Implications for gender and human rights: Case Study of potentially affected villages in the downstream area of the proposed Mongton dam project in Shan State

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Outline

• Background, Rationale, Objective
• Methodology
• Key Findings
• Recommendations
“We are worried that we won’t have adequate amount of seasonal alluvial land due to changes in the river course when this big dam is built and we are also worried that we won’t be able to get access to our shifting cultivation anymore.

Mostly women use to catch edible insects like Hemiptera, Cocopache on the alluvial land and sell them. They are quite delicious.”

A female villager from Wan Hsala Village
Background, Objectives and Rationale of the Study

Background: Past experience with dam projects in Myanmar

- Concerns of rural communities in ethnic areas on perceived or real negative impacts of hydropower projects

- People have seen adverse impacts on the displaced community (e.g., upper Paunglaung dam in Southern Shan State; planning and construction of mega dams on the Shweli River, a tributary of Irrawaddy River)

- Key arguments against the Mongton dam project: threat to richness of biodiversity, culture and tradition of various ethnic groups and lives, homes and property of countless communities in Shan, Karenni, Karen and Mon States, conflict sensitivity, threat of potential earthquake risk and climate change
**Background, Objectives and Rationale of the Study Cont.**

*Lack of Gender dimension in existing studies*

- However, the issue is rarely seen from gender perspectives.
- In ethnic rural areas, women are subjected to vulnerability and exclusion from participating in decisions that directly have impact on their life.
- Both men and women have experienced negative impacts, but women tend to be more affected than men.
- Studies have been rarely conducted on how women and men are differently impacted.
Brief legal framework on gender

- The Convention on the Elimination of All Forms of Discrimination against Women, CEDAW acceded in 1997
- No legislation specifically dedicated to gender or women’s issues except National Strategy Plan on Advancement of Women (2013-2022)
- Discrimination against women is prohibited in the 2008 Myanmar Constitution (Articles 348, 350 and 351)
- 2016 Land policy
- Myanmar Environmental Procedure (EIA)2015 and draft Public Participation Guideline on EIA
Background, Objectives and Rationale of the Study Cont.

Background to the Mongton Dam

- One of the six dam projects on the Salween River in Shan State, Kayah State (Karen) and Karen State that were approved under the former government in 2013 (Salween Watch 2013). Mong Ton dam which is located in the middle reaches of the main Salween River is between Mong Ton and Mong Pan town in southern Shan state (Mongton hydro n.d.)

- 241 m high and a planned installed capacity of 7000 MW, could be the largest in Southeast Asia (S.H.A.N 2016)

- A consortium of developers and investors includes China Three Gorges Corporation as the leading party, Sinohydro and China Southern Power Grid, EGATi (wholly subsidiary of EGAT) from Thailand and local company IGE.

- Mongton dam is previously known as Tasang dam (Sapawa 2006, 2009)

- The project resumed in 2013, the new consortium of companies from China, Thailand and local IGE Company got MOU with the Ministry of Electrical Power. EIA consultant firm, SMEC was hired to conduct EIA in 2014.
Background, Objective and Rationale of the Study Cont.

The objective of the study is:

- What are the current livelihoods in the two villages visited: Wan Hsala; and Kone Kyine

- At present, how are control and access to land, resources, household property and income gendered? What are the implications in terms of social justice within the village?

- What might be the potential impacts from the Mongton Dam? What is the level of awareness and perceptions towards these impacts?

- What are the human rights implications of the Mongton Dam especially from gender perspectives?
Expectation

- Contribute to the ongoing activities of the government and relevant stakeholders including SEA in taking into consideration of gender perspectives in hydropower sector planning and policy.

- Hence it is expected that such policy and plans not to exacerbate gender inequalities, instead promote equity and avoid violations of women’s human rights and promote women’s overall development.
Methodology

- Two villages in the downstream area of the proposed Mongton dam project in southern Shan State (Wan Hsala is 19 Kilometers and Kone Kyine is 32 kilometers away from the proposed Mongton dam)

- Selection of two villages: accessibility in terms of location, language and network

- Worked with a local group called Mongpan Shan Youth Group

- Two female research assistants assisted the researcher with identifying the villages and collecting the data
Methodology Cont.

When and How long
- At Wan Hsala for 2 weeks in November, 2015
- At Kone Kyine for one week in June, 2016

Techniques
- Four techniques: observation; questionnaire survey; focus group discussion; and individual interview

Categories of information collected
- Survey: Daily activities, Control and access, Accessibility to public services
- Focus group discussion: Discussion on their life and their concerns on the tentative hydropower projects
- Individual interviews: Related specific issues such as migration or the village background.
Methodology Cont.

Wan Hsala

- 46 households and 239 population with 124 male and 115 female

- The majority of villagers Shan ethnic minority, a few ethnic Lisu and Bamar

- Majority speaks Shan ethnic language

- Villagers' livelihoods: fishing, farming, and gardening, grocery shops, hunting in the forest, and shifting cultivation.

- 15 households selected mainly based on accessibility, availability and their key livelihoods methods although key livelihoods of all the villagers is agriculture like home gardening and working on alluvial land seasonally.

- Their livelihoods activities include fishing, farming, and gardening, grocery shops, hunting in the forest, and shifting cultivation, one household working for the MDX company that built the 150 KW small dam 10 years ago and still keep a very few numbers of local staff to maintain the small dam; women headed households and vulnerable households due to poverty or disability or internal migration are also included.
Meanwhile, Kone Kyine

- Kone Kyine village in Linkhae district, Mong Pan township in southern Shan state. It is situated on the side of the road that connects Mong Pan town and Mong Ton town.

- About 15 minutes away from Mong Pan town by motorbike

- 58 households and 231 population with 115 male and 116 female

- Majority of the villagers are ethnic Shan with a few Bamar and ethnic Palaung.

- Livelihoods of the majority of the villagers: farming and shifting cultivation. They also rely on forests for traditional medicine and for other valuable forest products.

- Questionnaire survey were conducted at 10 households selected based on accessibility and availability including women’s headed households, vulnerable households who are relatively poor compared with others or households that moved into the village from other places and households that own farmland and also work on shifting cultivation. They are all Shan ethnic and a typical family consists of 3 to 6 family members.
Wan Hsala
Kone Kyine
Summary of Key Findings

Wan Hsala and Kone Kyine
- Livelihoods
- Control & Access
- Relation with Public and Private Institutions
- Others

Tradition, Migration
## Livelihoods

### Wan Hsala

<table>
<thead>
<tr>
<th>Season</th>
<th>Types of Key livelihoods</th>
<th>Interviewed Households (total 15)</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Farm</td>
<td>3 (2 female headed households + 1 male headed household)</td>
</tr>
<tr>
<td></td>
<td>Shifting Cultivation</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Fishing</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Alluvial Land</td>
<td></td>
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<tr>
<td></td>
<td>Home Gardening shops</td>
<td></td>
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<tr>
<td></td>
<td>Grocery, shops</td>
<td></td>
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<tr>
<td></td>
<td>Rice Mill</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Ad-hoc, informal</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Forest including hunting and other valuable products</td>
<td></td>
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<tr>
<td></td>
<td>Gold Panning</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Livestocks</td>
<td></td>
</tr>
<tr>
<td></td>
<td>All seasons</td>
<td>15</td>
</tr>
<tr>
<td></td>
<td>All seasons</td>
<td>1</td>
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<tr>
<td></td>
<td>All seasons</td>
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<td>All seasons</td>
<td>1</td>
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<tr>
<td></td>
<td>All seasons</td>
<td>10</td>
</tr>
</tbody>
</table>
# Livelihoods

## Konekyine

<table>
<thead>
<tr>
<th>Season</th>
<th>July/Aug - Oct/Nov</th>
<th>June/July-Oct/Nov</th>
<th>seasonal</th>
<th>Throughout the season</th>
<th>All seasons</th>
<th>All seasons/seasonal</th>
<th>All seasons</th>
</tr>
</thead>
<tbody>
<tr>
<td>Types of livelihoods</td>
<td>Farm</td>
<td>Shifting Cultivation</td>
<td>Working on other's farm and shifting cultivation</td>
<td>Fishing for domestic consumption only</td>
<td>Home Gardening</td>
<td>Forest including hunting for domestic consumption</td>
<td>Livestocks</td>
</tr>
<tr>
<td>Interviewed Households (total 10)</td>
<td>9 (2 female headed households + 7 male headed household)</td>
<td>8</td>
<td>1</td>
<td>3</td>
<td>2</td>
<td>10</td>
<td>3</td>
</tr>
</tbody>
</table>
Control and Access

Wan Hsala
- Properties including Land controlled by men except women headed households and get access to them by both men and women
- Income controlled by women; both men and women get access

Kone Kyine
- Properties including Land controlled by men except women headed households and get access to them by both men and women
- Income controlled by women; both men and women get access
Relation with Public and Private Institutions

**Wan Hsala**
- No public service facilities except a primary school
- The army and the Lahu Pyithusit (Lahu army) co-exist near Wan Hsala,
- Adjacent to MDX company structure including 150 KW small dam
- Village Head, elders
- One Monastery

**Kone Kyine**
- Primary School, Health clinic, agriculture department, fishery department, police, Myanmar Economics bank, military,
- Village head, elders
- Two Monasteries
Others

**Tradition/Culture**

*Wan Hsala*
- “Nat Sin” Spiritual god, “Loi Krathong” candle lit along Salween River
- Seasonal celebrations at the monastery

*Kone Kyine*
- Scared place near the source of ‘Nant Hu” Stream; Scared site, seasonal celebrations at the monastery

**Migration**

*Wan Hsala and Kone Kyine*
- Internal and external
Potential impacts of Mongton Dam and Human Rights Implications

Water resources

- Fish, water quality, risk of rainy season flooding. (right to food security, Right to water and sanitation, right to health)

Land

- Erosion of farmland, silt alluvial land, flooding home gardening (right to own property, food security, non-discriminatory treatment)
Potential impacts of Mongton Dam and Human Rights Implications

**Forest**

- Access restricted by flood and security forces (right to food security, Right to freedom of movement, right to housing, health etc.)

**Tradition**

- “We are worried that if the dam is built, there will be more Chinese workers. We feel threatened that our village girls might be taken by those Chinese workers and our tradition is disrupted. Women might also be used for entertaining those workers and their life and physical integrity would be ruined.” women villagers from Wan Hsala (Right to self-determination, right to culture, right to safety and right to health)
Potential impacts of Mongton Dam and Human Rights Implications

Access to information and public participation

- SMEC’s consultation for EIA
- Local CSO’s awareness raising
- Women’s lack of participation in decision making

(Right to freedom of opinions and expression, right to freedom of speech, right to receive information and participate in decision making process and right to legal remedies- FPIC, UNDRIP)
Why Community Participation with gender focus is important?

- Potential **negative impacts of large scale dams** (impacts on downstream riverine vegetation, birds, various aquatic life forms, reduction in the amount of silt alluvial and erosion of farmland, restricted or lack of access to forest by villagers)

- Women **tend to be more impacted than men** (lack or inadequate access to education, health care, exposure to outside world, traditional and cultural barriers, conflict sensitive context)

- Social license to operate (sustainability, social justice, community development)
Recommendations

- Prior to considering permission for extractive projects with potential negative impacts, adopt clear investment policy seeking public opinions with an emphasis on gender inclusion and community involvement.

- Adopting a gender-sensitive public participation EIA guideline.

- Institutionalization of the Free, Prior and Informed Consent (FPIC) process in ethnic areas with special attention to gender inclusion.

- Community involvement in the Monitoring and Evaluation stages of development projects.

- Special attention paid to ensuring the protection of human rights within development projects in conflict affected areas.
Thanks!

Questions and Answers!