

## **Women, Land and Property Rights – the Importance of Equality for Peace**

By Joint Peace Fund

One of the key agreed points to come out of the Union Peace Conference this month was support for a policy that ended gender-based discrimination. This builds on other agreements in the peace process in support of women's rights. The Nationwide Ceasefire calls for an end to conflict-related Gender Based Violence. Under the agreed Framework for Political Dialogue at least 30 per cent of participants in national dialogues should be women. In May 2017, during the second UPC/21st Century Panglong conference, it was agreed that women's land rights should be protected as well as their equal access to rights, including citizenship.

This issue of land rights is fundamental to resolving conflict in Myanmar, and women's equal treatment in this regard, is fundamental to resolving them justly. Just before the UPC opened, the JPF's partner, the Norwegian Refugee Council, brought together peace stakeholders in Mawlamyane (Mon State) to discuss concrete Housing, Land and Property rights and citizenship issues which are essential for women's inclusion in the peace process. They included members of Mon women's organisations, the Joint Monitoring Committees, and government officials, as well as international experts.

Min Phone Eain, Field Coordinator of the Nyein Foundation said the issues they were discussing were fundamental for peace in Myanmar: "Whether people like it or not, gender inclusion is crucial for reaching a genuine peace accord."

Women need civil documents and land rights to participate in the peace process

A study by UNHCR, NRC and UN Women earlier this year found that women in conflict affected areas often do not have adequate identification documents and these are essential to participate in all aspects of civic and public life.[1] Yadana, Executive Director of the Burmese NGO Braveheart, which helps people access civil documents, said: "Lack of awareness prevents women from having documents. People believe that documents are only needed in exceptional situations when the reality is you need documents to enjoy rights".

The participants discussed the gap between the law and the reality women often face. The current laws actually permit registration of land by women, even if they are not the head of household, as well as co-registration. However, gender biased practices and beliefs lead to women being excluded from land governance. Women cannot participate in land governance if land is never registered in their name or if women are not adequately included in regular village meetings. As one member of a Mon State women's organisation put it "as women are rarely head of households, they are relegated to a secondary role in land issues."

José Arraiza, from NRC, says that one of the conclusions of the workshop was that a fair restitution process of land lost by displaced persons which benefits women equally as

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men, was needed. “We know that forcible displacement hits women harder than others, particularly mothers and pregnant women. And it increases the likelihood of abuse and Gender Based Violence increases significantly,” he said.

He added: “In all, the peace process creates an opportunity to address these issues and even more importantly for women to influence how that is done.”

[1] UNHCR, NRC and UN Women, “A Gender Study on the Right to a Nationality in Myanmar” (March 2018).