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Office of Transition Initiatives

BURMA



OTI MISSION STATEMENT

In support of US foreign policy, OTI seizes emerging windows of opportunity in the political landscape to promote stability, peace, and democracy by catalyzing local initiatives through adaptive and agile programming.

FAST FACTS

Start Date: September 2012
Budget: \$25.3 million (to date)

USAID/OTI

<http://www.usaid.gov>

PROGRAM DESCRIPTION

The U.S. recognizes Burma's recent reform efforts as the most significant opportunity in several decades to engage with the people of Burma and their government in the pursuit of democracy, peace, and human rights. In support of the broader U.S.-Burma Partnership for Democracy, Peace and Prosperity, USAID/OTI seeks to deepen and sustain the reform process and foster legitimate, inclusive peace building processes.

Burma faces complex, simultaneous, and multi-dimensional transitions: from authoritarian rule to democracy; from armed conflict to peace; and from a centrally-managed, planned economy, to market-led economic policies. Under new political leadership since March 2011 the country is emerging from isolation to integrate into the regional and international community. Important steps have already been taken to achieve this, such as signing several bilateral ceasefire agreements, easing press and internet censorship, and legalizing the primary opposition party. However, the reform and peace processes, which have been directive and top down with limited public participation, remain fragile.

USAID/OTI Burma works with civil society, communities, and the Government of Burma (GoB) to identify, develop, and implement more effective policies and laws; effectively communicate priorities and concerns related to the peace and reform process; support peacebuilding processes; and create the conditions necessary for Burma to become a truly inclusive, multi-ethnic union.

PROGRAM OBJECTIVES

USAID/OTI aims: 1) To enhance the ability of key stakeholders to engage in the peace process; 2) To facilitate public engagement in the reform process; 3) To reduce the influence of drivers of intercommunal conflict; and 4) To enable survivors of explosive ordnance and Persons with Disabilities in conflict-affected areas to participate in social and economic life.

COUNTRY SITUATION

Armed conflict

The Myanmar National Democratic Alliance Army (MNDAA) led by Peng Jiasheng started clashes with the Government of Burma (GOB) Army in Laukkai (Kokang self-administered region) in North East Shan State, on 9 February. The MNDAA asserts that they are reclaiming territory that the government took from the Kokang people; analysts suspect, however, that economic motives are at play, as well as a desire by the MNDAA to have a seat at the peace table which they are currently denied. MNDAA troops attacked military outposts in Laukkai, Nali, Mawhtike, Tarshwehtan, Konegyan, Mantonpa and Nyankhwam regions. The quasi-civilian government of president U Thein Sein handed power to the military by imposing a three-month period of martial law in Kokang Self-Administered Zone. It is the first time President Thein Sein's government instituted such a policy since coming to power in 2011. The clashes have claimed at least 200 lives and forced up to 100,000 people to be displaced into China, Lashio and elsewhere.

The conflict has a long history, linking back to Burma's civil war and communist rebellions. A previous major conflict 'the Kokang Incident' occurred between the Kokang and the government in 2009 when Peng Jiasheng's faction of the MNDAA refused to form a pro-government Border Guard Force; approximately 30,000 were displaced into China at that time. This renewed armed conflict does not bode well for a nationwide ceasefire agreement.

Return of Peace Process

In this reporting period, both GOB's Union Peace-Making Working Committee (UPWC) and the Nationwide Ceasefire Coordination Team (NCCT), representing 16 Ethnic Armed Groups (EAGs), tried to restart the peace process that stalled after the sixth round of negotiations in September 2014. In the last quarter, the status of peace process deteriorated due to the shelling by the GOB army on the Kachin Independence Army (KIA) training camp on 19 November, which claimed 23 deaths of cadets and 20 injuries; as well as clashes in other parts of Kachin and Northern Shan States. In addition, the rape and murder of two Kachin Teachers, in a remote village in Shan State has added to increasing tensions. Although the perpetrators have not yet been found, many believe GOB soldiers are responsible.

At the urging of the government, a Deed of Commitment for Peace and Reconciliation was signed by some EAGs, political parties, senior government officials, and Burmese military on Union Day, the 12th of February. A number of different key actors had spent the month prior to this signing working out a way to use the momentum of Union Day and the president's commitment to signing something on this day as a way out of the deadlock of the peace process. Most of the EAGs were not happy with the text or the process by which the Deed of Commitment was created, accordingly only four out of the 13 EAGs signed the document. Nevertheless the document is regarded by some as a 'resource' for the peace process going forward, as it includes a written commitment to federalism and political dialogue by the government.

Several informal negotiations and a number of concessions by both sides – including some key ones by the government – as well as concerns about the Kokang conflict led to an agreement to hold the seventh round of negotiations in March. This meeting was notable because of what happened around the same time; an historic meeting between the Kachin Independence Organization (the political wing of KIA) leaders, the Vice-President of Burma, and the Commander-in-Chief of Burma in Nay Pyi Taw. At this meeting the KIO committed to 'one army, one commander-in-chief' and vowed to continue working towards Nationwide Ceasefire Agreement (NCA) negotiations.

As agreed by both sides, the seventh round of peace negotiation meeting took place from the 17th through the 22nd of March at the Myanmar Peace Center (MPC) office in Yangon. The main discussion points centered around the remaining points of the NCA with both sides claiming that the meeting was positive and productive and agreements were made on a number of remaining issues. The meeting continued from the 30th of March and the UPWC and NCCT signed the final draft of NCA on the 31st of March. According to the Myanmar Peace Monitor, the UPWC will submit the final draft to Union Peacemaking Central Committee (UPCC), chaired by the President. The NCCT will also submit the draft NCA to a summit of ethnic leaders. After decision by both sides, leaders will have a meeting to sign the final NCA. Neither side has yet announced the exact date or location for the final NCA signing ceremony.

Controversial Education Law

This quarter witnessed an intensification of protests across the country against the National Education Law, including a crackdown on student protesters in March.

Students had protested the Education Bill since May 2014, soon after it was proposed as a bill; it was passed into law in September 2014, having taken on board some of the changes proposed by students and others. Students and civil society were not satisfied with the final version; and waves of protests followed. Then quadripartite meetings were held in February 2015 between the ACDE (student coalition), NNER (CSO coalition), the government and parliament. Compromise was reached at this meeting; however, the ACDE and the NNER felt that the government reneged on these compromises at the end of February, precipitating mass rallies in different locations around the country. From 5 to 10 March, police crackdowns on students in Letpadan resulted in dozens of injuries and arrests.

2015 General Elections

President U Thein Sein, speaking on the 1st of March in a monthly radio address, said the 2015 election would take place in November 2015. The process of updating the voter list will be rolled out and is expected to be completed in October. Civil Society Organizations (CSOs) submitted proposed changes in response to the Union Election Commission (UEC)'s invitation in mid-December for feedback on an election monitoring code of conduct for electoral observers. At a meeting with more than 50 local CSOs and 11 international organizations on February 16th, the UEC agreed to most of the amendments advocated by CSOs.

Approximately two-thirds of the original code of conduct has been changed in line with the desires of CSOs, according to Ye Kyaw Swar Myint, the Executive Director of the People's Alliance for Credible Elections. He told Irrawaddy media on February 17th that Article 6, which originally didn't allow monitors to ask voters who they have voted for, had been replaced with a prohibition on asking such questions of voters "within 500 yards of a voting station."

Temporary Registration Cards

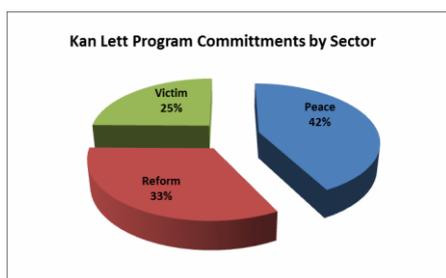
There was much back and forth between the President and parliament on the question of Temporary Registration Cards (TRC) – also known as white-cards. The issue at hand is whether or not holders of white cards could vote in the coming elections. On the 2nd of February, parliament decided to grant TRC holders the right to vote in a proposed May referendum. The government estimated that there were 490,000 white card holders in Rakhine State and 100,000 in the rest of the country (total 590,000); others estimate the numbers to be much higher. Roughly two-thirds of those affected are Rohingya Muslims and the remaining are an unknown number of ethnic Chinese, Kokang and Wa minorities. The referendum decision sparked the protest of nationalists, particularly Buddhist monks, who argued that the decision potentially allowed white card holders to vote in the November general election. The Constitutional Tribunal informed the parliament on the 16th of February that according to the referendum law, white card holders do not have the right to vote, and that proposing to do so stood in violation of the Constitution. Union Parliament Speaker Thura U Shwe Mann further stated: "White card holders are ineligible to vote in a referendum on amendment[s] of [the] State Constitution."

Shortly after the protests, the President released an Announcement that all White Cards would be declared invalid from 31 March 2015, and that white cards must be returned to the authorities. The decision raised concerns of Muslim communities, other white card holders, other minorities, and the international community, as white cards holders would be without any legal documentation after their white cards expired, despite the fact that many previously held full citizenship; and that discrimination and statelessness of Rohingya Muslims would be further entrenched. The government defended its decision saying it would urge the Rohingya Muslim population to undergo citizenship verification by local authorities.

UPCOMING EVENTS

April	Continuation of voter registration process
April	Development of Disability By-laws to start
4 April	International Mine Awareness Day
May	Parliament decision on Education Bill
10 May	Civil society forum for peace
29 May	Census Report released
June	Submission of the final draft of NCA to ethnic summit and UPCC
June	Ethnic Summit (Estimated)
June	Estimated start of framework negotiation for political dialogue
12 June	First year anniversary of Myanmar Council of Persons with Disability

GRANTS SUMMARY



During the reporting period 22 activities were cleared for a total of \$1.31million. Eight of these activities supported activities in the Reform sector, 11 of them supported the Peace sector and three of them supported our Victim Assistance work.

Financially, 'Reform' accounted for 33%, 'Peace' accounted for 42%, and 'Victim Assistance' accounted for 25%.

ACTIVITIES

Consultation Meetings for Political Dialogue ¹



Figure 1- United Nationalities Alliance Consultation Meeting

The negotiation process for a NCA between the NCCT and the UPWC stalled after the sixth round of meetings in September 2014. Moreover, the fragile status of the negotiations was worsened by the shelling from the GOB army of a KIA training camp on the 19th of November, and other clashes and human rights incidents in Kachin and Northern Shan State. Despite these stumbling blocks, and after many informal and bilateral meetings, a seventh round of talks was started in March 2015; the outcome is as yet unclear.

Recognizing that the situation does not always move forward linearly, but that

dialogue was always a necessary precondition to success, meetings were held to advance the cause. Political parties, CSOs, some EAGs and activists had been convening meetings to nudge the movement forward, and to start an inclusive political dialogue. However, such meetings fell short of meeting their full intention because they were not able to consult a broader coalition of stakeholders. Thus, with support of the Kann Lett program, the United Nationalities Alliance (UNA), consisting of eight ethnic political parties, organized two consecutive meetings in order to have a more inclusive meeting with a political dialogue focus.. Based on the recommendations of the first meeting, the second meeting was designed to allow for the participation of even more stakeholders. The meetings enabled UNA members, representatives of CSOs, other political parties and EAGs to discuss the current transition situation and ways forward through exchanging diverse ideas and perspectives. The success of these meetings was noted by the Myanmar Times which stated that

due to the success of these discussions, further discussions towards an inclusive nationwide agreement would be ensured.

Increased understanding of Non-violent Communication²

Since the deadly violence between Muslim and Buddhist communities in March 2013 in Meiktila, central Burma, the area has remained tense. Distrust, dangerous speech and limited awareness on non-violent communication are exacerbating the tension, making the fragile environment vulnerable to eruption of further inter-communal conflict. Thus, Htilar Thukar Tharmagi, a local civil society organization based in Meiktila, with the support of the Kann Let program, gave a training on dangerous speech and non-violent communication for representatives from various religious groups, including Muslim communities. One of the trainees remarked that this activity was the first time any organization has supported a multi-religious event and “[This is the] first time [a] training [has included] Muslims. [The] Imam said it’s his first time attending training with other religions!” During the training, participants voluntarily spoke up on how they could identify and use non-violent communication in real-life situations they encounter after linking the knowledge from the training..



Figure 2 – Non-violent communication training in Meiktila



Figure 3 – Training of WE for Local CSO in Kayah State

Launch of Victim Assistance and Disability Portfolio

On February 23, 2015, Kann Let approved its first Victim Assistance activity, awarding a grant to World Education in East Bago region, an area heavily affected by landmines and conflict. This activity seeks to provide a comprehensive approach to the needs of landmine survivors/persons with disabilities. The activity will provide services, including the repair of assistive devices, peer counseling and a referral network. It will advocate for the rights of persons with disabilities, encourage information sharing and promote a socially-inclusive and physically-accessible environment, and will enhance the organizational capacity of the Myanmar

Physically Handicapped Association (MPHA) and the Disability Focal Point/Victim Assistance Center (DFP/VAC).

PROGRAM EVALUATION

Program Development - Extended Program Meeting on Initial Outcome Indicators and Final Evaluations

An extended program meeting was held on the 28th of January. The objectives of the meeting were to:

- Gain further understanding of purpose of Initial Outcome Indicators (IOIs) and how to develop effective IOIs to evaluate the outcomes of our activities.
- Deepen our understanding of the process and content of Final Evaluation Reports and how to use FERs to evaluate activities and improve future activities.

Thirty Kann Let program staff, including staff from OTI Burma participated in the one-day meeting. As per the objectives, the meeting focused on how pending and future activities would be properly designed with realistic outcome indicators that would enable the staff to assess changes (outcomes). With this additional knowledge, staff will now be able to better evaluate activities and contribute to continual learning in new activity design and implementation.

At the meeting, the participants:

- Reviewed and discussed samples of activity outcome hypotheses in groups in order to develop more realistic and comprehensive outcome hypotheses;
- Identified specific and measureable outcomes, crafted initial outcome indicators, and brainstormed tools that could be used to know when those outcomes were likely to be achieved;
- Discussed the importance of activity final evaluations and that everyone has an important role to play in the process; and
- Studied and discussed activity completion reports and final evaluations from different OTI programs and identified strengths and weaknesses of each example.

Taking advantage of their presence in the country, the Program Performance Review (PPR) team joined the meeting in the afternoon as well.

Program Development – Rolling Assessment

In March, from the 24th until the 26th, the entire Kann Let team, including Field Advisors, attended a Rolling Assessment in which the program objectives were discussed and refined through a collaborative process. The newly refined program objectives were not a change in strategic direction, but rather an update of the old, outdated objectives (below) to reflect the current direction the program, and the current state of the transition process in Burma.

The Rolling Assessment had three objectives:

- To look Back (review), Look Up (update) and Look Forward (inform)
- To strengthen Kann Let's link between analysis and response
- To refine our understanding of the new Kann Let Program Objectives

40 program staff, including staff from OTI Burma office, participated in the three-day event. On day 1, in the Look Back session, Kann Let staff presented what we have learned from completed activities in four thematic groups – CSO participation in the peace process, support for networks or key influencers in intercommunal conflict, core support to independent media, and increasing access to public information about the peace process. Groups were asked to reflect on lessons learned, specifically related to testing the assumptions underlying a group of similar activities. A discussion was also held about how to design activities that are more inclusive of persons with disabilities.

On Day 2, in the Look Up session, participants first discussed and highlighted issues that should be addressed in the remaining months of the Kann Let program. Participants then highlighted issues that we should not focus on because they are beyond the manageable interest of the program. Finally

participants removed issues that other programs, USAID programs in particular, were now poised to work on (like civil society capacity building).

On Day 3, in the Look Forward session, participants noted critical events that impacted or could impact on Kann Let programming for the period from March to December 2015. After that, in the Look Forward session, staff discussed and identified key priority issues to be addressed in the remaining time that the program has left, until August 2016.. Finally, participants discussed and identified target populations, target actors and target areas for those priority programming issues. The Rolling Assessment concluded with agreement to retire the old objectives and begin using the new ones. Specifically:

Old objectives:

1. To increase participation and inclusion in reform and peace processes; and
2. To address critical impediments to the peace and reform processes.

The new objectives (below) reflect the analysis of the staff for the last eighteen months, and include an objective for Victim Assistance programming:

New objectives:

1. To enhance the ability of key stakeholders to engage in the peace process;
2. To facilitate public engagement in reform process;
3. To reduce the influence of drivers of intercommunal conflict;
4. To enable survivors of explosive ordnance and Persons with Disability in conflict-affected areas to participate in social and economic life.