

Discussion paper



Social and gender equity issues in forestry and REDD+ in Myanmar



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1. Background

One of RECOFTC – The Center for People and Forests’ strategic initiatives is Social Inclusion and Gender Equity (SIGE), which works to ensure that gender-responsive and rights-based approaches are streamlined across all of the organization’s thematic areas and functional approaches. RECOFTC believes that men and women have differential concerns, needs, opportunities and aspirations, and attempts to reflect this reality in its capacity development programs. Specifically in terms of the capacity development of community forestry (CF) stakeholders, SIGE aims to impart knowledge and skills on mainstreaming social and gender equity perspectives in forest policies and practices.

With support from SIGE, RECOFTC’s Grassroots Capacity Building for REDD+¹ (Grassroots REDD+) project in Asia² has systematically focused on gender mainstreaming through its capacity development initiatives in five focal countries: Indonesia, Lao PDR, Myanmar, Nepal and Viet Nam. During 11-13 August 2014, Grassroots REDD+, in collaboration with SIGE, delivered a training and held a national-level expert panel discussion in Yangon, Myanmar, which focused on gender mainstreaming in national forestry and REDD+ initiatives.

Grassroots REDD+ often uses expert panel discussions in its work as a method for identifying capacity development needs on REDD+ and climate change and to learn about the current status and gather updated information on the topics. In Yangon, the objectives of the expert panel discussion were to understand the current state of gender considerations in forestry, the policy environment supporting gender mainstreaming and the lessons learned from ongoing initiatives that could help support gender mainstreaming in REDD+ readiness and implementation initiatives. Six experts from the Forest Research Institute under the Forest Department, Gender Development Initiative (GDI), Promotion of Indigenous and Nature Together (POINT), Gender Group Myanmar (GGM) and RECOFTC Myanmar Country Program Coordinator joined the panel and discussed a set of key questions (Box 1).

Box 1: Key questions for panelists

1. What are the social and gender equity issues and the ongoing initiatives towards the promotion of gender equity in forestry in Myanmar?
2. What are the existing forest policies, laws and strategies that contribute or are relevant to the implementation of the gender sensitive forestry and REDD+ initiatives?
3. Which are the key organizations and what are their approaches and strategies for promoting gender mainstreaming in forestry and REDD+ initiatives at local and national levels?
4. What are the current challenges and opportunities for promoting gender-sensitive policies and programs in forestry and the REDD+ initiatives in Myanmar?
5. What kind of participatory action research, capacity development and networking support is needed to address the challenges?

The deliberations of the discussion are synthesized in this discussion paper. They summarize the current state of gender mainstreaming in the forestry sector in Myanmar and the lessons for mainstreaming gender in national REDD+ planning and implementation.

¹ REDD+ stands for Reducing Emissions from Deforestation and forest Degradation, including Conservation and Sustainable Management of Forests and Enhancement of Forest Carbon Stocks.

² Grassroots capacity building for REDD+ in Asia is supported by the Norwegian Agency for Development Cooperation (Norad). The project is in its third phase, and operates in five countries: Indonesia, Lao PDR, Myanmar, Nepal and Viet Nam. The project focuses on developing the capacities of grassroots stakeholders so that they are in a position to benefit from the REDD+ mechanism once it is implemented. The project adopts a cascading approach for REDD+ capacity development, which connects trained facilitators at different levels beginning with the national level down to the grassroots level, provides them with an opportunity to practice what they learn in training programs.

2. Introduction

Forest cover totals 32 million hectares in Myanmar, or 48 percent of the total land area (FAO, 2011). Of the total forest area, more than half, 18.4 million hectares, is designated as permanent forest estate (PFE) and the remaining as public forest, which is at the disposal of the government (Tint et al., 2011). The PFE is comprised of reserved forests, protected public forests and protected areas. The reserved forests and protected public forests are for both conservation and production purposes, protected areas are only for conservation purposes, while public forest, outside the PFE, is at the disposal of the government. However, although Myanmar has classified the forests for their use and protection, it continues to suffer significant deforestation with a rate of 0.95 percent per year during the period 2005-10 (FRA, 2010).

The other wooded lands outside the designation of PFE and public forest cover an area of 20.1 million hectares and are legally classified as vacant, fallow and virgin land and are designated for commercial concessions for long standing crop plantation (RECOFTC, 2014). The use of these wooded lands is regulated by the Vacant, Fallow and Virgin Land Law 2012 under the General Administrative Department and the Settlement and Land Record Department. Most of these wooded lands are predominantly populated by various ethnic groups who customarily practice shifting cultivation.

Myanmar is a highly diverse country with ethnic groups making up between 30 and 40 percent of the total population (Springate-Baginski, 2012). Of the ethnic groups, the major ones are the Kachin, Kayah, Kayin, Chin, Bamar, Mon, Rakhine and Shan (COREB, 2012). These ethnic groups are forest dependent, and thus recognize the importance of forests as they provide wood, herbal medicines, fruits, vegetables and other non-timber forest products for household food security and livelihoods. In addition, forests provide the only income source for most of the women of these ethnic groups, as they make their living by selling forest products (Carino, 2013).

For many years, ethnic minority women have been engaged in various forest activities like establishing nurseries for plantations; selecting seedlings and tree species; replanting timber trees; practicing controlled burning for assisting regeneration; protecting germinating seedlings and new saplings among other activities, and have thus contributed to the prevention of forest degradation. However, although most of the women from ethnic groups are the primary users and managers of the forests, they do not have control over the forest resources as their rights have not been recognized in the statutory forestry related regulations. Instead, their views are mostly represented by their spouses, and their representation is almost none in forestry planning and management meetings and decision-making processes.³

Often, these ethnic women are prevented from entering forests and are even arrested if they are caught visiting restricted forest areas. However, they do not have a good understanding of their legal access rights to the forest and lack information on the permission required from forest authorities to enter the forest and sell forest products. In the case of the Kachin, for example, women do not have the right to a land ownership certificate. If, say, her husband dies, the family inheritance, including land tenure rights, would be passed on to the eldest son.⁴

In the absence of land ownership rights, Kachin women have limited access to opportunities such as credit facilities, training and appropriate technology among others. Gaining rights to land tenure has thus been a great concern for Kachin women and many of them have expressed a desire to hold joint-tenure with their spouses, or separate land tenure rights according to CF laws and instructions.⁵

A Gender Issues Survey Report published in 2009 (Khen 2009) revealed that Kachin women, as the beneficiaries of CF projects, undertake more than half of CF-related activities in their communities and are interested in continuing as they have directly experienced CF helping generate income for their families' immediate practical needs. Moreover, the report also substantiates findings that Kachin women are keen on having legal land ownership (Box 2).

Box 2: Women deserve rights to land

"If my husband chooses divorce, the legal rights to land will officially remain with him as the registered head of the household on the land ownership certificate. I will get nothing. However, in reality I contributed a lot to this land to provide food to our family and to earn some income. In absence of right to property and steady income source, how do I raise our kids? Even for our survival, we, Kachin women, need to have our names officially registered on the land ownership certificates. Something has to be done to help us secure our rights."

— A 30-year-old Kachin woman of LoiKhaw village, Myitkyina Township.

³ Field notes and expert panel discussion

⁴ Field notes and expert panel discussion

⁵ Kachin Community Forestry site field visit report. Communications with authors during field visits. This information was validated with panelists and the training participants who came from the same region.

2.1 Gender disparity

The gender disparity in Myanmar's forestry sector is largely attributed to customary practices and gender norms, a common phenomenon in the forestry sector in Southeast Asia. Patriarchal social-setting is common within the family and community, with men mostly acting as the decision-makers while women passively accept the decisions. In the case of ownership of forested land and forest resources, administrative and institutional frameworks are not clear; and in the absence of proper guidelines, women's rights to owning and accessing land and forest resources are generally being ignored. One of the underlying causes of this is the fact that the forestry sector is still governed by social norms that reinforce forestry as a male-dominant profession in which women's rights are secondary. This is compounded by a lack of gender-disaggregated data and very limited research on gender differentiated rights and the extent of women's knowledge and contributions to sustainable forest management practices.

Moreover, over the past few decades, forest-dependent people, particularly ethnic minority women, have faced emerging challenges due to the adverse impacts of climate change. Climate change has already been posing a serious challenge to ethnic minority communities by threatening their livelihoods and food security. But for women, the situation is even more dire as they are inherently more vulnerable to the impacts of climate change due to the absence of clear rights to the natural resources they use and manage. Climate change is thus perpetuating gender inequalities and increasing women's vulnerability. In the context of REDD+, the lack of women's rights also poses a number of challenges, not only to the empowerment of women, but also to the overall achievement of the objectives of REDD+ and sustainable forest management initiatives, both of which seek to safeguard the rights of all marginalized groups.

Hence, in order to minimize such climate change risks and to promote equitable gender relationships, it is crucial that a gender sensitive and participatory approach is considered in designing forest and REDD+ related interventions. Social safeguards mechanisms and gender mainstreaming in REDD+ is critical to establishing a framework in which gender equality can thrive to ensure that REDD+ policies and programs are gender responsive.

2.2 Gender concerns in forest policies and practices

For effective management of all forested land including the PFE and public forests, the Ministry of Environmental Conservation and Forestry (MoECAF) has developed various laws and policies, the most influential ones being the Forest Law (1992), Protection of Wildlife and Wild Plants and Conservation of Natural Areas Law (1994), Myanmar Forest Policy (1995), Forest Rules (1995) and Community Forestry Instructions (1995).

However, these policies and laws have largely failed to address gender concerns; for example, the Forest Law (1992) has no clear guidance on participatory benefit-sharing mechanisms among different stakeholders and the Community Forestry Instructions (CFI) text does not include any mention of the differentiated rights and responsibilities of men and women in the use and management of forests and forest resources.

Yet the REDD+ Roadmap⁶ (UN-REDD, 2013) recognized the significance of engaging ethnic minority women as key stakeholders, which they did during the consultation process while drafting the REDD+ Roadmap and safeguards operational plans. Further, the authors also ensured local communities consented to the process by using the Free, Prior and Informed Consent (FPIC) principles in REDD+ before finalizing the REDD+ Roadmap implementation plan. Considering such principles are being followed on the international level, it is important for Myanmar to adhere to such standards.

⁶ To facilitate the implementation of REDD+ activities in Myanmar, the Government of Myanmar together with partners such as UN-REDD have developed the REDD+ Readiness Roadmap.



3. Challenges

Although the panelists, including officials from Forest Department, recognized the need for gender mainstreaming in forestry and REDD+ plans and programs, they stressed that the absence of a gender mainstreaming strategic plan in their department has been one of the many key challenges they are facing among others as highlighted below:

- The absence of evidence-based research with a focus on social and gender equity and documentation of gender disaggregated data in forestry inhibits clear understanding of women's rights, roles and contributions to sustainable forest management, as well as derailing the targeted interventions in attempts to address gender inequality.
- Ethnic minority women currently lack the capacity to participate in decision-making processes and to articulate their rights and interests due to poor education and less powerful status as compared with men. Moreover, inadequate institutional capacity and technical expertise on gender analysis and participatory research methods within the forest department and national level Civil Society Organizations (CSOs) precludes effective gender mainstreaming activities.
- Limited and poor networking among stakeholders at different levels has resulted in weak coordination of efforts to address gender-related issues in forestry and REDD+ readiness at the national level. Though the Environment and Gender Working Group within the umbrella of Gender Equity Network (GEN) was created to help advocate for gender equality and environmental justice. In the absence of gender-related information, adequate women's capacity and effective networking among relevant stakeholders, and with unclear and different mandates between responsible agencies, establishing gender-sensitive legal and institutional framework in forestry remains time challenging and complex.

4. Opportunities

The National Strategic plan for the Advancement of Women (2011- 2015) (NSPAW) under the leadership of the Ministry of Social Welfare, Relief and Resettlement (MSWRR), REDD+ Roadmap and National Forestry Action Plan (2001-2030), which includes CF as an integral part of a wider national sustainable forest management strategy, provide opportunities to help ensure that gender-related concerns are taken into account in forestry and REDD+ plans and programs.

Two other official documents have recognized the need for the inclusion of local people: the MoECAF has acknowledged the increased prominence of FPIC principles when engaging with local communities as put forth in the Myanmar REDD+ Readiness Roadmap launched in 2013; and the National Forestry Master Plan (2001-02-2030-31) has a target of bringing 0.92 million hectares under community forestry management by 2031 (RECOFTC, 2011). This plan could be one of the enabling platforms to start developing a social inclusion and gender equity strategy while drawing on lessons from other countries in the region, such as through the ASEAN Social Forestry Network (ASFN) and the ASEAN Regional Knowledge Network on Forest and Climate Change (ARKN-FCC).

Another effective learning and networking platform could be the Community Forestry National Working Group (CFNWG), which consists of 23 members representing the Forest Department, other relevant line departments, national NGOs and the Myanmar Timber Merchant Association. Recently, the Royal Norwegian Embassy in Yangon and the ASEAN-Swiss Partnership on Social Forestry and Climate Change (ASFCC) provide the CFNWG with support in its efforts to coordinate the support for CF development among various development partners.⁷

For awareness-raising and media advocacy on gender equity, the national-level GEN, with a membership of over 100 CSOs, is taking the lead as a growing alliance to promote gender mainstreaming across all sectors. Under the umbrella of this network, the Environment and Gender Working Group (EGG) was established with an aim to form an inclusive network of diverse membership from different sectors and ethnic backgrounds to raise awareness on men and women's rights, and to advocate for gender equality and environmental justice.

Similarly, the Department of Social Welfare, supported by various UN agencies, has been providing training on the Convention on Elimination of All Forms of Discrimination Against Women (CEDAW) implementation for parliamentarians, judiciary sector and government officials to fulfill the obligations as the state party to CEDAW.⁸

The multi-stakeholder consultation organized by RECOFTC's Grassroots REDD+, coming at a time of a myriad of key initiatives of various organizations and donors⁹ towards advocacy and capacity development on gender equity and women's empowerment, was thus very timely. Grassroots REDD+ will take this initiative forward by proactively engaging with local communities including ethnic and women's groups for their awareness-raising and capacity development, which will help in sustaining the momentum.

⁷ CFNWG meeting minutes. CFNWG meeting was held in Nay Pyi Taw, the capital where the Director General of the Forest Department participated and encouraged members to work together for the development of CF in the country.

⁸ Retrieved from: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=CEDAW%2fC%2fMMR%2f3&Lang=en.

⁹ Donors with an expressed interest in supporting community forestry development in Myanmar include USAID/RDMA, ADB, NORAD, AFoCo, EU, and JICA. In view of the political changes in Myanmar it is likely that more donors will become interested in the near future.

5. Moving forward

Since 2011, Myanmar has been undergoing several political changes, which have created new opportunities in the development sector. The potential for scaling-up trade, foreign investments and strengthening the socio-political and development sectors has attracted attention from investors and development planners. However, with regards to forestry, a great deal of effort is still required to develop and implement a strategic action plan to address the challenges explained above and to seize this new window of opportunity.

Recommendations:

- The Forest Research Institute (FRI) of the Forest Department, with support from RECOFTC and ASFCC, is investing in undertaking participatory action research, which focuses on various ethnic communities' and women's customary rights. This investment needs to be scaled up if the current knowledge gap is to be adequately addressed. It is vital, moreover, to understand the current challenges, opportunities and heterogeneity of the forest-dependent communities and to include their concerns in tenure rights policymaking, community forestry and REDD+ roadmap implementation plans.
- Investment in various capacity development programs such as gender orientation and sensitization seminars, and trainings, workshops and training of trainers on FPIC and gender-sensitive analysis in forestry and REDD+ is highly recommended for relevant stakeholders and forest officials. CFNWG, in coordination with other relevant departments, may include the delivery of such capacity development programs as one of the key activities in their work plan. Likewise, the formation of social and gender equity task team within CFNWG to oversee capacity development activities and to raise awareness about specific legal and regulatory barriers that women and other excluded groups encounter in forestry is recommended.
- Strengthening the existing EGG or setting up sub-national learning groups focused on creating community forestry women's networks at community level. This would help raise awareness on, and help change the perceptions of, women's participation and contribution in community forestry at the grassroots level.
- Although CSOs are being represented at national, regional and township levels, and tend to have some degree of engagement with the government, it is vital to go beyond informal communication and networking between MoECAAF staff and other key actors, and to strengthen the existing cordial relationships. A sustained engagement with CSOs, donors and government officials at the national and local levels is important and the CFNWG could be one of the platforms for doing so.
- Although the REDD+ roadmap has highlighted the promotion of gender and ethnic minority issues in REDD+, more sustained consultations are important to help stakeholders understand the safeguard measures, including benefit-sharing mechanisms among women and ethnic minority groups.

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