A LITERATURE REVIEW

VIOLENCE AGAINST WOMEN AND INTERNALLY DISPLACED IN KACHIN CIVIL WAR

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VIOLENCE AGAINST WOMEN AND INTERNALLY DISPLACED IN KACHIN CIVIL WAR: A LITERATURE REVIEW

INTRODUCTION

Myanmar has been experiencing the longest ongoing civil war in the world resulting in a significant number of internally displaced people (IDPs). The battle since 2011 in Kachin, the northernmost state, between Kachin Independence Army (KIA) and Myanmar's Kachin State military is particularly vulnerable to human rights violations, including forced disappearances, detention, torture, and sexual violence. This has created a need for humanitarian aid and protection for the displaced population (Moon Awng, 2022).

According to United Nations Office for the Coordination of Humanitarian Affairs (OCHA,2023), there are a total of 139 IDP camps in Kachin State and have the highest population of women and girls among IDP camps. Humanitarian access is restricted in non-governmental controlled areas (NGCAs), where the majority of Kachin IDPs seek shelter (Lut, 2020, p. 6). The regime continues to implement the enduring "Four Cuts" approach, which has been implemented since the 1960s with the goal of restricting vital resources for ethnic minorities (KHRG et al., 2023, p. 17; Kramer et al. et al., 2018, p. 89; Niwitkulnipa, 2019, p. 64 as cited in HRDU, 2007).

Although Kachin women play different political positions as influenced by nationalism, they are more vulnerable to violence and abuse in the patriarchal refugee camps, where men are the perpetrators and women are the victims (Indra, 2008, p. 91). Gender-based violence in Kachin is commonly unacknowledged resulting in severe underreporting. Financial restrictions and a lack of social support often prevent women from fleeing their attackers or reporting acts of abuse (CGAB, 2019; UNFPA, 2013). When economic circumstances in IDP camps worsen, women of the Kachin minority ethnicity are especially vulnerable to human trafficking leading to migration as brides to China. Women's vulnerability is exacerbated by cultural norms, the ongoing Kachin conflict, and China's one-child policy, which contribute to the prevalence of sexual and gender-based violence (SGBV), which is primarily concealed and has devastating consequences to the affected communities (Aung Myo, 2021; Davies and True, 2017; Korac, 1998; Schopper, 2014). IDPs, especially women, are more vulnerable to violence due to lack of economic opportunities, inefficient camp coordination and administration (Faxon et al., 2015; Henderson, year?). According to the GIWPS (2023), Myanmar's Women's Peace and Security Index (WPSI) dropped from 134 out of 170 in 2021 to 165 out of 177 in 2023. This decline is attributed to women's decreased access to justice, their participation in politics and the public sphere, and violence against women. In 2023, women reported a 32% level of community safety, compared to 76.1% in 2017. With the highest percentage globally, 0.47% of women in Myanmar reported experiencing political violence in 2023. This brutality silences women who oppose the government. In light of these circumstances, it is necessary to assess the effect, accessibility, and effectiveness of gender-based violence (GBV) protection services and procedures in addressing violence against women and internally displaced people in the area.

Statement of problem

Sexual abuse destroys victims' physical and emotional wellbeing, leading to poverty, social isolation, and mortality. Inadequate protection services, financial restrictions, and cultural barriers hinder IDPs from accessing gender-based violence prevention programs (Lwin, 2018). During the COVID-19 pandemic, IDPs face greater risks due to challenges on access to social protection and basic services like healthcare and violence protection (UN Women, 2021).

Churches and non-state actors helps address this issue by giving IDPs food, shelter, and non-food supplies in Kachin camps (UN Women, 2021). However, despite NGOs and organizations supporting IDP camps, gender-based obstacles prevent women and girls from equally benefiting from humanitarian action, peacebuilding, and economic growth (UN Women, 2021).

Effective methods for protection, resettlement, and reintegration are required in complex conflicts, while the long-term provision of aid for IDPs remains uncertain. (Lanjouw et al., 2000). Moreover, physical security risks persist because the KIO does not have a concerete policy protecting IDPs and the Myanmar government does not formally recognize them (Lut, 2013; as cited in Yang et al., 2019).

Therefore, this review study explored the effects of gender-based violence in Kachin civil war from 2011 to 2023 on internally displaced people (IDPs) and understand the coping mechanisms used by the victims. This review also examines the importance of accessibility on GBV protection services that may provide practical suggestions for groups and stakeholders who are engaged in camp management and humanitarian assistance.

METHODOLGY

This literature review explored both published and unpublished research related to violence against women and internally displaced people during the Kachin civil war in Myanmar arranged in themes. The sources of information were derived from reliable international journal platforms, reports, and publications written by a range of organizations including Amnesty International, the United Nations, the International Rescue Committee, Refugees International, and Human Rights Watch. The review focused on specific concepts related to the civil war in Myanmar, internally displaced people (IDPs), violence against women in Kachin State, and international aid.

ANALYSIS IN REVIEW OF Violnece Against WOmen and INternally dISplaced in KACHIN CIVIL WAR

Gender Roles and relations in Kachin Society

Kachin women have no authority to choose their husbands for marriage, unlike men (Hanson, 1913, as cited in Lwin, 2018). Women are typically viewed as mothers and wives who were forced to marry early because of their virginity and purity. They are considered as tradable property. Men are required to pay a dowry in order to marry them. In Kachin society, it has long been customary for a wife's younger brother to marry her in the event of her husband's death. (Phyu, 2011, as cited in Lwin, 2018). Kachin traditional gender norms are patriarchal,

with men dominating the public sphere and women handle domestic work. The KIA rules require families to provide a member to support the army, and men are frequently drawn to mining areas. Women, who are dependent on their husbands tend to work in forests or farms(Phyu, 2011, as cited in Lwin, 2018). Women take over productive roles in the family in times of armed conflict, but they have limited leadership and decision-making roles. Thus, even after assuming productive roles, their ability to make decisions regarding family, community, religion, and politics is not guaranteed (ibid).

Sexual Violence against women in armed-conflict settings in Kachin

Non-state armed groups, such as the EAOs, have been implicated in underreported cases of sexual and gender-based violence government (Human Rights Council, 2019, p. 27). Kachin women bear a twin burden of sexual abuse in Myanmar: male-dominated culture and conflict. Poverty, a lack of resources, and alcohol/drug usage among men all contribute to domestic abuse and gender-based violence. Conflict and displacement intensify these challenges, making reporting and fleeing harder due to societal stigma and SPDC oppression (Davies & True, 2017). UNICEF (2014) found that government policies and constitution do not safeguard ethnic minorities. Post-2021 coup soldiers sexually molested civilians, especially women and girls (Aung, E., 2022). Kachin internally displaced persons also experience poverty, anxiety, uncertainty, isolation from peace initiatives, and a great yearning to return home. Media and government depict displaced people as criminals and threats (Grundy-Warr et al., 2002). 51% of Myanmar's internally displaced are women and girls, who are sexually assaulted and mutilated by security forces (Aung, E., 2022). According to AAPP (2022), 3,500 Myanmar military-inflicted rapes and disappearances of men and boys have occurred.

The internally displaced individuals (IDPs) in Myanmar face gender-based violence (GBV) due to economic instability, limited access to services, fractured community support networks, and armed assailants(UNICEF, 2014). Women and girls make up 51% of Myanmar's internally displaced population, and security forces assault and mutilate them sexually (Aung, 2022). According to AAPP (2022), 3,500 Myanmar military-inflicted rapes and disappearances of men and boys have occurred. Therefore, both women and men are victim of sexual violence. Domestic violence, rape, and attempted rape are the main types of reported GBV cases in Kachin State. Female survivors under the age of 18 reported approximately half of all occurrences of sexual violence (UNFPA, 2020). Although women and girls centers provide emotional and legal aid to domestic abuse survivors, only a small percentage are recommended for legal assistance.

Women often face challenges due to transportation constraints, harsh treatment from spouses, and discriminatory policies. It is now more difficult than ever to obtain protection services from non-state actors, emphasizing the urgent need for comprehensive support, protection, and justice mechanisms to address and prevent gender-based violence in Myanmar (Buchanan, 2022, p. 14; Human Rights Council, 2019, p. 19; IDS, 2014, p. 2). Addressing these issues is crucial to ensure the safety and well-being of IDPs in Myanmar.

Impact of Civil War on Violence Against Women IDPs

Changing Gender Relations after Displacement

As a result of the changing gender relations, women are recognized as the head of households and appointed as ward leaders in IDPs Camp committee. The confidence in women's status and and their inclusion in the camp institution's public sphere is a positive development (Lwin,2018).

According to Barter (2018), 50% of internally displaced persons (IDPs) in Kachin believe that men are superior leaders, resulting in women's limited ability to influence decisions made in the family, household, village, or camps. Cultural norms, male drug addiction, and remote gold and jade mines also contribute to women's underrepresentation in female-headed households. Limited access to decision-making practices and structural gender inequality contribute to women's poverty (Minoletti 2014, as cited in Hedström, 2015).

Coping strategies of IDP women on GBV issues in camps

Internally displaced persons (IDPs) use coping mechanisms that are based on different geographical contexts, cultural norms, and religious beliefs. Kachin State lacks a legally committed protection mechanism for IDPs due to the lack of institutionalization of the 1998 UN Guiding Principle (Lut, 2021). Many women who have lost their families, homes, and possessions in IDP settlements rely on their religious beliefs and devotion to God as their bases of survival. In Kachin IDP camps, rape and sexual violence against women are often disregarded, cases at Kachin's Maijayan Camp that are complicated or unresolvable are transferred to the Main Committee (Yang et al., 2019). Rape in the Kachin society camp should be treated as a serious crime, employing a victim-centered approach. Moreover, in cases of rape, cultural norms frequently suggest that the victim marry the perpetrator or obtain financial support in addition to being relocated to a different camp.

(ibid). Despite CSOs providing gender training, it is difficult for IDP women challenging to speak out about gender-based violence because of the social and familial repercussions. Moreover, lack of having agency is a struggle for women(Yang et al., 2019).

The UNFPA supports the Women and Girls Centre of the Metta Foundation's helplines for survivors of violence. However, 37% of women never seek help due to community stigma (UNFPA, 2020). The absence of protective systems, having male-dominated committees to resolve women issues and information flow across actors puts survivors' safety and privacy at risk. The lack of shelters and safe houses for migration further exacerbates the issue (Kimiri et al., 2020). According to Marsh et al. (2006), Steinburg (2010), UNIFEM and UN Department of Peacekeeping Operations (2010), Spangaro et al., (2013), the lack of confidence in procedures, opportunities, and confidential responses leads to inadequate and incomplete sexual violence prevalence data. Addressing and preventing sexual violence can empower individuals and communities to support survivors, advocate for legislation reforms, and develop a culture of prevention.

Access to Violence Protection Services in IDP Camps in Kachin

In Kachin, reporting of gender-based violence (GBV) is hindered by various factors, including ethnic, religious, political, and displacement marginalization. Survivors of rape face obstacles in receiving medical treatment because health clinics and hospitals require permission from local police before treating them (GEN, 2013). Legal barriers, such as police falsification, coercion, and the potential for acquittal by alleged perpetrators, further complicate rape cases (GEN, 2013; Cheeseman, 2015). Myanmar has implemented new regulations that establish ethnic distinctions and state control over women's bodies. These regulations permit regional authorities to regulate the spacing between births and mandate permission to marry non-Buddhist men(Win 2015). These state-level policies reinforce the subordinate gender status of minority women, exacerbating their vulnerability to poverty and displacement. Consequently, women's bodies are seen as legitimate targets of political violence, leading to a higher prevalence of sexual violence reports (Davies and True, 2017) Survivors gender-based abuse in IDP camps rarely receive legal or economic empowerment (Women's League of Burma, 2021). Government camps lack health, legal, and emotional counseling for non-governmentcontrolled Kachin IDP women. Due to inadequate training, low-quality therapy offered, support and prayers were encouraged. (Yang et al., 2019).

Since 2011, top-down shift, violence, and authoritarianism have hurt Myanmar organizations and civil society. Market conditions and humanitarian help are weak (Ahsan Ullah, 2016; Amnesty International, 2016). Aid workers and volunteers are targeted by the government and GBV awareness initiatives in IDP camps are hampered by inadequate communications and social media bans (KHRG et al., 2023; Kramer, 2018). IDP resettlement programs are managed by Kachin community leaders and NGOs. Human rights violations and humanitarian disasters have resulted from the blockade since 2011 (Moon Awng, 2022). Due to limited government sanction and controlled humanitarian access, local actors are crucial to IDP access (Yang et al., 2019). According to UN Women (2023), in 2021, the Central Emergency Response Fund (CERF) and the French government have provided \$25 million to UN Women and UNFPA to combat gender-based violence in Myanmar. However, women in Myanmar still face difficulties due to lack of foreign assistance, since the UK's 70% reduction in aid since the 2021, the coup has exacerbated the situation. The financial assistance offered by CERF and France is crucial in tackling the problem of GBV protection and humanitarian aid (Gopin,2023). Over 50% of IDPs in Myanmar are women and approximately 7.7 million individuals require protection and assistance for GBV, but only 34% have received the aid provided. In Kachin state, GBV services had reached 128,000 people by 2023, but a significant number of the population still require these services (UNOCHA, 2023).

International Response and Legal Framework

War crimes, crimes against humanity, genocide, and aggression are prohibited by the Rome Statute, whereas the 1998 UN guiding principle bans arbitrary displacement (Lut, 2021). Sexual violence, including rape, is a human rights violation and prohibited under international and humanitarian law (Smith & Human Rights Watch Organization, 2012). Due ethnic violence, there are more IDPs in Burma despite the Convention on the Elimination of Discrimination Against Women. Myanmar lacks gender-based violence (GBV) laws due to military control, patriarchal values, and hierarchical society. GBV in prison camps has been connected to the military and police since the military takeover in 2021. Women and girls are

still marginalized by traditional gender norms, which prevents them from holding leadership positions.

(Buchanan and Williscroft, 2016).

Tolerance of GBV creates stigma and the unwillingness to report (GEN 2018, Buchanan). While there are uncertainties regarding criminal crimes, victim protection, and prosecutions, the Prevention and Protection of Violence Against Women Law draft addresses these legal protection gaps (Human Rights Council, 2019).

Myanmar faces challenges in GBV and human trafficking. Exile or marriage to abusers are common outcomes for women.

Migrant trafficking in China and Thailand is exacerbated by lack of governmental funding, poor referral mechanisms, and service shortages(GEN 2018; Buchanan and Thin Aung 2020). In 2011, the country's transition to new freedoms has increased the susceptibility to gender-based violence (UN, Yanghee Lee 2015, as cited in Faxon et al., 2015). Women have voiced their concerns about the absence of rule of law, perceived impunity, and insufficient compensation for victims of sexual assault (Henderson, 2014).

Conclusion and Recommendation

The displacement crisis in Kachin State, Myanmar, has left IDPs vulnerable to various forms of sexual and gender-based violence (SGBV) perpetrated by both individuals and state actors. Women and girls face heightened risks due to social fragmentation, patriarchal structures, shifting gender relations, and limited access to services and exacerbated by the COVID-19 pandemic. Multifaceted interventions are required to address the pervasive sexual and gender-based violence (SGBV) that has displaced communities in Kachin State, Myanmar.

First, CSOs must shift their focus from individual empowerment to community-wide awareness campaigns that educate both men and women about gender issues and legal rights (Yang et al., 2019) with the help of international organizations. Second, enhanced female presence in camp decision-making is critical, and this can be achieved by CSO partnership with camp committees and KIA authorities. Third, state actors must address the core causes of the conflict, with emphasis on IDPs well-being and economic development. Genuine peace talks, respect for human rights, and a move toward outward-looking policies are required (Sabhita Kusuma, 2023). Prioritizing GBV and gender equality in peace talks requires at least a 30% gender quota.

(Awng,2022). Legal accountability and transparency are also essential, with women's representatives invited to discuss their needs. Conflict reinforces gendered norms and expectations, with men overrepresented in public sphere, political institutions, and peace process, which requires democratization and decentralization(Carpenter, 2006; Park Jae & Pelletler Alexandre, 2020). The successful democratization of Myanmar depends on minority women's participation, and their networks should have greater power to influence legislation. Finally, a comprehensive approach, including constitutional revisions that clearly prohibit GBV, is required to ensure long-term change in Myanmar. Survivor-centered responses, strengthened justice systems, and a systematic approach to sexual violence are crucial to reconfigure gender inequalities.

Furthermore, most articles predominantly address the issue of sexual violence abuse by the Burma military, while also acknowledging that non-state armed groups, like the EAOs, have

been implicated in underreported instances of sexual and gender-based violence due to misconceptions and associations with Tatmadaw soldiers. As a result, research highlighting the assessment of the impacts and effectiveness of customary laws and the diffusion of social norms through informal legislative measures in tackling GBV cases is recommended for further studies.Research analyzing the coping strategies in the case of unreported cases of violence should be conducted as well. There is a substantial body of literature concerning violence against women in Kachin state and the ongoing civil war in Myanmar has exacerbated the situation, leading to heightened violence against women and an increase in cases of internal displacement. Therefore, it is imperative that appropriate authorities and academics undertake studies to report social norms diffusion that force gender based violence in internal displacement settings.

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Author Biography

Sara who received a Master in Gender and Development Studies degree from Asian Institute of Technology University, Thailand. She has been working as a social worker and qualitative based researching projects in various local and non-governmental organizations in Myanmar for more than six years.