizens who live within the Republic of the Union of Myanmar; no citizen shall be discriminated against on the basis of ethnicity, religion, culture or gender.*

While this clause provides space for individuals to raise concerns of discrimination, it does not define what constitutes discrimination or how to resolve allegations. Myanmar does not have a specific anti-discrimination law on sex or gender to clarify these clauses. However, it is committed to non-discrimination under CEDAW obligations, which it ratified with reservations in 1997. The 2008 Myanmar constitution also includes a clause that is very similar to the NCA language: “The Union shall not discriminate any citizen of the Republic of the Union of Myanmar, based on race, religion, official position, status, culture, sex and wealth.” However, according to groups such as the Gender Equality Network, the broad language included in these clauses “does not satisfy CEDAW requirements to also define and prohibit direct and indirect discrimination against women.”
Chapter 3 – Ceasefire Related Matters

Chapter 3, Section 9: Protection of Civilians

The Tatmadaw and the Ethnic Armed Organizations shall abide by the following provisions regarding the protection of civilians: [...] 

Clause m

Avoid any form of sexual attack on women, including sexual molestations, sexual assault or violence, rape and sex slavery.

Clause n

Avoid killing or maiming forces conscription, rape or other forms of sexual assault or violence, or abduction of children.

In the English translation of the NCA, sexual violence is to be “avoided,” though others have said that it is more akin to “not to” in the Myanmar language. Regardless, sexual or gender-based violence is not explicitly a violation of the accord, and there is no mechanism designated to monitor or verify this provision. This task will fall to the joint monitoring teams, which consist exclusively of government, military, and EAO actors, with limited space for civilians. There is no quota or target for women's participation in the design or implementation of the union or state-level joint monitoring teams. Without mandating women's or civil society's engagement, it is unlikely that they will be effectively incorporated into these efforts.

Chapter 5 – Guarantees for Political Dialogue

Chapter 5, Section 23

We shall include a reasonable number/ratio of women representatives in the political dialogue process.

The Union Peace Conference, referred to here as the political dialogue, will determine the future of peace and governance in Myanmar. Chapter 5 outlines the roadmap for this process and the actors who will participate in accordance with the “all-inclusive principle”. It is unclear from the NCA language how this exact “reasonable number” would be determined, and whether it would apply equally to each government, military, or ethnic groups participating in the dialogue. The text also does not describe any penalty for groups that do not achieve this designated threshold.

Based on interviews with women and men involved in the process, the language around women’s inclusion grew out of an ongoing lobbying effort by civil society groups and female EAO delegates for a 30 percent quota. Through these combined efforts, the EAOs jointly agreed to include a 30 percent quota in their final demands to amend the NCA.
in June 2015. Multiple interviewees recounted an EAO leadership debate on the exact percentage. Women's organizations and members of the NCCT suggested a stipulation for “at least 30 percent women,” in keeping with CEDAW. Those at the table raised a concern that this language could allow up to 100 percent women in the dialogue, which would not be appropriate. They countered with “up to 30 percent women,” so there would be a cap. Finally, parties supposedly agreed on “30 percent women,” removing the “up to” or “at least” qualifiers.

Why this specific percentage was ultimately omitted from the NCA remains unclear, but a statement released by the Women’s League of Burma a day before the signing of the NCA ascribed some blame: “The WLB is also concerned at Naypyidaw’s [the government’s] failure to ensure women’s participation in the peace process. Ethnic armed groups agreed at the Law Khee Lar summit last June to amend the NCA text to guarantee a quota of at least 30 percent women in future political dialogue.”18 Other women’s groups have also blamed the government for reneging on a promise to amend the NCA draft to state a target number.19

Impact On Subsequent Process

The NCA had a direct influence on the actors, design, and implementation of the peace process and ceasefire monitoring mechanisms in Myanmar. The signing of the NCA triggered the beginning of the formal peace process, the Union Peace Conference, which started on January 12, 2016. It is focused on resolving the issues around Myanmar’s armed conflict and building national reconciliation, with an emphasis on five topics: politics, security, economics, social issues, and land and natural resources.20 The body comprises 700 members from government, military, parliament, ethnic armed organizations, political parties, ethnic representatives, and others such as academics and community leaders. The UPC is slated to run for three to five years, with state-based dialogues and specialized outreach sessions for different interest groups throughout.21

The NCA’s language stating “a reasonable number/ratio of women representatives in the political dialogue process” was transferred directly from the agreement into the framework of the political dialogue, which then added that parties should try to select 30 percent female delegates. The lack of mandate or political will around women’s participation led to stark numbers at the outset of the UPC. As of January 2016, only 2 women served on the 48-member Union Peace Dialogue Joint Committee (UPDJC), the leadership body of the Union Peace Conference.22 Women were just seven percent of the Union Peace Conference when it first convened.23 However, at the conclusion of the first meeting of the UPC in January 2016, members approved a proposal to require “at least 30 percent participation by women at different levels of political dialogues according to the political dialogue framework of the nation-wide ceasefire agreement.”24 How that quota is to be designed and applied still remains a question, but the influence of the earlier 30 percent discussion among EAOs is evident.
Another potential issue is that this language is limited to the political dialogue and does not extend to other technical bodies, such as planning and implementation teams at the union or state level as was seen in Chapter 3 of the NCA. Again, this lack of a mandate around women’s participation has direct consequences: there are currently no women in the Joint Implementation Coordination group or on the Joint Ceasefire Monitoring Committee at the national level, and only three women on the 48-member Union Peace Dialogue joint committee. This adds up to a three percent rate of inclusion of women across all NCA implementation mechanisms.

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<td>Joint Implementation Coordination Meeting</td>
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<td>Union Peace Dialogue Joint Committee (UPDJC)</td>
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<td>Union Peace Conference - January 2016</td>
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**Conclusion**

Women’s presence in Myanmar’s NCA negotiations in such small numbers raises the question of how often and well they were able to raise issues of specific importance to women and girls, and what ultimate influence they had on the final text. That a woman served as the lead negotiator for the Senior Delegation is no small victory for women’s leadership in Myanmar. However, the NCA’s three gender-related stipulations would have likely had broader interpretations and stronger mandates for enforcement and monitoring with more women at the negotiation table.

Looking ahead at the next phases of Myanmar’s transition, we see the impact of the ambiguity of terms around women’s participation in the political dialogue and ceasefire monitoring teams. Women’s participation at only seven percent of the Union Peace Conference is a direct consequence of the NCA’s lack of a mandate for their inclusion moving forward. On the implementation of the agreement, the text does not refer to women combatants or raise gender-specific issues around security reintegration, entirely ignoring the role that women played as combatants or supporters of EAOs. The lack of women’s representation in ceasefire monitoring efforts could have a direct impact on the quality and type of reporting collected on gender-specific violations, particularly around sexual violence, excluding the population most affected by conflict.
Endnotes

1 While neither exhaustive nor representative, this case study seeks to understand the nature of women’s inclusion in the NCA negotiations and presents a distillation of perspectives from interviews and the analysis of the NCA text.

2 Roughly 30 percent of the country’s population identify as distinct ethnic nationalities with their own rights to self-determination and equal treatment, as outlined in the 1947 Panglong Agreement signed by General Aung San and ethnic leaders.


7 Ibid.


9 Ibid.

10 For the purposes of this case study, this refers to literature on women’s inclusion specifically and civil society inclusion broadly, as a distinction should be made between the two.


15 Inclusive Security has been an informal institutional supporter of AGIPP since 2014.


About Inclusive Security

Inclusive Security is transforming decision making about war and peace. We’re convinced that a more secure world is possible if policymakers and conflict-affected populations work together. Women’s meaningful participation, in particular, can make the difference between failure and success. Since 1999, Inclusive Security has equipped decision makers with knowledge, tools, and connections that strengthen their ability to develop inclusive policies and approaches. We have also bolstered the skills and influence of women leaders around the world. Together with these allies, we’re making inclusion the rule, not the exception.

About swisspeace

swisspeace is a practice-oriented peace research institute. It analyses violent conflicts and develops strategies for their peaceful transformation. swisspeace aims to contribute to the improvement of conflict prevention and conflict transformation.