

# IWDA

INTERNATIONAL  
WOMEN'S  
DEVELOPMENT  
AGENCY



## DEMOCRACY AND HUMAN RIGHTS IN MYANMAR

Foreign Affairs, Defence and Trade  
References Committee

## Introduction

IWDA is an Australia-based organisation that resources women's rights organisations across Asia and the Pacific and contributes to global feminist movements. Through long-standing partnerships with women's rights organisations in Myanmar, including activity funded by DFAT known as the Women Leading Change program, IWDA works closely with women leaders engaged in democratic resistance and human rights advocacy. This submission is directly informed by those partnerships and by the advocacy and analysis of women on the ground in Myanmar and along the Thai border.

Gender equality is not peripheral to democracy in Myanmar; it is a precondition for it. Decades of militarisation and exclusionary governance have entrenched a political order in which power is concentrated in the junta<sup>1</sup> and its allied institutions, shaped by patriarchal norms and Burman ethno-nationalism. Successive military administrations have systematically excluded women and ethnic minorities from political authority, reinforced gendered and ethnic hierarchies, and normalised violence as a tool of governance.

Within the current resistance, women have been at the forefront of articulating and organising around more inclusive models of political participation, accountability, and federalism, grounded in the understanding that neither democracy nor peace can be realised without their full and meaningful involvement. Women's leadership is therefore not incidental to the struggle against junta rule in Myanmar, but a critical driver of democratic legitimacy and durable peace.

The junta's sham election does not represent a pathway to democratic transition. Conducted amid ongoing conflict, mass displacement and the systematic dismantling of political opposition, it lacks a lawful mandate and cannot meet international standards or reflect the will of the people. Recognition of this process or its outcomes would entrench military power and undermine prospects for democracy.

The human rights situation continues to deteriorate, with women and girls, particularly ethnic minority women, LGBTIQ people and people with disabilities, disproportionately impacted by violence, including conflict-related sexual violence. Without accountability for these crimes and the meaningful participation of women in democratic and peace-building processes, democracy and peace in Myanmar will remain out of reach.

## Summary of Recommendations

**Recommendation 1:** Reject any recognition of the junta-organised election or its results.

**Recommendation 2:** Support accountability for atrocity crimes committed by the junta, including conflict-related sexual violence, by:

---

<sup>1</sup> In this submission, "the junta" refers to the Myanmar military and its governing structures, including successive military councils and authorities that have exercised power without democratic mandate, most recently through the State Administration Council and its successor bodies following the 1 February 2021 coup.

- Publicly recognising CRSV committed by the junta as constituting war crimes and crimes against humanity;
- Supporting international accountability mechanisms, including International Criminal Court jurisdiction and the exercise of universal jurisdiction; and
- Ensuring protection, resourcing and political backing for women-led organisations documenting atrocity crimes and supporting survivors.

**Recommendation 3:** Support locally led humanitarian assistance by resourcing women's rights organisations, particularly ethnic women-led organisations, and service providers, to deliver aid directly to IDP camps and conflict-affected communities via established cross-border routes.

**Recommendation 4:** Support survivor-centred transitional justice mechanisms that prioritise justice, protection and recovery for women, particularly survivors of CRSV, by:

- Resourcing women's rights organisations to document violations, preserve evidence and operate survivor referral pathways at the local level;
- Resourcing capacity building programs that prepare current and future women leaders with the necessary skills to participate meaningfully in the movement for peace building and federal democratic union, including at the state level and multi-ethnic platforms;
- Supporting community-based and alternative justice mechanisms, including truth-telling, memorialisation, and local accountability initiatives, particularly in areas outside junta control; and
- Working with women's rights organisations inside Myanmar and in border countries, alongside interim institutions including Ethnic Resistance Organisations, the NUCC, NUG and Interim Federal Units, to strengthen emerging justice mechanisms and prevent the exclusion of survivors from future accountability processes.

**Recommendation 5:** Demand inclusive and meaningful participation of women throughout the entire democratic and peace-building process by:

- Resourcing women's rights movements with core, flexible and multi-year funding;
- Providing training to women mediators and negotiators from diverse ethnicities; and
- Using diplomatic levers in bilateral, regional, and multilateral forums to advocate for the inclusion of women throughout the democracy and peace building process.

**Recommendation 6:** End political, military and business engagement that could legitimise the regime, and engage instead with legitimate pro-democracy and ethnic revolutionary actors, including those advancing bottom-up federal governance structures and alternative justice and service delivery systems.

## **The State of Democracy and the Sham Election**

The election does not offer a pathway out of the political crisis that has enveloped Myanmar since 2021. Instead, it risks legitimising a regime that precipitated the current conflict through its unconstitutional seizure of power and continuous commitment of serious violations of international law, including acts that amount to crimes against humanity.

Women-led organisations and other human rights defenders have cautioned that the election process will intensify militarisation, surveillance, and systemic coercive control, with particularly harmful consequences for women, ethnic minorities, and other marginalised groups.<sup>2</sup> The heightened security environment surrounding the election period increases the risk of arbitrary detention, intimidation and sexual and gender-based violence, especially in contested and ethnic areas.

The election carries broader regional and international implications. As outlined by the Special Advisory Council for Myanmar, the junta's objective is not democratic transition but the consolidation of power, access to resources and renewed political recognition.<sup>3</sup> If this process is allowed to proceed unchallenged, it risks prolonging conflict, entrenching impunity and undermining the development of alternative federal and democratic governance systems that have emerged in resistance-controlled areas, particularly where international actors continue to engage with or recognise the junta as a governing authority. Far from resolving Myanmar's political crisis, the election is designed to reinforce military dominance and close off genuine pathways to peace, accountability, and inclusive democratic governance.

### **No Constitutional Mandate to Organise or Hold Elections**

The junta's proposed election has no legitimate constitutional or legal basis. The junta continues to rely on the 2008 Constitution, a document drafted by the junta and adopted through a referendum held in the immediate aftermath of Cyclone Nargis. That referendum was widely criticised by independent election observers as neither free nor fair, having been conducted under conditions of coercion, restricted access, and widespread irregularities.<sup>4</sup> The Constitution itself was designed to constrain democratic governance by limiting the authority of elected representatives and entrenching the junta as the dominant political actor, with guaranteed control over key ministries and parliamentary seats.

Even within this military-designed constitutional framework, the current governing arrangements lack legal validity. The State Administration Council, and its successor bodies including the State Security and Peace Commission, were established through an unlawful seizure of power and have no constitutional mandate to organise or oversee elections. Analysis by the Sham Election Tracker confirms that these bodies fall outside the constitutional order set out in the 2008 Constitution itself, rendering the proposed election unlawful even by the junta's own standards.<sup>5</sup>

---

<sup>2</sup> Sisters2Sisters, "Political Position of Women-Led Organizations Against the Junta's Sham Election in Myanmar," accessed January 30, 2026, <https://sisters2sisters.org/political-position-of-women-led-organizations-against-the-juntas-sham-election-in-myanmar/>

<sup>3</sup>Special Advisory Council for Myanmar, *Myanmar's Way Forward* (Briefing Paper, December 2025), [https://specialadvisorycouncil.org/wp-content/uploads/2025/12/SAC-M-Briefing-Paper\\_Myanmars-Way-Forward\\_English.pdf](https://specialadvisorycouncil.org/wp-content/uploads/2025/12/SAC-M-Briefing-Paper_Myanmars-Way-Forward_English.pdf).

<sup>4</sup> Asian Network for Free Elections (ANFREL), *Preliminary Report on the Referendum of May 10, 2008* (Bangkok: ANFREL, 2008) <https://anfre.org/wp-content/uploads/2012/02/Preliminary-Report-on-the-Referendum-of-May-10-2008.pdf>

<sup>5</sup>Sham Election Tracker, "An Election Play Where Min Aung Hlaing Can Become President," December 26, 2025, <https://shamelectiontracker.com/analysis-updates/14/2025/12/26/an-election-play-where-min-aung-hlaing-can-become-president>.

## Fails to Meet International Standards

The proposed election fails to meet international standards for democratic participation and electoral integrity, including those set out in ICCPR Article 25 and the ASEAN Charter's commitments to representative governance. The junta holds no lawful executive or legislative authority yet has exercised control of the police and judiciary in its territory since the failed coup.<sup>6</sup> It has further weaponised the repressive legal system by enacting and enforcing a range of repressive measures, including the Cyber Security Law, the Elections Protection Law and the Suspension of Citizens' Privacy, Safety and Security Law. These laws have been used to expand surveillance, intimidate civilians, compel voter registration, and suppress political opposition, independent media and civil society activity.<sup>7</sup>

Voting will take place only in areas under junta control, with large parts of the country excluded due to ongoing conflict and resistance governance. The junta has publicly stated that elections will not be held in at least 56 townships, and that in many other areas polling will be limited to selected urban centres, effectively excluding rural populations.<sup>8</sup> Regions affected include Sagaing, Magway, Mandalay, Shan, Rakhine, Chin, Kachin, Karen, and Mon States. In Mon State alone, voting will not take place in areas covering around 30 per cent of the region.<sup>9</sup> With widespread displacement, insecurity and ongoing hostilities, meaningful participation is not only unrealistic but unsafe. Further, census coverage remains incomplete, which in effect undermines the accuracy of voter lists and the credibility of the process.<sup>10</sup>

The political landscape has been deliberately reshaped to eliminate genuine competition. Major opposition parties, including the National League for Democracy, have been deregistered alongside more than 40 other parties under a revised Political Parties Registration Law.<sup>11</sup> The National Unity Government has been designated a terrorist organisation, while many potential candidates are imprisoned, in hiding or forcibly displaced. The Union Election Commission itself lacks independence and credibility, being chaired by a former junta parliamentarian who is currently subject to international sanctions.<sup>12</sup>

**Recommendation 1:** Reject and refuse recognition of the junta's election and the results.

---

<sup>6</sup> Special Advisory Council for Myanmar, *Myanmar's Way Forward*, 22.

<sup>7</sup> Special Advisory Council for Myanmar, *Myanmar's Way Forward*, 22–23; Sham Election Tracker, "Political Position of Women-Led Organizations Against the Junta's Sham Election." December 22, 2025.

<https://shamelectiontracker.com/analysis-updates/8/2025/12/22/political-position-of-women-led-organizations-against-the-junta-s-sham-election>.

<sup>8</sup> Sham Election Tracker. "An Election Play Where Min Aung Hlaing Can Become President by Winning Only 35 Seats."

<sup>9</sup> Sham Election Tracker. "An Election Play Where Min Aung Hlaing Can Become President by Winning Only 35 Seats."

<sup>10</sup>Sham Election Tracker. "An Election Play Where Min Aung Hlaing Can Become President by Winning Only 35 Seats.".

<sup>11</sup> Special Advisory Council for Myanmar, *Myanmar's Way Forward*, 23–24.

<sup>12</sup> Sham Election Tracker. "An Election Play Where Min Aung Hlaing Can Become President by Winning Only 35 Seats."

## The State of Human Rights in Myanmar

Since the 1 February 2021 failed military coup, Myanmar has faced an entrenched and escalating human rights crisis marked by widespread and systematic abuses against civilian populations. The junta continues to carry out indiscriminate airstrikes and artillery attacks, razing villages and driving mass displacement, alongside arbitrary arrests, enforced disappearances, torture and the deliberate destruction of civilian infrastructure, particularly in ethnic and conflict-affected areas.<sup>13</sup> These violations have resulted in mass civilian casualties, the loss of homes and livelihoods, and the internal displacement of at least 3.5 million people.<sup>14</sup>

The collapse of civilian governance, health, education systems, and the justice sector, combined with the deliberate obstruction of humanitarian access, has left communities without protection or meaningful avenues for redress. The scale, consistency and targeting of these abuses raise serious concerns of grave breaches of international humanitarian law and international human rights law, including war crimes and crimes against humanity.<sup>15</sup>

Myanmar is facing an acute humanitarian crisis driven by mass displacement and the deliberate obstruction of aid by military authorities. Since the 2021 failed coup, **at least 3.5 million people** are internally displaced, though women's rights organisations and local responders consistently warn that the true figure is significantly higher than UN estimates due to under-reporting in conflict-affected and inaccessible areas.<sup>16</sup> The junta has systematically restricted humanitarian access through travel authorisation requirements, checkpoint harassment, surveillance of aid workers and the criminalisation of local and cross-border assistance.<sup>17</sup> Humanitarian assistance continues to be channelled predominantly through Yangon and other areas under military control, limiting reach to populations most in need and exposing delivery to political interference.<sup>18</sup> In contrast, ethnic organisations and women-led groups have for decades delivered assistance through established cross-border routes from Thailand, developed in the context of protracted

---

<sup>13</sup> Women's League of Burma, "Situation Updates" <https://www.womenofburma.org/reports>; Assistance Association for Political Prisoners (AAPP), <https://aappb.org>; United Nations Office of the High Commissioner for Human Rights (OHCHR), "Myanmar" <https://www.ohchr.org/en/countries/myanmar>

<sup>14</sup> United Nations High Commissioner for Refugees (UNHCR). "Myanmar Emergency." 2025. <https://www.unhcr.org/myanmar-emergency.html>

<sup>15</sup> United Nations Human Rights Council. *Report of the Independent Investigative Mechanism for Myanmar*. Fifty-first sess., September 12–October 7, 2022. A/HRC/51/4 <https://docs.un.org/en/A/HRC/51/4>

<sup>16</sup> UNOCHA, Myanmar *Humanitarian Needs Overview 2024*, <https://reliefweb.int/report/myanmar/myanmar-humanitarian-needs-overview-2024>; Women's League of Burma, *Building the Triple Resistance*, <https://www.womenofburma.org/reports/building-triple-resistance>).

<sup>17</sup> United Nations Human Rights Council. *Report of the Special Rapporteur on the Situation of Human Rights in Myanmar*, March 2024. A/HRC/55/64. <https://www.ohchr.org/en/documents/country-reports/ahrc5564-report-special-rapporteur-situation-human-rights>.

<sup>18</sup> United Nations Office for the Coordination of Humanitarian Affairs (OCHA), *Myanmar Humanitarian Response Plan 2024* (2024), <https://reliefweb.int/report/myanmar/myanmar-humanitarian-response-plan-2024>.

conflict with the military, and continue to reach communities inaccessible through junta-controlled channels.<sup>19</sup>

Delivering assistance through these established cross-border and locally led channels is consistent with humanitarian principles of do-no-harm and risk mitigation, as it reduces exposure of displaced communities, local responders and aid operations to surveillance, diversion, and coercion by military authorities. This approach is also consistent with Australia’s Humanitarian Policy, which commits to localisation, principled humanitarian action, and the protection of civilians, particularly in complex and high-risk operating environments.<sup>20</sup> The deliberate obstruction of humanitarian assistance to civilians in need constitutes a violation of international humanitarian law.

Women and girls are experiencing this crisis in profoundly gendered and intersecting ways. Ethnic minority women and girls in conflict-affected areas face disproportionate exposure to violence, displacement and deprivation, while assuming increased unpaid care and survival responsibilities amid food insecurity and the collapse of health and justice systems.<sup>21</sup> Women with disabilities and LGBTQI people face additional risks of abuse, exclusion from humanitarian assistance and barriers to accessing safety, health care and protection, particularly in displacement and detention settings.<sup>22</sup> These harms are compounded by long-standing discrimination linked to ethnicity, disability, sexual orientation and gender identity, which has been intensified under junta rule and conditions of protracted conflict.

### **Conflict-Related Sexual Violence**

Conflict-related sexual violence has long been a deliberate and entrenched feature of the junta’s strategy of domination against civilian populations, particularly in ethnic minority areas,<sup>23</sup> and has become more pronounced and widespread since the 2021 failed coup.<sup>24</sup> Women and girls are subjected to rape, gang rape, sexual torture, forced nudity, threats of sexual violence and other forms of sexual and gender-based abuse during military

---

19 Women’s League of Burma, *Seeking Justice and Accountability* (2025)

[https://www.womenofburma.org/sites/default/files/2025-11/Seeking%20justice%20%26%20Accountability-WPS-pages\\_0.pdf](https://www.womenofburma.org/sites/default/files/2025-11/Seeking%20justice%20%26%20Accountability-WPS-pages_0.pdf).

20 Australian Government, Department of Foreign Affairs and Trade (DFAT), *Australia’s Humanitarian Policy*, <https://www.dfat.gov.au/publications/publications/australias-humanitarian-policy>

Australian Government, Department of Foreign Affairs and Trade (DFAT). “Humanitarian Access and Protection.” <https://www.dfat.gov.au/development/topics/development-issues/building-resilience/australias-humanitarian-assistance/declaration-protection-humanitarian-personnel>

21 United Nations Human Rights Council, Situation of Human Rights in Myanmar (2024), A/HRC/55/61; United Nations Office of the High Commissioner for Human Rights, “Myanmar: Human Rights Situation Worsens as Military Lashes Out Indiscriminately,” press release, January 2024; Women’s League of Burma, “Situation Updates,” <https://www.womenofburma.org/reports>.

22 Human Rights Watch, “World Report 2025: Myanmar,” <https://www.hrw.org/world-report/2025/country-chapters/myanmar>.

<sup>23</sup>Women’s League of Burma, *Seeking Justice and Accountability* (2025), [https://www.womenofburma.org/sites/default/files/2025-11/Seeking%20justice%20%26%20Accountability-WPS-pages\\_0.pdf](https://www.womenofburma.org/sites/default/files/2025-11/Seeking%20justice%20%26%20Accountability-WPS-pages_0.pdf). Women’s League of Burma, *Girls Bear the Shame* (2017), <https://www.womenofburma.org/reports/girls-bear-shame>.

<sup>24</sup> Women’s League of Burma, *Building the Triple Resistance*, <https://www.womenofburma.org/reports/building-triple-resistance>.

operations, in detention and during village raids.<sup>25</sup> These acts of violence are not incidental to conflict but form part of a sustained pattern of militarised repression directed at civilian communities.

As detailed in reports such as *Same Pattern, Same Impunity and Seeking Justice and Accountability* by the Women's League of Burma, conflict-related sexual violence committed by the junta has been widespread, systematic and directed against civilian populations over decades.<sup>26</sup> When committed as part of a widespread or systematic attack against civilians, including through gendered and ethnic targeting, such acts meet the legal threshold for crimes against humanity under international law and the Rome Statute of the International Criminal Court.<sup>27</sup> In situations of armed conflict, depending on the factual context and nexus to hostilities, these acts may also constitute war crimes.<sup>28</sup>

Despite the gravity of these crimes, the junta has never been held accountable for CRSV. Even prior to the failed coup, domestic accountability mechanisms were ineffective and deeply compromised by the influence and power the junta retained. Since the failed coup, the collapse of judicial independence and the subordination of courts to junta authority have extinguished even the limited avenues for justice that previously existed for survivors. The UN Special Rapporteur on the situation of human rights in Myanmar has repeatedly reported on the collapse of judicial independence, the use of courts as instruments of repression, and the absence of remedies for survivors of military abuses since the 2021 failed coup.<sup>29</sup>

The continued perpetration of CRSV engages clear obligations under international human rights law and international humanitarian law. Accountability for these crimes is not contingent on political transition or post-conflict settlement; it is an immediate obligation arising from the nature and scale of the violations. Failure to pursue accountability entrenches impunity, normalises gendered violence as a tool of governance and undermines any prospect of democratic legitimacy or durable peace.

---

<sup>25</sup> Women's League of Burma, *Speaking Truth to Power: Ending Military Impunity in Burma/Myanmar*, <https://www.womenofburma.org/reports/speaking-truth-power-ending-military-impunity-burmamyanmar>

<sup>26</sup> Women's League of Burma, *Same Pattern, Same Impunity*, <https://www.womenofburma.org/reports/same-impunity-same-patterns>; Women's League of Burma, *Seeking Justice and Accountability* (2025), [https://www.womenofburma.org/sites/default/files/2025-11/Seeking%20justice%20%26%20Accountability-WPS-pages\\_0.pdf](https://www.womenofburma.org/sites/default/files/2025-11/Seeking%20justice%20%26%20Accountability-WPS-pages_0.pdf).

<sup>27</sup> Rome Statute of the International Criminal Court, arts. 7(1), 7(1)(g) <https://www.ohchr.org/en/instruments-mechanisms/instruments/rome-statute-international-criminal-court>.

<sup>28</sup> Rome Statute of the International Criminal Court, arts. 8(2)(e)(vi), <https://www.ohchr.org/en/instruments-mechanisms/instruments/rome-statute-international-criminal-court>.

<sup>29</sup> Women's League of Burma, *Seeking Justice and Accountability* (2025), [https://www.womenofburma.org/sites/default/files/2025-11/Seeking%20justice%20%26%20Accountability-WPS-pages\\_0.pdf](https://www.womenofburma.org/sites/default/files/2025-11/Seeking%20justice%20%26%20Accountability-WPS-pages_0.pdf); United Nations Human Rights Council, *Report of the Special Rapporteur on the Situation of Human Rights in Myanmar* (2023), A/HRC/52/64; United Nations General Assembly, *Report of the Special Rapporteur on the Situation of Human Rights in Myanmar* (2023), A/78/344.

**Recommendation 2:** Support accountability for atrocity crimes committed by the junta, including conflict-related sexual violence, by:

- Publicly recognising CRSV committed by the junta as constituting war crimes and crimes against humanity;
- Supporting international accountability mechanisms, including International Criminal Court jurisdiction and the exercise of universal jurisdiction; and
- Ensuring protection, resourcing and political backing for women-led organisations documenting atrocity crimes and supporting survivors.

**Recommendation 3:** Support locally led humanitarian assistance by resourcing women's rights organisations, particularly ethnic women-led organisations and service providers, to deliver aid directly to IDP camps and conflict-affected communities via established cross-border routes.

## Pathway to Inclusive Democratic Governance

### Transitional Justice Mechanisms Necessary to Build Trust

Women's rights organisations in Myanmar have consistently emphasised that accountability and transitional justice are not post-conflict or future facing concerns, but processes that are already underway in conditions of ongoing violence. In the absence of functioning courts, independent institutions or survivor access to formal justice, women-led organisations are undertaking core transitional justice functions that are foundational to any future national accountability process and critical to survivor protection and community trust in the present.<sup>30</sup>

Across Myanmar and in border areas, women-led organisations are documenting CRSV and other grave violations using survivor-centred methodologies developed over decades of engagement with ethnic communities. The Women's League of Burma has documented patterns of rape, sexual torture and gendered violence committed by the junta as systematic and long-standing, noting that community-based documentation has often been the *only* means through which survivors' experiences are recorded and preserved.<sup>31</sup> This documentation is explicitly undertaken to support future criminal accountability, reparations claims and future truth-telling processes.

Women's organisations are also operating survivor-centred referral pathways in contexts where state services have collapsed. This includes linking survivors to health care, psychosocial support, safe shelter, and livelihood assistance, often across borders and through informal networks. Research by the Global Survivors Fund highlights that for survivors of CRSV in Myanmar, access to livelihood support and economic recovery is

---

<sup>30</sup> Women's League of Burma, *Seeking Justice and Accountability*, <https://www.womenofburma.org/reports/seeking-justice-and-accountability>; International Center for Transitional Justice (ICTJ), *Transitional Justice in Ongoing Conflict: Myanmar Briefings*.

<sup>31</sup> Women's League of Burma. *Same Pattern, Same Impunity* (2014) <https://www.womenofburma.org/reports/same-impunity-same-patterns>.

frequently understood as a form of justice, enabling dignity, autonomy, and social reintegration where formal reparations are unavailable.<sup>32</sup>

In parallel, women-led organisations are engaging in community-based and alternative justice initiatives, including truth-telling, memorialisation, and local accountability practices, particularly in areas outside junta control. The International Center for Transitional Justice has noted that in contexts of ongoing conflict, non-judicial measures often constitute the earliest forms of transitional justice, helping communities acknowledge harm, preserve memory, and prevent the erasure of violations from future political settlements.<sup>33</sup> In Myanmar, these efforts are already intersecting with emerging local governance and justice mechanisms linked to ethnic resistance organisations and interim federal structures.<sup>34</sup>

Together, these activities form the early architecture of transitional justice in Myanmar. However, they remain fragmented and severely under-resourced. Women's organisations report significant constraints, including insecure data storage, limited digital and physical protection for documentation work, inconsistent survivor support services, and the absence of structured pathways for engagement with interim justice and governance institutions. The Independent Investigative Mechanism for Myanmar has repeatedly underscored the importance of civil society documentation for future accountability efforts, while noting the serious risks faced by those collecting and preserving evidence without adequate protection or resourcing.<sup>35</sup>

Without immediate investment, evidence will be lost, survivors will be excluded from emerging justice processes, and women-led accountability work will remain informal and vulnerable. This includes resourcing women's rights organisations to safely document violations and preserve evidence; supporting survivor-centred transitional justice initiatives that combine accountability with healing and recovery; and enabling sustained engagement with emerging local and interim justice mechanisms. Such investment would consolidate existing accountability efforts, reduce the risk of evidence loss, and ensure that survivor experiences are not marginalised or erased as political arrangements evolve. Without targeted investment, these existing mechanisms risk fragmentation, evidence loss and exclusion from future accountability processes as political arrangements evolve.

Accountability in Myanmar will be built over time and through multiple processes, rather than delivered through a single legal forum or post-conflict moment. Strengthening transitional justice mechanisms now is therefore essential to addressing entrenched

---

<sup>32</sup> Global Survivors Fund & REDRESS, *Opportunities for Reparations for Survivors of Conflict-Related Sexual Violence in Myanmar* (2023), <https://www.globalsurvivorsfund.org/>

<sup>33</sup> International Center for Transitional Justice (ICTJ), *Transitional Justice and Ongoing Conflict: Lessons from Myanmar* (2014) <https://www.ictj.org/sites/default/files/ICTJ-Myanmar-Development-Report-2014.pdf>

<sup>34</sup> Special Advisory Council for Myanmar, *Myanmar's Way Forward* <https://specialadvisorycouncil.org/2025/12/sac-ms-new-briefing-paper-myanmars-way-forward/>; M. Matelski, *Multi-Layered Civil Society Documentation of Human Rights ...* (2022) citing ICTJ work in Myanmar, <https://academic.oup.com/jhrp/article/14/3/794/6700810>

<sup>35</sup> Independent Investigative Mechanism for Myanmar (IIMM), "Annual Reports and Briefings on Evidence Preservation and Civil Society Documentation" accessed [28<sup>th</sup> January 2026] <https://iimm.un.org/en/annual-reports>

impunity, supporting survivors, and ensuring future accountability efforts are credible and survivor informed.

**Recommendation 4:** Support survivor-centred transitional justice mechanisms that prioritise justice, protection, and recovery for women, particularly survivors of CRSV, by:

- Resourcing women’s rights organisations to document violations, preserve evidence and operate survivor referral pathways at the local level;
- Supporting community-based and alternative justice mechanisms, including truth-telling, memorialisation, and local accountability initiatives, particularly in areas outside junta control; and
- Working with women’s rights organisations inside Myanmar and in border countries, alongside interim institutions including Ethnic Resistance Organisations, the NUCC, NUG and Interim Federal Units, to strengthen emerging justice mechanisms and prevent the exclusion of survivors from future accountability processes.

### **Gender Equality is Central to Durable Peace and Democracy**

Women have sustained Myanmar’s resistance to junta rule by maintaining underground service delivery, coordinating cross-border aid, and holding together community governance structures in areas where the state has collapsed, all while advancing demands for justice and federal democracy. Their leadership spans marginalised groups, including young people, LGBTQ+ communities, ethnic minorities, and persons with disabilities. As documented in *A Women’s Voice Against Resistance*, women-led organisations have played a critical role in sustaining community resilience and ensuring that gender justice remains visible within the broader resistance movement.<sup>36</sup>

Despite this leadership, women’s influence within decision-making structures remains limited. Research by women’s rights organisations shows that women continue to be under-represented in community governance, resistance coordination mechanisms and emerging political institutions, including in areas outside junta control.<sup>37</sup> Patriarchal norms remain deeply embedded across social, cultural, and political life, including within revolutionary and resistance movements themselves. Women activists describe how the combination of patriarchy and militarism continues to shape power dynamics, resulting in the marginalisation of women and gender-diverse people even within movements seeking democratic change.<sup>38</sup>

These dynamics are reinforced by persistent gender norms that frame women’s leadership as destabilising or threatening. As documented by women’s rights organisations, beliefs such as “when women go to the front lines of the battlefield, men tend to lose power”

---

<sup>36</sup> Lun Eain and Milley. *A Women’s Voice Against Resistance*. December 2025. Burmese-language report. Key findings translated and shared by WLC partner organisations.

<sup>37</sup> Feminist Justice Alliance (FJA Myanmar), “English – Page 2,” Facebook photo, December 31, 2025, <https://www.facebook.com/fjaMyanmar/photos/english-page-2/122102266449188562/>

<sup>38</sup> Feminist Justice Alliance (FJA Myanmar), “English – Page 2,” Facebook photo, December 31, 2025, <https://www.facebook.com/fjaMyanmar/photos/english-page-2/122102266449188562/>

continue to circulate, including within Gen Z-led anti-dictatorship movements.<sup>39</sup> Without deliberate efforts to shift power, there is a real risk that emerging political and governance structures will replicate the same exclusions that have historically marginalised women and ethnic communities.

Women-led movements have been clear that peace in Myanmar cannot be sustained without confronting the structural drivers of violence, including the intersecting systems of militarisation, patriarchy, and ethnic domination. Calls to dismantle Burman chauvinism and patriarchy, and to end violence and discrimination against women, reflect an understanding that democratic transition is not only about replacing political leaders, but about transforming how power is exercised and by whom.

Australia's commitments under the Women, Peace and Security agenda are directly engaged in this context. Under UN Security Council Resolution 1325 and successor resolutions, Australia has committed to supporting women's meaningful participation in peace and political processes and to addressing structural barriers to gender equality.<sup>40</sup> Australia's National Action Plan on Women, Peace and Security 2021–2031 similarly recognises that women's leadership and participation are essential to conflict prevention, peacebuilding and democratic governance. These commitments align with the work of IWDA's Myanmar partners, which underscores that gender equality and women's leadership are not ancillary to democratic transition, but central to durable peace and political legitimacy in contexts of protracted conflict.<sup>41</sup>

Without women at the centre of political decision-making, peace negotiations and emerging governance arrangements, democratic processes in Myanmar will lack legitimacy and durability. Women's participation cannot be symbolic or consultative. It must involve real authority over the design, priorities, and outcomes of democratic and peace-building processes. Anything less risks reproducing the same hierarchies and exclusions that have fuelled conflict and injustice for decades.

**Recommendation 5:** Demand inclusive and meaningful participation of women throughout the entire democratic and peace-building process by:

- Resourcing women's rights movements with core, flexible and multi-year funding;
- Resource capacity building programs that prepare current and future women leaders with the necessary skills to participate meaningfully in the movement for peace building and federal democratic union, including at the state level and multi-ethnic platforms;

---

<sup>39</sup> Feminist Justice Alliance (FJA Myanmar), "English – Page 2," Facebook photo, December 31, 2025, <https://www.facebook.com/fjaMyanmar/photos/english-page-2/122102266449188562/>

<sup>40</sup> Australian Government, Department of Foreign Affairs and Trade (DFAT), *Women, Peace and Security: AusAID's Implementation of United Nations Security Council Resolution 1325* (Canberra: Commonwealth of Australia, 2010), <https://www.dfat.gov.au/about-us/publications/Pages/women-peace-and-security-ausaids-implementation-of-united-nations-security-council-resolution-1325>.

<sup>41</sup> Nang Moet Moet and Clara Bradley, *Transitional Justice and Women's Representation in Peacebuilding: Myanmar and the Case for Feminist Foreign Policy*, AFFPC Issue Paper Series no. 16 (Melbourne: Australian Feminist Foreign Policy Coalition, March 2024), <https://iwda.org.au/resource/transitional-justice-and-womens-representation-in-peace-building-myanmar-and-the-case-for-feminist-foreign-policy/>.

- Providing training to women mediators and negotiators from diverse ethnicities; and
- Using diplomatic levers in bilateral, regional, and multilateral forums to advocate for the inclusion of women throughout the democracy and peace building process.

## Strengthening States and Regions as a Foundation for Building a Strong Federal Union

Since the 2021 failed coup, the revolution in Myanmar has increasingly been institutionalised through **ground-up political processes**, often described as bottom-up federalism. Rather than seeking legitimacy through centralised authority or elite-driven negotiations, resistance actors have prioritised the construction of political order from the local level upwards. As documented in *Myanmar's Way Forward*, these processes represent a deliberate effort to replace military domination with a federal democratic system built through local legitimacy and popular engagement.<sup>42</sup>

A defining feature of this political transformation has been the emergence of **state or federal unit councils and ethnic-based governance bodies**, established through consultation and coalition-building among local civil society organisations, resistance groups and community leaders. These councils are locally negotiated institutions that reflect principles of self-determination, pluralism, and shared authority. The Special Advisory Council for Myanmar notes that these bodies are already performing core governance functions, including coordination of service delivery, justice mechanisms, taxation, security, and local administration in resistance-controlled areas.<sup>43</sup>

Crucially, these local and state-level structures are not operating in isolation. The report documents how they are being connected **horizontally** with one another and **vertically** with Union-level bodies, including through national coordination processes such as the **Common Political Agreement (CPA)** and the **Articles of Federal Transitional Arrangements (AFTA)**. Together, these frameworks are laying the foundations for an inclusive national political order that is progressively negotiated rather than imposed, and that derives legitimacy from participation rather than coercion.<sup>44</sup> This evolving architecture challenges narratives that portray the resistance as fragmented or lacking political coherence, demonstrating instead a gradual consolidation of democratic governance grounded in consent.

Despite this progress, international engagement has not kept pace with political realities on the ground. The Special Advisory Council for Myanmar cautions that continued diplomatic engagement with the junta, including through electoral processes lacking legitimacy, risks undermining these emerging democratic institutions and reinforcing military impunity. The report underscores the need for stronger political and diplomatic

---

<sup>42</sup> Special Advisory Council for Myanmar, *Myanmar's Way Forward* (Yangon: SAC-M, December 2025), [https://specialadvisorycouncil.org/wp-content/uploads/2025/12/SAC-M-Briefing-Paper\\_Myanmars-Way-Forward\\_English.pdf](https://specialadvisorycouncil.org/wp-content/uploads/2025/12/SAC-M-Briefing-Paper_Myanmars-Way-Forward_English.pdf).

<sup>43</sup> Nang Moet Moet and Clara Bradley, *Transitional Justice and Women's Representation in Peacebuilding: Myanmar and the Case for Feminist Foreign Policy*, AFFPC Issue Paper Series no. 16 (Melbourne: Australian Feminist Foreign Policy Coalition, March 2024), <https://iwda.org.au/assets/files/AFFPC-Issue-Paper-March-2024-Myanmar-and-FFP.pdf>.

<sup>44</sup> Nang Moet Moet and Clara Bradley, *Transitional Justice and Women's Representation in Peacebuilding: Myanmar and the Case for Feminist Foreign Policy*, AFFPC Issue Paper Series no. 16 (Melbourne: Australian Feminist Foreign Policy Coalition, March 2024), <https://iwda.org.au/assets/files/AFFPC-Issue-Paper-March-2024-Myanmar-and-FFP.pdf>.

recognition of the **legitimate pro-democracy and ethnic revolutionary actors** who are already exercising governance authority and building viable alternatives to military rule.<sup>45</sup>

Women's participation is critical to the legitimacy and durability of these emerging systems. While women have been central to resistance, service provision and community mobilisation, they remain under-represented in formal political and governance structures at local, state and Union levels. *Myanmar's Way Forward* highlights that inclusive federal democracy will not be achieved without deliberate efforts to ensure women's meaningful participation in political decision-making and institution-building.<sup>46</sup> Supporting women's rights organisations to engage in these processes through sustained, flexible resourcing is essential to ensuring that bottom-up federalism does not replicate existing gendered power imbalances, but instead delivers inclusive, accountable and durable democratic outcomes.

### **Non-Cooperation, Economic Sanctions, Weapons and Fuel Embargoes**

Australia cannot collapse the junta alone, but it can materially restrict the military's access to money, fuel, legitimacy and international space. The most effective levers sit in targeted sanctions, robust enforcement, financial regulation, and diplomatic positioning. IWDA endorses the detailed analysis and recommendations set out in ACFID's submission, which outlines specific sanctions, regulatory measures, and non-recognition actions available to the Australian Government.

**Recommendation 6:** End political, military and business engagement that could legitimise the regime, and engage instead with legitimate pro-democracy and ethnic revolutionary actors, including those advancing bottom-up federal governance structures and alternative justice and service delivery systems.

---

<sup>45</sup>Nang Moet Moet and Clara Bradley, *Transitional Justice and Women's Representation in Peacebuilding: Myanmar and the Case for Feminist Foreign Policy*, AFFPC Issue Paper Series no. 16 (Melbourne: Australian Feminist Foreign Policy Coalition, March 2024), <https://iwda.org.au/assets/files/AFFPC-Issue-Paper-March-2024-Myanmar-and-FFP.pdf>.

<sup>46</sup>Special Advisory Council for Myanmar, *Myanmar's Way Forward* (Yangon: SAC-M, December 2025), 37–38, 42, 53, [https://specialadvisorycouncil.org/wp-content/uploads/2025/12/SAC-M-Briefing-Paper\\_Myanmars-Way-Forward\\_English.pdf](https://specialadvisorycouncil.org/wp-content/uploads/2025/12/SAC-M-Briefing-Paper_Myanmars-Way-Forward_English.pdf).

## Appendix A:

This submission draws on the analysis, documentation, and reporting of the following international legal instruments, United Nations mechanisms, and civil society organisations. These sources are referenced narratively throughout the submission in line with standard practice for policy and advocacy submissions.

### **International Legal and Normative Frameworks**

- International Covenant on Civil and Political Rights (ICCPR), Article 25
- Rome Statute of the International Criminal Court
- ASEAN Charter
- United Nations Security Council Resolution 1325 and subsequent Women, Peace and Security resolutions

### **United Nations Mechanisms**

- United Nations Special Rapporteur on the situation of human rights in Myanmar
- Independent Investigative Mechanism for Myanmar (IIMM)

### **Civil Society and Expert Bodies**

- WLC partners reports
- Special Advisory Council for Myanmar
- Global Survivors Fund
- International Center for Transitional Justice
- Australia's Feminist Foreign Policy Coalition
- Australian Council for International Development (ACFID)

### **Key Reports and Analytical Sources**

- *Same Pattern, Same Impunity* – Women's League of Burma
- *Seeking Justice and Accountability* – Women's League of Burma
- *A Women's Voice Against Resistance* – women's rights organisations in Myanmar
- *Myanmar's Way Forward* – Special Advisory Council for Myanmar
- *Sham Election Tracker* – Special Advisory Council for Myanmar
- *Transitional Justice and Women's Representation in Peacebuilding: Myanmar and the Case for Feminist Foreign Policy* – Australian Feminist Foreign Policy Coalition

### **Australian Government Policy Frameworks**

- Australia's Humanitarian Strategy
- Australia's National Action Plan on Women, Peace and Security 2021–2031