

Civil Society Dialogue Network

Supporting Myanmar's Evolving Peace Processes: What Roles for Civil Society and the EU?

Brussels, 7 March 2013

Meeting Report

This is a report of the Civil Society Dialogue Network (CSDN) meeting *Supporting Myanmar's Evolving Peace Processes: What Roles for Civil Society and the EU?*, which took place on Thursday 7 March 2013 in Brussels. The meeting brought together EU officials, civil society representatives from Myanmar and Southeast Asia as well as international NGO (INGO) representatives. The report was produced by meeting rapporteur Cecilia Pellosniemi, and stands as a summary and unofficial record of the issues raised and recommendations put forward during the discussions, which were held under the Chatham House Rule. A summary of key recommendations from the meeting is included in this report as section two, and is available as a [separate document](#).

The **Civil Society Dialogue Network** (CSDN) is a three-year project funded by the European Commission (Instrument for Stability) aimed at facilitating dialogue on peacebuilding issues between civil society and EU policymakers. The CSDN contributes to strengthening international and regional capacity for conflict prevention and post-conflict co-operation (for more information please see: www.eplo.org). The CSDN is managed by EPLO, the European Peacebuilding Liaison Office, in cooperation with the EEAS and the EC.

1. Introduction

Ever since the inauguration of the new government in early 2011, the Union of Myanmar¹ has experienced unprecedented political and economic opening. The novelty of the unfolding reforms raises fundamental questions concerning both risks and opportunities they present. Expectations towards the government, civil society and the international community are high, and a lot remains to be done. Open conflict is still ongoing with a minority of non-state armed groups (NSAGs) in the ethnic states, while a range of ceasefire agreements have been signed between the government and the large majority of the NSAGs. At the same time, significant issues of inter-communal violence, in particular with regard to the Muslim Rohingya community in Rakhine state are issues that need urgent attention. The EU has expressed its commitment to support both the government and civil society in all processes of transformation. The EU is focusing on the peace processes in particular, as their success is considered a prerequisite to democratic transition and a requirement for the Rule of Law, development, and normalised diplomatic and trade relations.

The purpose of the meeting was to:

- provide comparative examples on the design of peace processes for effective public participation through civil society;
- explore the actual and potential roles and responsibilities of local, regional and international civil society organisations in contributing to peace processes in Myanmar;

¹ This report follows EU policy on the name of the country.

- provide recommendations to the EU and other external actors (including NGOs) on how to support inclusive peace processes, peaceful transition and the development of sound democratic institutions in Myanmar.

The meeting thus comprised the following sessions:

Session 1: Civil society and the peace process in Myanmar – This session focused on key features and characteristics of civil society within Myanmar, on the border and in the diaspora, and also looked at the relationship between these differently located groups. Participants discussed current activities and aspirations of civil society. Also government's interactions with civil society, ethnic political and armed groups, gender aspects, strengths and weaknesses of international civil society support, and regional aspects of civil society cooperation were discussed. As a basis for the discussions, a [background paper by Charles Petrie and Ashley South](#) was distributed in advance of the meeting.

Session 2: Peace support infrastructures in Myanmar – opportunities and entry points – This session dealt with both current and planned organisations and structures focusing on peace in Myanmar. Participants analysed their level of development and their interactions with each other, the government and external actors. The session also focused on risks and opportunities inherent in these structures. Finally, participants addressed the current mechanisms for the coordination or tracking of international support.

Session 3: Civil society in ethnic conflicts: drawing on experiences from elsewhere – The focus of this session was the support to civil society in ethnic conflicts when civil society itself reflects ethnic divides, and is at very mixed stages of evolution. Facilitated by a presentation of the [background paper on this subject by Sol Iglesias](#), the participants reflected on the mechanisms that civil society can use to bridge ethnic and other divides whilst mitigating their inherent risks. The participants shared experiences from the region and discussed how to optimise collaboration between national and international civil society organisations.

Session 4: How can the EU best support the current peace processes, peaceful transition and the development of democratic institutions? – This session reviewed the activities of the EU in Myanmar (summarized in the linked [EU Factsheet](#)), and discussed the value added that it can bring to peace processes. Collaboration between the EU and civil society were discussed. After a short introduction of EU activities, participants came up with recommendations to the EU.

The focus of this report is on ethnic peace processes. Meeting organisers stressed that understanding pathways to peace in Myanmar is a complex issue, involving a combination of a number of factors, which cannot be covered meaningfully during one meeting. In order for the recommendations concerning the ethnic peace processes to be as relevant as possible, the focus is on these rather than all aspects of peace in Myanmar. However, it was noted that participants were free to recommend further meetings on specific topics of critical relevance to peace and progress to democracy in Myanmar, such as the situations in Rakhine or Kachin States.

Organisers sought to ensure representativeness in participation and indeed a wide range of civil society actors attended the meeting. However, given the dynamic developments in Myanmar, a number of organisations had to decline the invitation.

2. Key Recommendations

On Myanmar's civil society

- All actors involved in the peace processes should integrate an analytical understanding of the diversity, complexity and evolving dynamics of Myanmar's civil society into their peace process support actions;

- Civil society and the wider public (including the Bamar majority), should participate in a national consultation to develop a shared vision for the future of Myanmar as soon as possible;
- Organised civil society, international NGOs and the international community should not occupy, but rather work to create and protect the space of community-based organisations (CBOs);
- Civil society organisations (CSOs) and CBOs in the provinces and the border regions would benefit from more equal access to information and increased cooperation in matters pertaining to the peace process; the international community could facilitate and support these efforts;
- International donors should be careful not to focus on certain communities only; they should map and analyse traditionally marginalised groups, and identify ways to associate them to the peace process;
- In the areas where open conflict persists, civil society may not be willing to be too visible; this should be dealt with carefully by all actors involved, and anonymity should be guaranteed if needed;
- The Myanmar government should repeal the Illegal Associations Act and enact a more democratic NGO or associations law;
- Civil society networking and exchange of experience on specific peace process issues is valuable and should be encouraged and supported at regional level (South East and South Asia) including through ASEAN and SAARC structures.

On support to peace processes

- Despite the reforms, civil society feels that the government's understanding of the value and role for civil society within the peace process is limited, and there is a need for genuine engagement and the clarification of the peace structures;
- The peace process should not only take place between the government and the non-state armed groups (NSAGs), but also at the intra-community level through trust-building activities, and recognising the need to include the majority Bamar community;
- All governmental actors, including civil servants and other officials as well as the army, should be equally committed to peace and conflict-sensitive approaches; peace support actors should provide practical assistance to help them in this;
- The separate ceasefire processes should lead to a nation-wide ceasefire agreement (i.e. a Framework Agreement);
- The government and the NSAGs should consult broadly with the communities affected by the cease-fire agreements and make sure their demands are taken into account;
- Participation of women and sensitivity to the different experiences, views and needs of conflict-affected women and men should be built into dialogue processes from the outset;
- The governmental peace structures, including the Union Peace Implementation Committee, the Union Peace Implementation Working Committee, the Myanmar Peace Centre (MPC) and the parliamentary committees should include women and representatives of ethnic minorities;
- The government and the international donors should make efforts to ensure clarity and transparency concerning the role of the various bodies - not least the MPC - and greater coordination between them;
- An independent body or bodies should oversee implementation of ceasefire agreements and ensure accountability towards affected communities; civil society should play an active role in this;
- The peace process as a whole should take the 2015 elections into account, and with this in mind, its objectives should be limited and workable; the peace process should not end with the elections and the inauguration of a new government;
- Peace process actors should analyse and integrate the private sector: land-use and resource-sharing should be included as topics in the various peace dialogues.

On EU and international community support to peace

- The EU's most important asset is its political weight, which it should use to encourage the government to further push democratic reforms; here, it could help in the review of restrictive laws on civil society, and in designing more inclusive peace structures;
- The EU should improve its outreach and communication with Myanmar civil society to better explain the support it provides to all stakeholders in the country, and including opportunities for local organisations to access funding;
- The EU, alongside all international actors, should base its interventions on thorough conflict analysis, including a mapping of all stakeholders, with the aim of conducting conflict sensitive interventions;
- The EU could play a role in facilitating the broadest possible sharing of information on the peace processes and the EU Delegation could organise information meetings for this purpose;
- The EU and the international community, including international NGOs, should support trust-building between local communities by strengthening local capacities for dialogue, and supporting the monitoring of ceasefire agreements;
- The EU should promote and play a leading role in the coordination of external actors and assistance, including practicing transparency about the objectives, activities and results of its assistance to Myanmar.

3. Civil society in Myanmar

The historical context of the emergence of Myanmar's civil society is unique both from the historical and geographical points of view, and it is necessary to understand these factors to support the peace processes meaningfully. Myanmar is a highly diverse country, which is also reflected in the composition of its civil society.

Evolution of Myanmar's civil society

Two different historical periods in the lifespan of Myanmar's civil society can be distinguished: the military occupation and the period of political opening. Myanmar's civil society can only be understood by analysing the context of military rule. During this period, any form of civil dissent was considered a threat, and civil society activity was perceived as a political statement. Nevertheless, civil society was functional during this period, and it engaged primarily in service provision, as this was not the primary concern of the military government. Civil society was also largely faith-based. Some civil society actors engaged in activities aimed at undermining the regime, and the ultimate goal of many activists was the defeat of the regime. They documented abuses, and many of them also acted in solidarity with the NSAGs. Other groups fled to the Thai border, and set up organisations there.

The situation changed suddenly with the radical shift in government policy after the 2010 elections. Three main factors contributed to the transformation. The first factor was the civilianisation of the regime: when the new government took over, it realised that the system it was expected to lead was no longer sustainable. Secondly, the suppression of the monks' revolt in late 2007 (sometimes referred to as the Saffron Revolution) made some government insiders doubt their motives. Thirdly, the response to the Cyclone Nargis in May 2008 required a level of societal cooperation and collaboration which created new dynamics. The international community reacted slowly; accessing affected areas was a challenge, and Myanmar's civil society had to act on its own. Religious groups and business community also participated in activities, creating a momentum, which did not entirely dissipate after the immediate crisis had passed.

Challenges faced by civil society

Today Myanmar knows a much more open civil society, which is still providing services in a range of sectors, but is also starting to demand space from the armed groups and the

government. All of this is very challenging, as many civil society organisations (CSOs) are used for clandestine operations. It seems that there is a greater need for coordination and cooperation because of geographical factors and limited resources. In addition, organised civil society is still a very small part of the whole range of civil society groupings. The main problems for the effective operation of CSOs with regards to the peace process and reforms more broadly seem to be the lack of information, historical factors and the resulting low levels of trust. Civil society does not know what the government, international organisations and other CSOs are doing, and feels they therefore need information, but also technical support, capacity-building and training, and in particular, coordination. Community-based organisations (CBOs) are usually not registered, and therefore, they are often not able to receive grants. Moreover, the project-based approach preferred by donors prevents accumulating knowledge over a longer period of time.

Reform in the country is managed by a very small group of people, and in several senses, the administration has not (yet) changed its ways. The government's understanding of civil society inclusion is quite different from the expectations of the CSOs themselves. They now often get invitations to meetings, but CSOs feel that real inclusion in the peace processes is lacking, and that the government still perceives the CSOs as mere service-providers. The reforms are not really understood in the communities. Also the NSAGs sometimes feel they have to keep negotiations to themselves rather than allowing CSOs to sit around the table. In some cases, however, the NSAGs and civil society actors cooperate closely. In some parts of the country, also the fact that NSAGs act as a parallel administration complicates the application for permits and projects.

Also the legal environment in Myanmar is very challenging for CSOs. The legality of an organisation is defined by its registration, but there appear to be issues with regard to the current *Unlawful Associations Act*. The need for the international community to help push for reform of this law was highlighted by some, and participants hoped that the government would become more favourable towards democratic gatherings. There is no real culture and language of dialogue and confronting difficult issues is still very challenging for CSOs. Speaking of political issues, such as ceasefires and peace processes was forbidden for a long time, and is still not done with ease. Therefore, participants identified a clear need for dialogue facilitation. All in all, civil society organisations feel that their role is essential in the trust-building process.

Border-based organisations

Participants disagreed somewhat on the role of the civil society in the borderlands: some said that they are lost in a narrative that no longer works. For the organisations themselves, it is clear that they are still relevant today: they have emerged from the armed conflict and they have to be part of the solution. Border-based organisations are aware of international standards and can communicate abuses more easily to the outside world. Moreover, their language skills and broader awareness has helped communities stand up for their rights. The international community should be careful with its analyses concerning the border organisations, as some actors have framed them as peace spoilers. In terms of issues like land rights and resource sharing, border-based CSOs are taking particularly tough positions. However, these topics cannot be completely separated from the peace processes, as matters like internally displaced persons (IDP) and refugee return are very much linked with them.

The CSOs in the borderlands feel that they have never been disconnected from their communities. However, according to participants, they should be more open about their activities and connect with the insider groups. Until now, they have tried to give some space to the "insiders". Also the border-based groups need help of the insiders in communicating issues to the state level or the parliament. Participants considered the setting up of coordination groups and networks a good way to avoid misunderstandings. It was also said that the border organisations should remain as "watch dogs" at the border, as the government-led peace process is still not fully trusted.

Community-based organisations and marginalised groups

Many local groups already exist in the conflict-affected areas and more movements are emerging every day. Most of these organisations are CBOs. Especially the organisations in the areas in which fighting still occurs face many challenges, but they are slowly gaining more physical space. There is little trust that the government process will be sustainable, and people are still very careful. Emerging CBOs need to be granted enough space; organised civil society should not occupy the whole space because of being able to access more resources, for example.

Most developments and the main coordination are taking place in Yangon, and there is a significant gap between the CSOs operating in the city and the CBOs in the provinces, especially in terms of access to resources and information. Some suggested that aid should primarily focus on these CBOs, while others were more concerned to protect the space in which those organisations operate rather than intervening directly with them. Local organisations should be able to define the priorities for international support, as they know best what is needed, and international actors should organise trainings in the provinces. They should also take into account traditional and tribal structures, and local knowledge should be used in conflict-sensitive peacebuilding activities. There is a risk that the international community only focuses on certain communities and activities. Every international intervention has political consequences and conflict risks, and letting the "federal genie" out of the bottle, for example, may be very dangerous, it was felt. At the same time, the government and the international actors should prioritise, traditionally marginalised groups and ensure that they are included in future state structures.²

Even though there are a few very powerful women championing peace and leading influential groups in Myanmar, women are still not properly included by the government and the armed groups. They are mainly seen as an asset in logistical matters. Therefore, participants felt it is very important that women participate in the process from the beginning. Women should be present around the table, represent the priorities of their organisations, and their needs should also be included in the possible ceasefire- and peace agreements. Both the government and the NSAGs should include women in their negotiation teams.

The reforms have given room not only to positive voices. The Rakhine State violence has shown that civil society activism may also have violent consequences. The international community often only sees the conflict between the government and the NSAGs, but it should make efforts to promote intra-community trust-building, too, including with the majority Bamar population. It was highlighted that civil society has to come up with a vision of a future nation as part of a broader national dialogue or consultation process on this subject. Essentially, the peace process will lead to the renegotiation of the state, and it will be necessary to define how everyone can live together in a multicultural Myanmar as soon as possible.

Regional and international cooperation

Also the question of Myanmar's civil society in the context of its regional relationships and networks was discussed briefly. It was said that Myanmar should not be considered merely in the ASEAN civil society context, but also the people-to-people links with South Asia (including SAARC) and China should be strengthened. Especially the Rakhine State question requires a solution with South Asian countries, too. Some experience exchange activities with conflict affected people in the regional context (e.g. with the Philippines, and Nagaland in Northeast India) have already taken place, but it was agreed that more is needed.

The influx of international players is posing challenges to the more traditional groups. The presence of INGOs renders coordination more and more necessary. There is very little understanding of the differences between "peace organisations" and more traditional

² In Nepal, the Interim Constitution (2007) established the right for traditionally marginalized groups to participate in state structures on the basis of proportional inclusive principles.

international actors engaged in development and humanitarian work. Some suggested that currently international peacebuilding organisations are viewed differently and are possibly more trusted at the moment than those organisations referred to as 'development INGOs'. Local actors are suspicious of service-providing organisations that threaten their existence. Therefore, different international actors should clarify their motives.

4. Peace process support structures

The government reforms are viewed with positively but with significant caution by civil society. However, the fact that the government is single-handedly deciding on the process and procedures is seen as a challenge compounding the issue of trust and confidence in the process. It is, however, to the benefit of civil society that the government deals with the process in a rather *ad hoc* manner, which allows it to be shaped.

The state-level structures

At the governmental level, the highest body, the *Union Peace Implementation Central Committee* (UPICC), includes 11 members and is chaired by President Thein Sein himself. Its implementing organ, the *Union Peace Implementation Working Committee* (UPIWC) has 52 members – of which two are women - and is chaired by the Vice-President Sai Mauk Kham. At the parliamentary level, there are two different committees dealing with peace and ethnic affairs: the *Pyithu Hluttaw* (House of the People) and the *Amyothar Hluttaw* (House of Nationalities).

The *Myanmar Peace Centre* (MPC) can be described as the “secretariat” of the UPICC and the working committee. It is managed by eight different ministers, and it was established by a government decree. Its staff members are not government officials, but they have close links with the ministers. The MPC has good access to international community, too, as it was established in cooperation with donors. The MPC's operations are structured into five different units: 1) ceasefire negotiations and implementation; 2) peace negotiations and political dialogue; 3) coordination of assistance in conflict-affected areas; 4) outreach and public diplomacy; and 5) mine actions.

A key concern with regard to the government-led process is whether all the government actors are actually committed to the process, or whether it is a project of a few “peace champions” only. It is important for participants that all civil servants and officials embrace the idea of an inclusive peace process. Moreover, the governmental and parliamentary committees do not coordinate or report to each other.³ Participants also mentioned that the governmental bodies should include women and the ethnic groups, and the impacted communities should be invited to the political dialogues, too. Civil society does not really understand the role of the MPC, and it feels that the government and the international donors have to explain the role of the new body to the people it is meant to serve. Some have already applied for funding from the MPC, but it is not clear whom to contact and what the follow-up will be. Many civil society actors would prefer an independent structure over a government-affiliated body. At the same time, the government wants to have oversight, and it may be hard to have them on board without the MPC. This whole question is challenging in a context where there is significant focus and pride in the fact that the peace processes is ‘locally led’, and an antipathy to any suggestion of ‘third party mediation’, especially when the question of monitoring agreements is considered.

A second challenge of the MPC is its perceived lack of transparency. According to the participants, the ceasefire monitoring process should include a reporting system, which is transparent and accountable to the affected communities. Additionally, the existing skills, experience and attributes for effective monitoring, especially in terms of neutrality and

³ The government and the Parliament working committees are working separately, but the speaker of the parliamentary committee is member in the central committee. Neither the MPC nor the working committee submits their reports to the parliament.

impartiality as well as credibility with all stakeholders, may not be sufficient in any sector of Myanmar society.

Coordination bodies at the level of ethnic armed groups

At the level of the ethnic armed groups, the so-called *United Nationalities Federal Council* (UNFC) is one of the key coordinators. Most armed groups are part of this body, but according to participants, it cannot be considered a genuine alliance, as it does not encompass all the ethnicities. Often, however, the UNFC presents itself as the representative of all the ethnic groups. Another ethnic coordination body, the *National Brotherhood Federation* (NBF), is a federation of ethnic political parties. The *Working Group for Ethnic Coordination* (WGEC) is the corresponding working group. The participants agreed that the coordination bodies and the ethnic political parties should improve their coordination, and noted that there are no structures which cover or represent all stakeholder groups.

Participants noted that members and factions of the armed groups may be pursuing very different agendas, whilst international and domestic analyses of the ethnic groups usually assume that they are very monolithic. Some are also more open towards civil society inclusion than others.

Civil society coordination

The “insider community” of CSOs has set up the *Civil Society Forum for Peace* (CSFoP). The CSFoP was initiated and is coordinated by the Shalom Foundation. Thus far, it has organised three fora with more than a hundred participants each drawn from all the ethnic states. The work of the forum is divided into different thematic working groups, and it also aims to engage with the different states and regions, including the border-based groups.

Also the local NGOs, community-based peace support networks, border-based NGOs and the Generation 88 engage in various kinds of coordination activities. Some organisations are still missing from the umbrella networks, and the majority Bamar community is not really represented. Therefore, participants suggested civil society coordination should also be more inclusive.

Coordination among international actors

The Peace Donor Support Group was first convened in June 2012 by the Government of Norway at the request of President U Thein Sein in order to provide a common platform for dialogue between the donor community and the Government of Myanmar, and to better coordinate the international community’s support to peace in general and the provision of aid in conflict-affected areas. The Government of Myanmar asked that the Group be initially composed of Norway, Australia, the United Kingdom, the European Union, the United Nations, and the World Bank. The group held its inaugural meeting with the President in Napyitaw on 12th June 2012.

Also the international NGOs have attempted to coordinate their efforts through the *International Peace Support Group* (IPSG). The IPSG is a group of international NGOs consisting of a secretariat of five coordinators. It is a relatively open structure of around 40 members - a leap up from the original five just over a year ago. The meetings are usually held once a month; usually in Yangon, occasionally in Bangkok, and one meeting was held in Chiang Mai. The main purpose of the group is to coordinate who is doing what and to share information on the peace processes. Its main limitation seems to be that it is very large, as this poses challenges to its informal coordination role. It has no authority or mandate to liaise between the international NGOs, and an overarching coordination body seems to be needed.

The Myanmar government requested the Norwegian government to set up the *Myanmar Peace Support Initiative* (MPSI) to coordinate and support aid processes in conflict-affected areas and to build confidence in the ceasefire processes. The MPSI looks at practical ways of channelling international support through various kinds of initiatives. Initially, the idea was that

it would be rather short-term and that other permanent structures would take over. Initially, the MPSI was also seen as a funding mechanism to answer the needs of armed groups and civil society, but its role has become more political, including trust-building and peace process support tasks. The MPSI supports and initiates a number of small-scale projects (pilot projects) with the purpose of building trust and providing constructive tests for ceasefires and similar arrangements that have later developed political significance and momentum. The MPSI often holds a facilitating or brokering role in locally owned and locally run initiatives.

Some participants said that many international actors claim that they are advising armed groups and are involved in the peace processes, but that there is little oversight of these activities. Some were concerned that too many international actors aspire to serve as third-party mediators.

Missing elements

One problem of all the aforementioned structures seems to be that the community-based actors do not understand them in detail. Some suggested the official process should also be supported by an informal process, which feeds into the official dialogue and also acts as a safety net in case the official negotiations collapse; in such a model ethnic groups and the government should organise consultations with civil society and CBOs, and the process should be managed jointly by all stakeholders. However, in order for civil society to be able to act as a full party to this peace process, the representatives would have to be selected carefully, as not everyone can sit around the table.

Some participants stressed that it will be necessary to sign a nation-wide ceasefire agreement (i.e. a Framework Agreement, possibly along the lines of the 1947 Panglong Agreement⁴); such a process would require smaller working group-level preparations among stakeholder groups to discuss complexities in deeper detail. One of the risks of this approach is the lack of coordination among the working groups, thus the whole exercise would require adequate time, planning and resourcing.

The current process under the present administration has to end before the elections in 2015, with some feeling that the major issues must thus be resolved by then, and others that nothing can be resolved until a new government with a fresh mandate is in place after those elections. Between these two positions, others felt that the objectives of the peace process until 2015 should be limited and workable, and that it has to be recognised that achieving a fully-fledged federation in two years is impossible. The actors also have to be careful with what they push for, as excessive demands may backfire. The risk of the elections being postponed was mentioned by the participants, and the possible preparation for transitional arrangements should be commenced. The process should also be structured in such a way that it continues post-2015, and whoever takes over government should be committed to it. The armed groups and ethnic political parties should be trained for their eventual transformation into lawful political parties, and the parties that participated in the 1990 elections should not be forgotten either. Some participants wondered about the role of Aung San Suu Kyi and the National League for Democracy (NLD) and it was also mentioned that the so-called “Old Guard” and the military should not be left out of training and exposure to new ideas and ways of working.

The so-called liaison offices established to communicate between the government (and army) and the NSAGs, have not been discussed much, and their role is very unclear. So far, liaison offices have received a lot of complaints and the people see them as mere governmental information offices. CSOs would like to have more information on their benefits, on-going projects and the practicalities of monitoring. Apparently, there is also some competition

⁴ The Panglong Agreement was signed between the Burmese government (under the leadership of the legendary Aung San) and a number of ethnic groups in 1947. The agreement provided autonomous status to the frontier areas, and it is viewed as a model for a possible national peace agreement between the ethnic groups.

between the NSAG's regional administrative structures and the liaison offices, and getting approval for projects has become quite challenging because of this. Participants therefore suggested that international actors undertake capacity-building activities for liaison office staff.

Civil society will have to decide whether it wants to play an independent role or become a third party to the peace process, possibly jeopardising its ability to act as a watchdog. It may be important for civil society to report on the process as an outsider and to make monitoring results publically available. It is further not entirely clear how the impacted communities could in practice be included around the table. Moreover, the private sector is taking advantage of the conflicts, and should therefore be associated with the processes, too, but in a manner, which is accountable and acceptable to all stakeholders.

The key question is whether media in Myanmar can actually be considered part of civil society, as much of the media is government-owned. The latest developments concerning media freedom have enabled clandestine media organisations to return to Myanmar. Many of them are worried that their existence depends on the "mercy" of the government, and there is no trust in the genuineness of the provided space. Participants stressed that the media play a crucial role in defining the direction of the peace process. The newly discovered social media space has had a very polarising effect but its coverage remains relatively limited across the country. Mainstream and state media especially play a crucial role in shaping opinions, but at the same time ethnic media in particular should be empowered.

5. Experiences from the region

Civil society roles in peace processes vary greatly. They range from monitoring, truth and reconciliation activities to advocacy efforts. The previous and ongoing peace processes in the region provide some options for civil society engagement in the context of ethnic peace processes. The following examples were briefly shared:

The Philippines: In the case of the Philippines, the *Bantay Ceasefire* monitoring mechanism⁵, which is run by civil society, plays an active role in independent monitoring. The CSOs have made information on the process available to the public, and they have contributed to the de-escalation of the conflict and the broadening of the constituency for peace. The Bantay Ceasefire monitoring process started with 60 members, and has now more than 900 engaged grassroots CSOs. The mechanism is also involved in early warning and conflict prevention. The process has shown that the biggest risk is the re-emergence of violence, but by the targeting of monitoring, strong inter-linkages between different types of CSOs, as well as a high degree of confidence in the mechanism, the risks can be mitigated.

Timor-Leste: Timor-Leste's civil society was already active in the independence movement, and later on community reconciliation became the cornerstone of the peace process, as it brought peacebuilding and forgiveness to the village level for less serious crimes. The strength of the approach was that it was able to mobilise also the traditional leadership structures, which provided additional credibility to the process. The idea was that perpetrators fully admitted the crimes that they had committed, but were not prosecuted unless the state prosecutor deemed otherwise. Instead, after dialogue including the victims, community leaders brokered an agreement between victims and perpetrators; the latter were ceremonially re-accepted to the communities. A risk inherent in the inclusion of traditional structures is lack of inclusivity (e.g. with regard to women), but this can be mitigated by a more organised and inclusive umbrella process. One of the reasons for success was also training: hundreds of people were trained in mediation and reconciliation skills. Community reconciliation has also been a popular dispute resolution mechanism after the conflict.

⁵ The government and MILF recognise Bantay Ceasefire as a a civilian-led, third-party mechanism for volunteer monitoring alongside the Local Monitoring Teams.

Southern Thailand/Pat(t)ani⁶: The involvement of civil society in Southern Thailand/Pat(t)ani stems from a sense of frustration that no breakthrough could be expected from the negotiations between Bangkok and the rebels. The main role of the CSOs has been public persuasion. *The Civil Society Council of Southernmost Thailand* drafted a decentralisation bill and held 150-200 workshops at the village level before submitting the draft together with a petition to lift the emergency decree. Another group, the *Patani Peace Process*, founded the so-called *Peacebuilders' Platform*, composed of 50 respected Thais of various backgrounds and political affiliations, but with a shared desire for peace. The third grouping is the *Patani People's Peace Forum*, which brings together a number of CSOs, academics and individuals - some of them exposed to Mindanao peacebuilding - in order to develop a "people's" peace agenda. Some of the processes have been criticised for being elite-driven, but all in all, civil society has been instrumental in mobilising communities. As the conflict is still quite active, it is very hard for people to be openly involved. The Thai government is also against the internationalisation of the conflict, which has been a challenge for international peace support actors.

Aceh: The Acehese conflict was mediated by international actors. A great risk that presented itself during the CoHA process - a Swiss NGO effort that took place before the Finnish-led process - was the fact that both the government and the Free Aceh Movement (GAM) negotiators politicized the participation of local civil society in the peacetalks; civil society members ended up being targeted in subsequent violence. If civil society had not been instrumentalized, this risk may have been mitigated. Another way of mitigating the issue is ensuring a precise definition of civil society roles in the peace process. Apart from circumstances such as the tsunami and stalemate in the armed conflict, it was also mentioned that the mediation of President Martti Ahtisaari was been successful because he managed to mobilise EU and UN support.

Cambodia: Cambodia is a good example of a country that experienced a massive post-conflict influx of international actors and funding. The *UN Transitional Authority in Cambodia* (UNTAC) directly encouraged the role of civil society groups in election monitoring and human rights mechanisms. It also initiated legislative reforms that enabled civil society to develop. UNTAC worked closely together with international NGOs, too. One of the reasons why the UN preferred to work through NGOs was that the government was perceived as corrupt. The Cambodian government has pursued an increasingly restrictive policy on CSOs and it has even created "fake" NGOs to muddy the waters. Despite the successes, the influx of financing has also distorted the local economy, and has posed difficulties to the formation of a genuine civil society.

Nepal: The 2006 *Comprehensive Peace Accord* (CPA) marked the end of the Nepalese Civil War and gave birth to a federal state system. Soon after the signature of the CPA, NGOs became alienated from the peace process, and the space was "hijacked" by politicians. The explanation seems to be that all of the international funding has been flowing in on a project-basis, and the attention of the CSOs has shifted to the micro-management of these projects and away from monitoring the political peace process at the political level. Several issues remain open, and the federal division of power has not functioned. The leaders still come from the higher classes and they are not willing to give up their power. The adoption of a mixed electoral system with partial quotas led to a more inclusive Constituent Assembly. However, political appointees rather than genuine community based groups took the seats that were in principle reserved for civil society. The Nepalese case also demonstrates that it is important to envision what everyone wants from the "new" state.

Northeast India (Naga peace process): The Naga ceasefire process took place in the context of a series of ceasefires. The latest ceasefire agreement was signed between the government and only one dominant armed group. One of the problems was that some groups

⁶ Patani with one 't' is used by the people in the three provinces of the Deep South, while the Thai government tends to call the area the "Southern Border Provinces of Thailand" or Pattani.

claimed to represent others, while this may not have been the case. At the same time, negotiations were conducted around different tables, which was not beneficial for the process. A third challenge was that there were no ground rules for monitoring. Nevertheless, civil society was very active, and came up with a collective response: a committee composed of different groups and local tribal-based organisations was formed in order to include civilian security guarantees and independent monitoring to the 2001 ceasefire agreement. The parties wanted to nominate the independent monitors, but the main parties did not allow this. It took until 2008 to include the CSO demands. The case demonstrates that ceasefire processes require great patience. Some NSAGs were more interested in involving CSOs than others, but it was also clear that they were not used to a democratic culture of negotiation. The government often considered the CSOs proxies of the NSAGs, which was very challenging. This case also showed that it is important to analyse the demographics of the different groups, and generational differences may play a role in forming alliances.

Bangladesh (Chittagong Hill Tracts): In the case of the Chittagong Hill Tracts civil society was undermined by the peace accord. Positions on land defined the end result, and split the groups and weakened civil society as a whole. As all the groups became weaker, their ability to deal with the market rush and deforestation issues became harder. The case shows that it is necessary to involve the private sector in peace processes.

Overall lessons learned from other peace processes

Because of historical factors, civil society may be more or less resilient, depending mainly on how much it has been affected by the conflict. Less positive results have been achieved in Southern Thailand/Pat(t)ani and Aceh. Cambodia is a mixed case, while Mindanao and Timor-Leste have somewhat positive experiences. An important factor seems to be the ability of CBOs to cooperate with civil society in capitals, where organisations have access to the international community. Solidarity efforts in the Asian region, like sharing experiences from Mindanao or ASEAN civil society linkages, have also been successful, too.

It is also very difficult for civil society to be active in places where the conflict is still ongoing. In these cases, the main role of CSOs is in mobilising public opinion and communication. Especially in post-authoritarian contexts, in which the military is acting in its own interest, peace processes may quickly deteriorate and civil society involved in peacebuilding find themselves targets of violence. Ceasefire agreements should be implemented in both their letter and spirit, because otherwise they cannot have effect at the top-level. The different models for ceasefire monitoring have to be carefully analysed and their risks and benefits should be weighed carefully.

In most cases, geopolitical and strategic factors - like the Cold War or the war on terror - played a role in defining international engagement. When internationalisation is motivated by these kinds of factors, there is a great potential for escalation. When international actors become involved in peace processes they should apply codes of conduct and operational conflict analyses, like the "do no harm" approach. It has to be remembered that peacebuilding efforts are not inherently conflict-sensitive. The flood of assistance may be extremely harmful for local communities, and may actually have reverse consequences.

6. EU support to peace processes in Myanmar

Before the government reforms, the focus of the EU's Myanmar policy was on development and humanitarian assistance, specifically livelihoods, education and health. Despite the fact that the EU's main support is still development assistance-related, EU activities have recently become more political in nature. The EU aims for a balanced approach to the peace process and has three main pillars of engagement under this political portfolio: 1) supporting the MPC, 2) other activities under the peace umbrella, and 3) support to ethnic groups, including ethnic political parties. The three presidents Herman Van Rompuy, José Manuel Barroso and Thein Sein issued a joint statement, *Building a Lasting EU-Myanmar Partnership*, on 5 March 2013. It included provisions on inclusive negotiations, political dialogue, and a recognition that peace is the *sine qua non* condition for Myanmar to become a democracy.

The European External Action Service (EEAS) has a specific *Conflict Prevention, Peacebuilding and Mediation Instruments* division, which has an overall coordinating role in the EU's peacemaking activities, and it has also been involved in providing mediation and dialogue expertise and advice in Myanmar. The Instrument for Stability (IfS) is a special EU tool for crisis response, which engages in dialogue processes with CBOs. It can be mobilised quickly, and it provides short-term support for a maximum of 18 months. The IfS can work with a wide variety of actors, and the projects are usually rather small in scale.

In the case of Myanmar, a number of projects is currently in the pipeline. Firstly, there is a small programme supporting reform in the wider sense, including technical assistance studies on everything ranging from government ministries to economic development. The IfS recognised a clear need to engage in the ethnic peace processes, which guided its decision to use some funds of last year's programme to assist the MPC in its initial phase. The IfS also has a new programme, which is dedicated to the ethnic peace processes. It has five main dimensions: 1) continued support to the MPC to ensure that the political dialogues extend beyond the armed groups; 2) ceasefire monitoring, including civilian ceasefire monitoring; 3) supporting ethnic political parties; 4) supporting media (e.g. media organisations moving from the border into Yangon, conflict-sensitive reporting, providing information on the peace processes etc.); and 5) forced labour, legal issues and restorative justice linked to ethnic fighting, including a pilot demining project to establish a national demining authority and to do some initial surveys and mine clearance.

The EU has a significant development portfolio, which amounts to more than €200 million⁷. The programmes and multi-donor trust funds that have existed for years have now been reinforced. Humanitarian aid is the key first intervention in many cases. In addition to this, the EU's *Non-state Actors and Local Authorities in Development* programme announces calls for proposals regularly, and its budget lines have been recently reinforced. The EU is making sure that the specific targets of these calls respond to the context in the country. Assisting Myanmar based CSOs engaged in conflict resolution and mediation activities is one of the current priorities of the European Instrument for Human Rights and Democracy (EIDHR). There is a possibility for non-registered organisations to apply for funding through this Instrument and also re-granting can be done, i.e. making it compulsory for national and international organisations to have local partners. A third element is the possibility to submit confidential project proposals. Through the EIDHR, the EU issues local calls for proposals. For the years 2012-2013, EIDHR support is focusing mainly on non-discrimination, participation of CSOs in the democratic reform process and preparing for the 2015 elections. In May-June 2013, the EU will launch two new global calls for proposals relating to human rights and their defenders where they are most at risk and non-discrimination. The EIDHR also finances some projects on media and preventing media-induced violence, capacity building in the context of elections and the prevention of election-related violence as well as a child soldiers project. The EIDHR has an emergency fund for human rights defenders at risk to give direct small grants of up to €10,000 to Human Rights Defenders (HRD), be it individuals or organisations, who are in need of urgent support⁸. Lastly, the EIDHR also supports part of the comprehensive programme of the Euro Burma Office, focusing on civil society consultations.

Recommendations to the EU

⁷ Information on some of the ongoing projects is available at http://eeas.europa.eu/delegations/myanmar/projects/overview/index_en.htm

⁸ Requests to use the small grants mechanism or emergency facility for HRDs can be addressed to the EU Office in Yangon or to the EIDHR team in Brussels providing us with some information about the particular case to assist: name of the defender(s), background on the case(s), amount of grant requested, and for what purpose. The information received will be dealt with in confidentiality. See <http://www.eidhr.eu/side-panels/human-rights-defenders/small-grants>

Myanmar civil society feels the EU could improve its communication and information-sharing, perhaps through regular consultations on its activities in Myanmar and greater transparency on funding opportunities. Dialogue could include information on the challenges it faces and listening to civil society views on where it should best focus its activities. While some called for the EU to conduct trainings on its funding instruments, others noted that it is a better use of resources for INGOs to assist and collaborate with CBOs and CSOs in this. CBOs, in particular, have very specific and relatively small funding needs, and this level of intervention is probably best dealt with in consortia-type arrangements. Donor coordination was also considered very important and currently lacking, and as a major donor with specific commitments to this in the Lisbon Treaty, civil society expressed the hope that the EU could play a positive role in this. The Nay Pyi Taw Accord for Effective Development Cooperation, which includes a pledge by the EU and other development partners to use conflict-sensitive and inclusive approaches to support peace and state building, may be a useful framework in this regard.⁹

Civil society also felt that community empowerment should be the EU's key priority in Myanmar. Thus, it should strive to support local initiatives, and recruit also from the non-English speaking and non-expat community. Some participants preferred EU funding to be allocated to civil society rather than to the government, while others considered it necessary to use funds for the capacity-building of the government, as it is essentially responsible for reforms. Many felt the EU has a role in advising the government on guidelines and legislation with regards to the existence and support of civil society.

While the EU's funding weight was clear, participants felt that the EU's main role was political, and civil society representatives mentioned it should use its political weight to pressure the government on issues like inclusivity, the reforming the Unlawful Associations Act, and amending the 2008 constitution. Some said that the EU should support the role of Aung San Suu Kyi. Moreover, the EU could assist in communicating government-led developments to the CSOs as part of changing the culture to one of transparency, and therefore fostering trust and confidence.

Another strong recommendation was that the EU, alongside all international actors, should make analyses and interventions that are conflict sensitive. The EU could, for example, mainstream peace issues by conducting "reconciliation impact assessments". Moreover, the EU should assist in and act as a role model for the mainstreaming of gender issues. Truth and reconciliation activities, including compensation for victims has not received much attention yet, and the EU could help in this in addition to confidence-building measures and linking different groups together (e.g. insiders, border-based groups, armed groups, political parties, IDPs, refugees etc.). The topic of monitoring ceasefire and peace agreements was a frequent theme of the meeting, and some felt the EU has a role to support credible third-party actors to assist in monitoring arrangements that have credibility and foster trust amongst all stakeholders. The EU's support to the upcoming elections was also seen as essential.

7. Conclusions

The government reforms have been welcomed by civil society in Myanmar, but there is still great mistrust in the actual implementation of these reforms and the inclusivity of the process. The government and civil society coordination bodies, the ethnic groupings and the international community should communicate more effectively. Especially the MPC's role requires clarification, and there may be a need for a more independent body. Experiences from the region provide some guidance on how could be done in practice. It is a great challenge to include all relevant actors in the political process. It is clear, however, that the CBOs and marginalised groups should receive special attention, and attention should be paid not only to 'interventions' but to the creation and protection of the space for such actors.

⁹ <http://www.president-office.gov.mm/en/briefing-room/news/2013/01/21/id-1432>

The EU has stepped up its role in supporting the ethnic peace processes both at the governmental and civil society levels and thus raised expectations concerning information-sharing and transparency amongst stakeholders in Myanmar. The EU is considered a very complex political construction, and its funding mechanisms and strategies require clarification. Because of their complexity, the Myanmar peace processes can serve as a learning case for the EU, too. The participants expressed hope that the policy-makers will use the analyses of the meeting and that the contacts among the participants will continue.