



# Shared Resources Joint Solutions (SRJS) - Myanmar

Joint Programme Report  
Tanintharyi Landscape  
2017 ~ 2020

APRIL  
2021

Zaw Htet Aung

Supported by -





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Joint Programme Report - Tanintharyi Landscape (2017~2020)

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April 2021

This report is developed as a portfolio of the SRJS Myanmar partners' achievements & lesson learned - which is also valuable for all of the partners and related social actors, to leave with a legacy of these achievements.

**Cover Photo (front):** Wide-view of a river & mountains on the way to Theindaw village from Tanintharyi Township - Photo: Zaw Htet

**Cover Photo (back, tile on left):** Mawken family members seen during March 2020 - Photo: Zaw Htet

**Cover Photo (bottom-right):** 'We love forest' words sprayed on a big stone within the forest conserved by the community - Photo: SY

### Acknowledgements & Disclaimer:

This publication was made possible through the support of IUCN-NL.

The contents of this publication are the sole responsibility of the SRJS Myanmar partners and can under no circumstances be regarded as reflecting the position of the IUCN-NL.

Unstable situation in Myanmar made it impossible for the partners to check the report.



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## **Joint Programme Report**

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Tanintharyi  
April 2021

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## ACRONYMS

ALARM:	Advancing Life and Regenerating Motherland
CAT:	Conservation Alliance of Tanawtharyi
CBO:	Community-based organization
CBT:	Community Based Tourism
CF:	Community Forest/ Community Forest Group
CSO:	Civil Society Organization
DDA:	Dawei Development Association
ECD:	Environmental Conservation Department
EITI:	Extractives Industries Transparency Initiatives
EMP:	Environmental Management Action Plan
FUA:	Forest Users Association
GAD:	General Administration Department
GN:	Green Network [ <i>Full-name: Green Network Mergui Archipelago</i> ]
ICCA:	Indigenous and Community Conserved Areas
ICCA-NEWS:	ICCA from the North, East, West and South
IP:	Indigenous People
IPG:	International Public Goods (Water, Land/Forest)
IPLCs:	Indigenous and Local Communities
JMC:	Joint Monitoring Committee
KNU:	Karen National Union
LIOH:	Land in Our Hands

MATA:	Myanmar Alliance for Transparency and Accountability
MIC:	Myanmar Investment Commission
MLN:	Myeik Lawyers Network
MMG:	Mining Monitoring Group
MOALI:	Ministry of Agriculture, Livestock and Irrigation
MONREC:	Ministry of Natural Resource and Environmental Conservation
MP:	Member of Parliament
MSG:	Multi-stakeholder Group
SNU:	Sub-National Coordination Unit
SRJS:	Shared Resources Joint Solution
SY:	Southern Youth [ <i>Full-name: Southern Youth Development Organization</i> ]
TLF:	Tanintharyi Land Forum
TOC:	Theory-of-Change
TN:	TRIP NET [ <i>Full-name: Tenasserim River and Indigenous Peoples' Network</i> ]
VFV/VFVL:	The Vacant, Fallow and Virgin Land Management Law

### NOTE:

*All the calculations were roundly summed.*

*The original measurement for weight is used in Viss (Peik-thar) and Kyat-thar (which is hundredth scale of Viss).*

*The conversion scales: 1 Viss = 100 Kyat-thar = 36 lb = 1.63 kg*

*Currency conversion: 1 USD = 1,300 MMK*

*The conversion for area calculations: 1 acre = 0.405 hectare*



# 1. INTRODUCTION

Tanintharyi Region is the most southern part (region) of Myanmar and characterized by exquisite coastline and beaches, mountains and forests together with different customary communities. Along with its richness in biodiversity and natural resources, many investments and related businesses are eyeing and intruding in the region irresponsibly under different projects. Many human rights violations (such as land grabbing, forced eviction and denying customary land practices) and environmental rights violations (including deforestation, polluting air/water and imprudent extraction of natural resources) are continuing till now.

To reverse these violations, conserve the nature and biodiversity and improve the situation of customary communities, Dawei Development Association (DDA), Tenasserim River and Indigenous Peoples' Network (TN), Southern Youth (SY), Green Network Mergui Archipelago (GN) and Myeik Lawyers Network (MLN) collaborated as Myanmar partners for IUCN NL's SRJS programme during 2017 to 2020. Each organization contributed uniquely for creating a better world and will be continuing for what they believe.

In the beginning of 2021, the SRJS consortium (IUCN NL and WWF NL) is wrapping up its 5-years long programme (4 years in Myanmar) and so do the Myanmar partners - taking stock of their activities and results contributing to the collaborative conservation efforts in southern Myanmar. Many intended and unintended results have been harvested throughout the years

thanks to the continuous hard work and commitments. These efforts and contributions are essential for Myanmar where democratic transition is in its early stage yet.

It is worth to mark these collaborative efforts and to stimulate inspirational ideas to sustain these outcomes. This report is developed as a portfolio of the SRJS Myanmar partners' achievements and lessons learned - a legacy of achievements by the partner CSOs, communities and other social actors in Tanintharyi.

This report therefore is prepared with the purpose of –

- ❖ Creating a portfolio of the achievements to which the Myanmar SRJS partners contributed together.
- ❖ Reflecting and learning on what works and what doesn't and providing suggestions for future programs.
- ❖ Stimulating ideas for new programs pursuing conservation, environmental justice and collaborative effort

Yangon, January 2021

## 1.1 SRJS Global Programme

Shared Resources Joint Solutions (SRJS) is a 5-year (2016-2020) strategic partnership between the Netherlands Ministry of Foreign Affairs, IUCN National Committee of the Netherlands (IUCN NL) and Worldwide Fund for Nature in the Netherlands (WWF NL). Together with over 200 NGOs and civil society organisations (CSOs) in 16 low- and middle-income countries and with international partners, the programme aims to safeguard healthy, biodiverse ecosystems in order to protect climate resilience, the water supply and food security. The joint strategic objective of the partnership is to enable effective CSO lobby and advocacy regarding business and government policies and practices towards inclusive, transparent, gender sensitive and green development in the selected landscapes complying with environmental standards and laws.

Natural ecosystems provide both habitat for wildlife species and important goods and services for people, such as fresh water and climate resilience. Yet, unsustainable production chains and the effects of climate change are increasing the pressure on ecosystems worldwide. Sustainable development requires aligning the interests of different stakeholders to strike a balance between economic, environmental and social values. In Shared Resources Joint Solutions (SRJS), almost 200 civil society organisations are working passionately and collaboratively towards this goal. The SRJS was implemented in 26 landscapes in 16 countries in Asia, Africa and Latin America. Situated in key areas such as head waters and deltas of 19 large rivers, these landscapes are home to 19.4 million people who depend directly

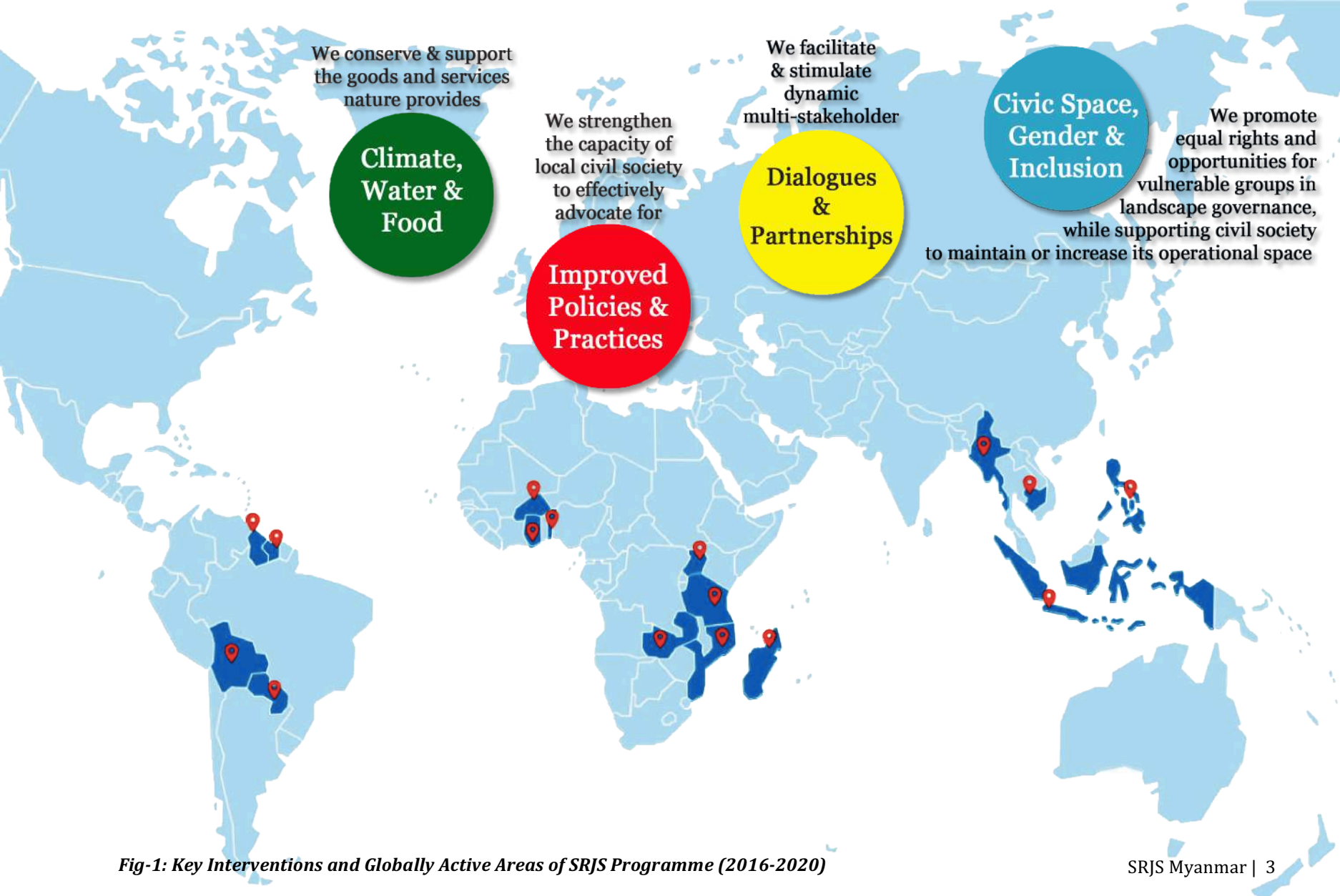
on the ecosystem services these landscapes provide. These landscapes are under considerable pressure from the global economy. This economic activity brings both opportunities for sustainable development and challenges in the form of increased competition for resources across multiple stakeholders.

SRJS therefore enables civil society organisations to engage with various stakeholders in their respective landscapes to take joint responsibility for sustainable landscape governance. This multi-stakeholder engagement is underpinned by an inclusive, science-based approach. Results are positive: At the end of the programme, more than 1,000 desired changes in policies and practices of governments, companies, communities and other actors were observed across the programme. These outcomes reflect the enormous commitment of the civil society partners who face complex and sometimes insecure contexts. These partners simultaneously support local movements and governance structures and advocate for change at the national and international level. Together the SRJS partners have broadened their horizons to forge coalitions with likeminded people and engage stakeholders with different views.

*See latest SRJS bulletin:*

<https://www.iucn.nl/en/partnership/shared-resources-joint-solutions>

<https://mailchi.mp/srjs/video>



## 1.2 SRJS Myanmar

Myanmar became part of the SRJS programme at the end of 2016 when 5 civil society organizations from southern Myanmar joined in this collaborative work. Since IUCN NL had not worked before in Myanmar, the first year of SRJS was used to determine which region and which CSOs would fit in the programme.

The outcome was that five organizations in Tanintharyi joined SRJS: Dawei Development Association (DDA), Tenasserim River and Indigenous Peoples' Network (TN), Southern Youth Development Organization (SY), Green Network Mergui Archipelago (GN) and Myeik Lawyers Network (MLN). Offices of two partners (DDA and TN) are based in Dawei and those of three (SY, MLN and GN) are in Myeik. *(See Annex 1 for the organisational profiles of the five SRJS Partners in Myanmar)*

The SRJS Myanmar partners can be seen as complementary in their interventions and approaches towards conserving the nature and helping to improve the situation of customary and indigenous communities. They have varied expertise and diverse strategies towards a better world and a peaceful and democratic Myanmar that values nature. Also, the level of professionalism and capacities of the organizations are different.

The mix of partner CSOs features *Karen* CSOs (TN and SY) within the context of a dual administration (the Myanmar Government and Karen National Union) and three CSOs without specific indigenous focus (DDA, GN and MLN). The differences in geo-contextual and administrative situation makes their interventions and approaches unique – especially in conserving the forest. Another categorization can be made by their missions - two

organisations (DDA and MLN) have social activism as their main strategy and environment as a secondary concern; while three CSOs (TN, SY, and GN) are focusing on bottom-up sustainable development *(See Table-1, Page-19 for the brief overview of interventions)*.

Their collaboration as SRJS partners started at the end of 2016, thus having around four years of collaborative efforts for conservation and indigenous peoples' rights under the SRJS programme. Although they already had some individual collaboration before 2017, the SRJS partnership gave new inspiration, clear focus and broader space for collaboration. Within the framework of SRJS programme, they collaborated and worked together with IPLCs in Tanintharyi Region – to ensure that IPLCs are playing a leading role in nature conservation and sustainable development.

Amongst the different (international) programmes and approaches aiming to conserve nature and improve the lives of indigenous peoples in Myanmar (and in Tanintharyi Region), SRJS is one of the rare programmes that promote a bottom-up, community-led conservation approach and values the connection of people's livelihoods and forest resources. This approach plus the recognition that local CSOs and IPLCs are the experts in their own context enthused the CSOs and IPLCs to join the SRJS programme and to collectively fight for their rights and debunk development and conservation projects that cause land disputes and resettlement.

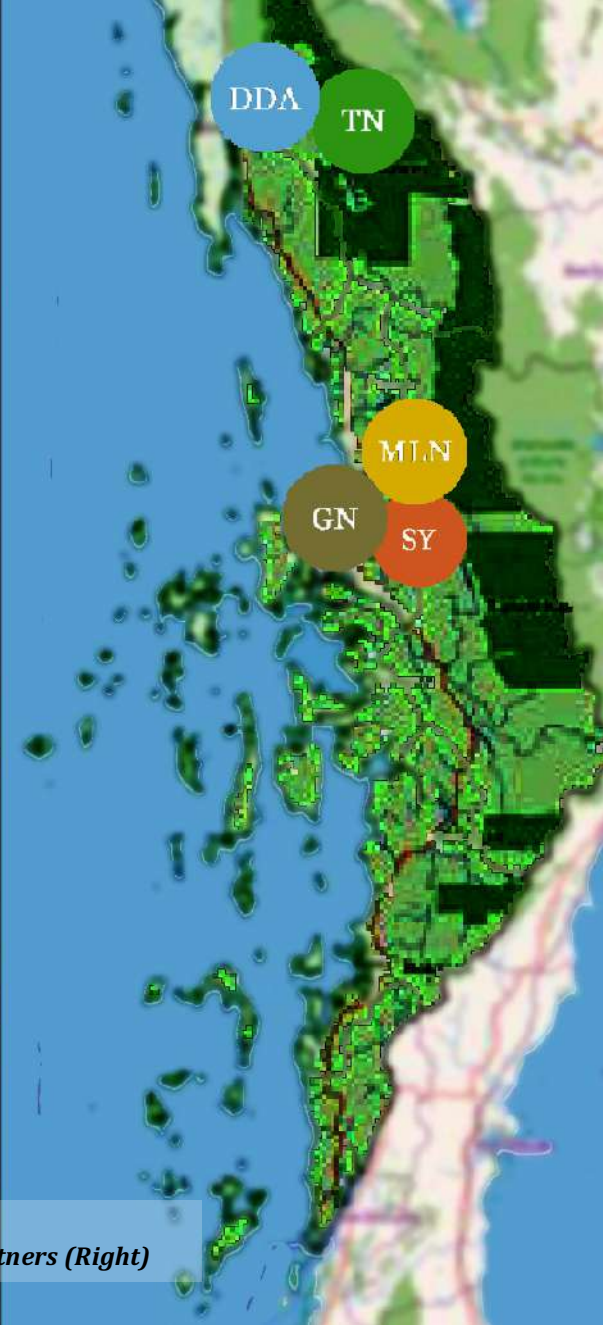
The partners together developed a Theory-of-Change (TOC) (Fig-4, page 6) for the SRJS Programme and had harvested many outcomes over the years according to 4 outcome categories: 1) Strengthening Civil Society; 2) Enabling Environment; 3) Multi-stakeholder Dialogue; and 4) Policy and Practices Change.

The outcomes and results are achieved by continuous contributions of partner organizations together with the nexus of interrelated, collaborated and partnership works, rather than by a specific intervention or an individual organization. And most importantly, the programme was accomplished by 2020, however it is just a milestone in a long journey.



**Fig-2: World Map (Left) &**

**Fig-3: Map of Tanintharyi Landscape with the office locations of SRJS Myanmar Partners (Right)**





**Indigenous communities** in the Tanintharyi River Region *play a leading role* in *nature conservation and sustainable development* of their communities

## Policy & Practice Change

4.1 **Better legal recognition** of community management of forests/river/marine areas

4.2 **Improved sustainable management** of IPG (water, land/forest) by *reduction of violations* of existing rules and regulations

4.3 Existence of **Community Based Rules, Regulations and Practices** on natural resource management and environmental conservation and *meaningful participation* by communities *in all decision-making processes*

4.4 **Women have increased access to decision making processes** in the communities, have established *women groups* and have developed their own *income-generating* activities.

## Multi-stakeholder Dialogue

3.1 SRJS Myanmar partners use the existing **multiple stakeholder platforms**, especially for the Oil Palm, Mining and Forestry sectors

## Improved Enabling Environment

2.1 Conservation **INGOs adjust** and base their work more on the *needs and desires of the local people*.

2.2 **Regional Gov.** understand and appreciate *human rights-based visions* of development and natural resource management

2.3 Affected **communities & environmental defenders** *better able to defend their rights* and have *improved access to legal support*

2.4 (Local) **media** report more regularly on right-based Natural Resource Management related issues

2.5 **Communities** have increased understanding of, and aspirations for, *gender roles & rights* in natural resources.

## Increased Civil Society's Capacities

1.1 **Communities** have **enhanced knowledge, skills and tools** to *practice and promote* sustainable livelihoods and sustainable resource management, and to *effectively assess* the delivery of ecosystem services

1.2 **Communities** are more **aware of their rights** and of existing laws and policies related to forestry, tourism, mining and agribusiness; knowing to which organisations they can reach out for support.

1.3 Community **youth leaders & CSOs** have **enhanced knowledge** of Myanmar laws and policies related to forestry, tourism, mining and agribusiness, of international best practices so they are able to critically evaluate Myanmar policies and business activities, and of research and documentation practices so they can effectively monitor actual implementation and activities

1.4 **Voluntary groups** in Myeik have grown into professional CS organisations and have formed **effective L&A coalitions** amongst themselves and with groups in Dawei.

**Fig-4: Theory-of-Change of SRJS Myanmar**

## 2. CONTRIBUTIONS OF SRJS PARTNERS

(the outcomes and successes are described in chapter 3)

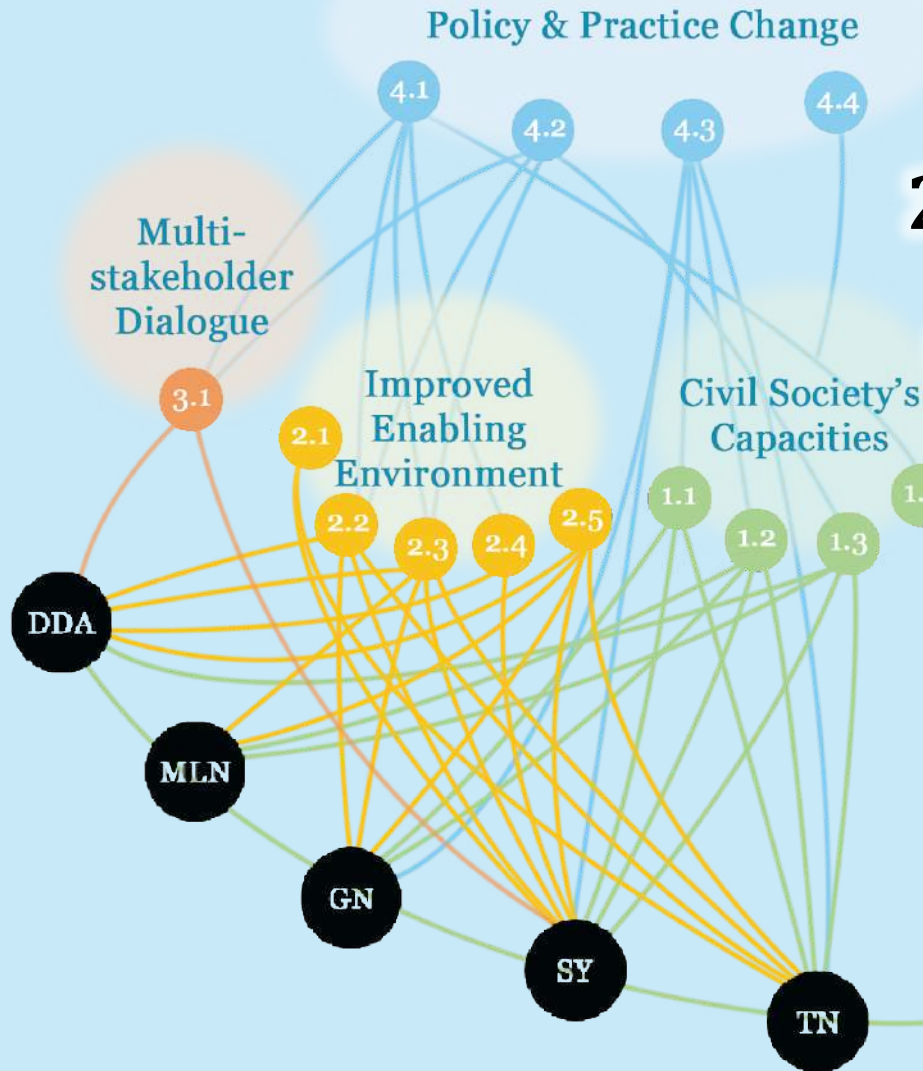


Fig-5: Illustration on the Contributions of SRJS Myanmar Partners to the shared Programme TOC

## 2.1 Organizing and Empowering Communities

*The 5 SRJS CSOs contributed in their own way and regions to organising and empowering IPLCs*

### GN's Community Groups

Green Network Mergui Archipelago (GN) formulated its ambition with the SRJS Programme as follows: "Indigenous communities of the Tanintharyi coastal area in Myeik District play a leading role in decision making processes and in the implementation of natural resource management and environmental conservation activities". GN mainly focuses on sustainable use of forest and marine resources.

GN mobilized the communities to establish different groups for collective bargaining and demanding for their rights. GN together with the SRJS programme, organized

- ❖ Community Forest Groups (CFs) for conserving and rehabilitating mangrove forests;
- ❖ Forest Users Associations (FUAs) for sustainable use and management of income generation activities;
- ❖ Mining Monitoring Groups (MMGs) as contribution to the MATA<sup>1</sup> initiative, in Tanintharyi led by DDA, ; and
- ❖ Fisher-folks' Alliances (FAs) for collective bargaining.



### SY's Community Groups

SY believes in the strength of communities and focuses on the establishment and empowerment of community-based organisations. The mobilisation and training of young people from indigenous communities where SY was active with the SRJS programme resulted in four area-wide CBOs covering over 18 villages. SY provided required trainings and capacity strengthening (incl. leadership and management, mobilization, gender, participatory action research) to the CBOs, community groups and young leaders.

SY ensured its activities had affirmative actions for gender parity and empowerment of young people. All the field activities in SY's target area were designed and accomplished in partnering with CBOs. SY encouraged the CBOs to take the lead in lobby and advocacy efforts towards the government for improvement of policies and practices in the different thematic focuses.

SY successfully dealt with cases in the oil-palm sector (see MSPP and MAC, Page-52 & 52) top-down conservation projects (see Page-46 & 49: Lenya Proposed National Park and Ridge-to-Reef conservation programme). Furthermore, SY secured KNU recognition for the community forests that were realised through the strengths of communities and collaborative efforts amongst different CSOs.

**Fig-6: A lady presenting discussion points during a training/workshop happened for community forest and fishery sector – Photo: GN**

## **TN's TCVS Programme**

TRIP NET (TN) believes that strengthening community resilience and human resources are the base for sustainable community governance. Therefore TN designed and hosted the Tanintharyi Community Volunteer Service (TCVS)<sup>2</sup> programme starting in 2017 under the SRJS programme. TCVS is an 8-months long programme targeting young people to become future community leaders for conserving the nature and environment, community development and protection of the rights of indigenous peoples.

TCVS includes classroom study, community placements and field researches. The class room curriculum covers topics regarding the concept of community development, research and communication, climate change and community forest management, and the legal and regulatory environment concerning land, trade and EITI.

The community placement includes activities like assessment of socio-economic situations and local knowledge, forest inventory, monitoring forest and river ecosystems and observation of wildlife and ecological agriculture. TCVS also provides the opportunity for the alumni to continue internship in TN's programs and community projects such as conducting environmental education sessions for children and assisting in public events.

The programme opens each year with a call for applications for young people in Tanintharyi Region. In the SRJS period (2017~2019) three batches of students were trained and 36 young leaders graduated from the programme. The alumni have started to work in their respective areas. A concrete example is an alumnus from Mali Islands, who organized a community group named Mali Action for Conservation and Development (MAC-D). MAC-D is actively working on forest conservation and controlling illegal logging in Mali Islands and has gained respect from local authorities.

At the end of the eight-months training a graduation ceremony is held in the presence of regional government officials from the Ministry of Natural Resources and Environmental Conservation (MONREC), officials from KNU, representatives from INGOs, CSOs, CBOs, and parents and friends of the students. The graduation ceremonies are also arranged as an advocacy instrument to get the attention of policy makers for environment, forests and indigenous peoples' rights.

## **DDA's Gender and Youth Empowerment Programs**

After participation in the SRJS-training – facilitated by Point B<sup>3</sup> - on gender and natural resource management, DDA increased its efforts for more inclusion of women and for gender affirmative actions. In this sense, DDA facilitated the participation of women with children under 3-years of age by accommodating childcare during meetings and by covering the additional costs of travel and accommodation for a babysitter. The gender policy was improved in 2019.

Another DDA focus was on empowering young people with the aim to foster new community leaders and new players for the country's democratic transition. Together with the SRJS Programme, DDA supported three exchange visits and ran a 2-months long capacity building programme for young people. Four alumni of the capacity building programme, got involved in the MATA working group and one of them was elected as their representative. DDA also supported strengthening and empowerment of the Tanintharyi Region Youth Network.

DDA has hosted two field visits for students and collaborated with WWF and *Dawei* University (especially Zoology and Botany Departments) to make it happen. One of the field visits offered



students from *Dawei* University the opportunity to practical learning on the relation between environment, natural resources and human, social harmony in rural lives and on the importance of good practices and natural resource management.

Another exchange visit created a space for cross cultural learning and sharing between young people from Myanmar and Thailand. This activity took place in 2019 and continued as the sharing platform for young people namely *'We Love Dawei'*.

## **MLN's Legal Support and Trainings**

MLN supported the SRJS partners with legal training sessions and provided ad-hoc legal assistance for the communities where Myanmar SRJS partners are active. Legal training sessions covered a wide range of topics depending on the partners' needs and the urgency of the issues they are addressing. The main issues included largescale land concessions, land grabbing, damages to the soil and crops by mining activities, and legal proceedings against communities. Together with the Environmental Law Centre (an IUCN organisation), MLN facilitated *'Environmental Law'* trainings in 2018 and 2019 for the SRJS partners and for Tanintharyi lawyers to increase the knowledge on international agreements and guidelines, and to stimulate the ideas and initiatives for the development of tools for promoting environmental and natural resource rights.

***Fig-7: MLN's field meeting with Chaung-mon-ngar villagers who have been sued by oil-palm company – Photo: MLN***





## 2.2 Indigenous Peoples' Rights and Forest Conservation

*Efforts of conserving the forests and forest resources are diverse and show different approaches by different actors (government, communities, CSOs and international organizations).*

### The Approaches of TN

TN's focus is on the promotion of conservation efforts that won't expel indigenous people from the forest. Indigenous communities rely on the forests, land, rivers, mountains and sea and have established harmonious linkages between their livelihood and the ecosystem and its natural resources. This means that indigenous peoples are key players in conserving the forests.

TN is working closely with communities in the *Kamoethway* area who have established a sustainable community management system on forest and natural resources. The *Kamoethway* area was one of three areas selected for a pilot study to be presented at a high-level government seminar in Naypyitaw in May 2018. In August that year, TN facilitated a follow-up field visit and a multi-stakeholder meeting.

TN is collaborating with different CSOs and is actively contributing to the prevention of land grabbing, promoting the rights of indigenous peoples and conserving the environment and the forests. TN is a member of the Conservation Alliance Tanawthari (CAT)<sup>4</sup> (Southern Youth is another member who is also an SRJS partner). In 2018, CAT initiated the actions and consolidated the communities' demand to (successfully) halt a large-scale, uninformed top-down conservation programme. The proposed Ridge-to-Reef (R2R) conservation area in Tanintharyi Region was implemented by FFI and received financial support from the UNDP Global Environment Facility (GEF) for an estimated budget of 21 million USD (2017-2023). (See Page-49)

In 2019, ICCA News<sup>5</sup> was established as a national indigenous platform aiming to strengthen indigenous governance systems and using international norms for ICCAs. The establishment of ICCA NEWS is the next step from the Myanmar ICCA Working Group<sup>6</sup> in which TN, Southern Youth and other conservation CSOs were active. TN has the position of advisor to ICCA NEWS.

### The Approaches of SY

Thematic focuses of Southern Youth Development Organization (SY) are mainly on oil-palm, forest conservation, and mining. The approaches used include empowering communities and community-based organisations (CBOs), gender and youth empowerment, promoting indigenous peoples' rights and documenting customary management systems and participatory action researches.

In the SRJS programme SY got the opportunity to work on broader and interrelated conservation visions, shifting from issue-based interventions. The interventions of SY therefore expanded to the promotion of the rights of indigenous communities and the re-valuation of customary land systems. Together with TRIP NET, SY collaborated in the ICCA working group of Tanintharyi Region and in ICCA NEWS at the national level for engaging the government on indigenous peoples' rights.

In 2019, SY conducted a participatory action research on customary land systems in the *Lenya* and *Manoeyoe* areas to help document and protect the systems. The research was also intended to get recognition for shifting cultivation as an important livelihood option for the customary communities that is spiritually intertwined with the beliefs, cultures and guardianship of the forests.

### **Community Forests facilitated by GN**

GN initiated Community Forests (CF) in Kyun Su Township since 2015. Currently there are five CF groups who are sustainably managing more than 8,000 acres of forest. Amongst the CFs, nearly 15,000 acres have received official CF certificates issued by the government in 2017.

The support for the establishment of CF includes provision of technical and financial support for organizing forest groups, development of community rules, rehabilitation of damaged forests and establishment of nurseries for (mangrove) seedlings, and patrolling the forests to prevent illegal logging and illegal fishing. The original idea for the establishment of community forests was based on the observed need to conserve the forest resources and to protect the communities' land and forests from potential land grabs by business projects. In addition to the initial objective, an important outcome of GN's activities is that the fish resources have substantially improved according to the fisher-folks and that the amount of forest loss by illegal logging has declined dramatically.



***Fig-8: An Indigenous Karen Woman is smoking and chatting (Upper);  
Fig-9: Indigenous Mawken children (semi-nomad community) rowing  
their traditional canoe (Kaban Boat) (Lower) - Photos: Zaw Htet***

## 2.3 Land issues, Mining and Fisheries

*The main drivers threatening the ecological treasures in Tanintharyi are the mining, fisheries and industrial plantation sectors*

### **Region Land Forum facilitated by DDA**

Dawei Development Association (DDA) has 2 main programmes – good governance in natural resource management and socio-economic development. The interventions of DDA with SRJS programme are mostly related to the first programme and can be categorized briefly into mining sector, land issues, civic space and civil societies, media and gender and youth empowerment.

DDA is taking the coordination role amongst different CSOs and activists on land issues. DDA is promoting the collaborative initiatives and movements in the region and has activities for sharing updated information on land issues and legislation, linking different actors and providing technical support on land use mapping and data collection.

Together with the SRJS programme, DDA initiated “*Tanintharyi Land Forum*” (TLF) as a platform for activists and CSOs working on land issues. The platform hosts, and serves as the space for CSOs with different approaches to build common understanding for broader land reform. Although TLF is not intended for joint activities, it helps the CSOs and activists for effective engagement in the land reform process – including the government’s recent efforts on the formation of different committees for drafting the national land law and inviting several CSO representatives for some committees.

DDA also provided technical support and facilitation for community’s land use mapping. There were two significant cases during SRJS programme implementation. The first case was the

government’s request to DDA for technical assistance on mapping and reporting to resolve the conflicts between *Shwe Kanbawza* Oil-Palm Company and the villagers. The second case was community’s land use mapping in *Klonghtar* village, one of two sites approved by the government for piloting community-based tourism (CBT) activities.

### **DDA’s Intervention in Mining Sector**

DDA started working on the mining sector in 2013, focusing on improved regulations, transparency and accountability in the extractive industry. DDA is one of the main actors and is working closely with the Myanmar Alliance for Transparency and Accountability (MATA) which is a legitimate and official platform for lobby and advocacy on extractives in Myanmar. Out of the collaborative and continuous activities in the mining sector developed the plan for community-based monitoring mechanisms. In 2016, the regional government gave its approval to organize Mining Monitoring Groups (MMGs).

Together with the SRJS partners, DDA continued with providing technical, financial and facilitation support to MMGs. It assisted the MMGs in the development of a TOR (Terms of Reference) and a checklist for inspecting the mining sites. The regional government approved both the ToR and checklist. Currently there are 15 MMGs in Tanintharyi that can officially conduct one-day inspections of the mining sites in their village and report directly to the government for taking action on reported company’s violations. The reports from MMGs are also serving as evidence for the Sub-



National Coordination Unit (SNU) which is a regional level tripartite mechanism (government, civil society and private sector) linked to the Extractive Industries Transparency Initiative (EITI) process at the national level.

In 2018, two years after their formation, the MMGs and their tasks were evaluated. In accordance with the findings, the MMGs were reformed in 2019 towards more effectiveness and systematic linkages amongst all the groups. The major change in the MMGs was that they were reformed according to the village tract territory (previously the groups were organized based on the mine sites). The process is facilitated and supported by DDA together with MATA.

### GN's Interventions in Fisheries

The fisheries sector is the second thematic focus for GN next to preserving mangrove forests. GN worked towards improvement of policies and regulations for catching fish in various ranges – offshore to onshore fisheries and largescale to subsistence fisheries. Badly regulated fisheries results in unsustainable exploitation of the fish resources: the use of banned equipment and techniques, trapping all the fish resources available due to poverty in the communities and due to the maximum-profit policy of commercial enterprises. It also leads to disputes, for instance when offshore boats are operating in onshore areas. Furthermore, for the processing of fish and by-products from fishing, forests are illegally logged. The latter is also directly affecting the community forests, where the fisher-folks of 'Tiger-mouth' business (direct translation from the local terminology called 'Kyar-Pasat') come and cut the trees as they need firewood for drying the small fishes and shrimps.



**Fig-10: Community Land Use Mapping of Manoeyone Village (Upper);  
Fig-11: A Woman is fishing in a stream within her shifting cultivation  
area (Lower) - Photos: SY**

## 2.4 Engagement with Government and Civic Space

*All partners made use of the growing civic space to engage with government – executive (departments) and legislative (parliament) – and of the increasing space for free speech.*

### **DDA's Approach to Improving Enabling Environment**

An important focus of DDA's work is on maintaining operational space and strengthening the lobby and advocacy efforts together with other civil society organizations. Therefore, most of DDA's interventions under the SRJS programme were related to increasing civic space by coordinating and sharing information amongst CSOs, and improving the democratic practices of the regional government. In the context of Myanmar where the democratic transition is still in an early stage, it is essential to maintain the civic space by consolidating advocacy efforts and promoting good practices especially in policy making and legislation processes. Before 2017, there was not one practice of wider public consultation for legislation processes.

DDA engaged with, and gave technical support to, Members of Parliament (MPs) and the regional government regarding the practice of public consultations for making regional laws. This resulted in the accommodation by the Tanintharyi Regional Government of public consultations processes for four laws and one action plan between 2017 and 2020. DDA supported the public consultation processes by facilitating public discussions, and providing technical and financial assistance concerning the Freshwater Fishery Law, the Mining Law (for Small-scale and artisanal mining in the region), the Microfinance Law and the Land Taxation Law.

In addition to the drafting process of the abovementioned laws, the Environmental Conservation Department (ECD) requested DDA to provide technical assistance in the drafting process of the Tanintharyi Environmental Management Action Plan (EMP), which needs to open up for wider public consultation. It concerns a 5-year regional action plan (2021-2025) under the National Environmental Policy that was adopted at the national level in 2019. DDA together with WWF, FFI and WCS collaborated on drafting this action plan.

DDA worked with the communities and provided the information related to relevant issues they need to respond to, and provided technical assistance such as mapping the community's land use and management systems. It helped equip the communities with capacities to fight for their rights, to better shape their community-based rules and to effectively engage in formal processes with the government. DDA's technical assistance and facilitation focused foremost on improving the processes rather than the products.

### **TN's Approach to Stimulating Alternatives**

The geographical context of TN is sensitive as it is under two administrations: The Myanmar Government and – the bigger part – the Karen National Union (KNU). In addition, the democratic transition of Myanmar started only recently and is too new for the bureaucratic mechanism to fully realize democratic norms and practices.



Therefore, TN's approaches on conserving the forests and empowering the communities focused on providing the necessary information, building resilience and finding alternatives appropriate in the given context. The advocacy efforts were crafted for more collaboration spaces between the two administrations for sustainable and more promising policy and practice changes.

Concrete examples of better informing to the communities and engagement with government for alternatives are in the energy sector and community conserved areas.

One of the energy related examples concerns the *Banchaung* Coal Mine, operated by Eastern Mining Company. The communities were increasingly voicing their concerns over the air and water pollution. TN provided the information and facts related to the coal mines and stimulated a public debate on the energy options. TN collaborated with other CSOs and used media tools for raising public attention and documenting the community's concerns and experiences. TN also facilitated a tripartite discussion between the *Banchaung* community, the KNU and the company. The discussion ended by the decision in 2017 to relocate the coal mine to another area.

The second example concerns the Investment Forum organized by the government in Tanintharyi Region that happened in 2019. In the forum discussions on energy sources, the energy sector was promoting investments in hydropower dam projects. However, the dam projects pose potential threats to the unspoiled Tanintharyi River and the indigenous communities depending on the river. TN designed and conducted a water governance research in order to provide the regional parliament and the private sector with factual information and encouraging debate and better decision making on the proposals related to hydro-power.

The research - during two field research trips which included observation, key informant interviews and surveys in communities along the Tanintharyi River in remote areas of Dawei and Tanintharyi Townships - highlights the importance of the river, its relation to ecology and people and the possible alternatives for the energy sector, rather than just opposing the dam projects. After COVID restrictions caused delays in collecting field data, publication of the report is further delayed because of the unstable situation in Myanmar.

The communities responded thankfully to the research as they have been worried about the proposed dam projects and recent changes to the river. The parliament has already expressed interest and welcomed to receive the findings. The SRJS partners in Myeik (Myeik Lawyer Network, Southern Youth and Green Network) and Candle light organization agreed to use the report and the findings in their own advocacy work.

The same principle of facilitating dialogues on what is possible rather than focusing solely on the problems, is also applied in other TN initiatives. In the promotion and protection of forests and community conserved areas, TN facilitated exchange visits between the Government Forest Department and KNU Forest Department in 2019. Up till now there were two visits – one in the capital Naypyitaw and one in the *Kamoethway* area in Tanintharyi. The plan for a third exchange and potential joint initiatives had to be postponed due to the COVID pandemic.

### **GN's Lobby and Advocacy**

GN has lobbied and advocated towards different actors for formalizing the establishment of Community Forests, controlling illegal logging and promoting the regulatory environment on fishing. The activities included collecting the data and voices of the

communities, providing the information to the members of the regional parliament (MPs) and respective government departments for improving the legal and regulatory frameworks and for resolving the conflicts.

GN also arranged visits for MPs and departmental personnel to CF areas and to fisher-folks' villages – creating the opportunity for the communities to voice out directly to policy makers. In addition, GN contributed to capacity strengthening of the local groups and leaders towards representing their communities, raising their concerns and negotiating their rights.

GN is also member of MATA, the national Alliance for Transparency and Accountability of the extractive industry, and thus contributed to the formation and functioning of Mining Monitoring Groups (MMGs) and strengthening the communities to claim for compensation for their losses due to mining activities.

### **DDA's Media Strategy**

DDA implemented a media strategy to put more weight to the lobby and advocacy efforts, coordinating amongst CSOs and equipping the communities with required tools. DDA collaborated with *Dawei Watch* (<http://www.daweiwatch.com>) for publishing regular articles related to environmental and natural resource issues. The published articles were compiled and printed as a book; in the period 2017-2020 two books were published. An article on mangrove forests published in the journal has received the 'Environmental Reporting Award' honoured by the Yangon Journalist School.

The media strategy attracted attention of, and put pressure on, the actors for taking actions. Several success stories and communities' victories during the SRJS programme - especially in the mining, oil-palm and forest sector – can be partly attributed to the effective use of the media.

DDA organized media trips and facilitated press conferences to support proper media coverage on the issues oppressing or threatening the communities. There were two significant cases. The first case was to expose the increasing worries of the village communities and CSOs concerning the amendments to the Vacant, Fallow and Virgin Land Management Law which was adopted in 2018. The second case was exposing the negative impact on fisher-folk communities of the government's marine notice in favour of a surveyor vessel for the development of an LNG power plant.

DDA also established a partnership with *Dekkhina Insight* (Online Media - <https://dakkhina.org/>) and three other media outlets for a campaign targeting the 2020 general elections. The campaign aimed to portray the election commitments of the candidates on environment and natural resource issues and to stimulate them to honour these engagements after the election. The campaign also gave room to the voices and opinions of CSO leaders. Twenty-four political candidates and eight leaders from seven CSOs featured in five-minute interviews that were broadcasted.

After the election period, the partnership with *Dekkhina Insight* continued as a platform for the peoples' voices on environment and natural resources issues. The platform is named as “အနာဂတ် တန်ခိုးရှိ - သူတို့အတွေး၊ သူတို့အမြင်” (*Future Tanintharyi: Their Thoughts, Their Views*).

## 2.5 Legal Aid and Judicial Assistance

*Although Myanmar is engaged in a democratisation process, law abuse by powerful actors is still rampant, the judiciary system is still inadequate and the legal protection of human rights and environmental defenders is weak.*

### **Paralegal and Judicial Assistance provided by MLN**

The main activities of Myeik Lawyers Network (MLN) included providing paralegal trainings and legal services to the communities. These activities were aimed at enhancing the knowledge of the communities about their rights, providing skills and tools for making immediate responses to the threats, and providing legal aid.

In thirteen training sessions, MLN has trained more than three hundred paralegals. The participants were from different places in Tanintharyi Region. In April 2019, around two hundred paralegals gathered for the 'Paralegal Forum'. The forum provided refresher courses for and created a stronger connection amongst paralegals by electing two focal persons from each township. There are altogether 20 focal paralegals from 10 townships of Tanintharyi Region.

### **Strategic Litigation approach of MLN**

In 2018, MLN, joined the informal group for strategic litigation initiated by International Commission of Jurists (ICJ), together with the Myanmar Environmental Lawyers Network (MELN) and other lawyers' networks. Joining the ICJ increases the capacities and the visibility of MLN while providing the legal aid and services to communities from the SRJS Myanmar partners' target areas. The most recent and significant case is of 23 villagers against Yuzana Oil-palm Company (See Page-50).



**Fig-12: Participants at the Paralegal Forum, April 2019 – Photo: MLN**

**Table-1: Brief Overview of SRJS Partners' Interventions**

	DDA	TN	SY	GN	MLN
<b>Geographic and Demographic Context</b>					
... Dual administration		✓	✓		
... Indigenous peoples issues ( <i>Karen</i> Communities)		✓	✓		
<b>Advocacy and Engagement</b>					
... Local Government		✓	✓	✓	
... Region Government	✓	✓	✓	✓	✓
... National Government	✓	✓			✓
... Multi-stakeholder platforms	✓		✓	✓	
... Enforcement platforms (Rule of Law and JMC)				✓	✓
<b>Policy formulation and public consultation</b>					
... Data collection and input supply	✓	✓	✓	✓	
... Drafting the document/proposals	✓			✓	✓
... Public consultation	✓	✓	✓	✓	
<b>Community Empowerment</b>					
... Organizing community groups			✓	✓	
... Training young leaders and communities	✓	✓	✓	✓	✓
... Community management systems		✓	✓	✓	
... Community monitoring systems	✓			✓	
<b>Collaboration and Facilitation</b>					
... Amongst CSOs	✓				
... Between different administrations		✓			
... Conflict resolution between company and communities	✓	✓	✓	✓	✓
<b>Thematic Focuses</b>					
... Mining	✓				
... Oil-palm	✓		✓		
... Forest and logging		✓		✓	
... Land and Mapping	✓	✓	✓	✓	
... Fisheries				✓	
... Legal aids and awareness					✓

**Remark:** This table only categorizes the focused interventions of the partner CSOs in the SRJS Programme. In other programmes, an individual CSO may have activities in the unchecked categories in this table.







### 3. OUTCOMES and SUCCESS



*Fig-15: Two villagers demonstrating the size of the tree within the forest they are conserving – Photo: SY*

## 3.1 Strengthening Communities and Young Leaders

Strengthening the resilience of the communities and capacities of human resources was one of the outcomes targeted for the SRJS Programme and also the core drive of the SRJS Myanmar partners. All the partner CSOs had different interventions to empower and strengthen the communities and community groups. The approaches of empowering the communities and young leaders are diverse based on the thematic focuses of the partners and the issues the communities are facing. However, the joint expected outcome was equipping communities and young leaders with required knowledge, skills and tools for promoting sustainable livelihoods and resource management practices; and responding to the challenges of the communities.

### 3.1.1 Trained Leaders

❖ The 8-months long TCVS Programme of TRIP NET trained 36 young leaders who started contributing to sustainable development of their community since the first batch graduated in 2017. A speaking example is that one of the alumni organized a community group 'MAC-D' (Mali Action for Conservation and Development) in his native community on Mali Island in the Mergui Archipelago. In 2019, MAC-D organized a forest monitoring trip with the village administration committee, village militia, and fire fighter troops. They encountered ten illegal loggers inside their conservation forest. The loggers were captured and sent to the township administration. Ultimately, they were released with a warning rather than sent to police, because they have families who would suffer if they were sent to jail.

- ❖ Four out of nineteen alumni from the 2-months long youth empowerment programme hosted by DDA became members of the MATA working group with one of them as the representative for Tanintharyi Region.
- ❖ Youth exchange activities of DDA with university students to the village communities enabled practical learning beyond the classroom and focused on the relation between people and environment. The exchange visits motivated the students to help the villagers from *Klonghtar* village with the establishment of an herbal garden, as an attraction point for Community-based Tourism (CBT). *Klonghtar* village is one of two sites for piloting CBT related activities approved by the government.
- ❖ Another youth exchange visit organised by DDA enabled young people across the country to engage in cross cultural learning and exchange new ideas among themselves and also with young people from the neighbouring country – Thai volunteers. The activities stimulated follow-up initiatives – such as the establishment of the '*We love Dawei*' platform for sharing the updates in the Region.
- ❖ More than 300 paralegals have been trained by MLN throughout the years with SRJS programme intervention. 200 paralegals gathered in a paralegal forum in 2019 for creating stronger linkage. They selected 20 focal persons from 10 townships of Tanintharyi Region. Paralegals became the immediate persons in their communities responding to the challenges and conflicts caused by external actors (especially from the private sector). They also got the connections to seek and mobilize for available resources – such as how to get legal aid and support.



### 3.1.2 Organized and Functioning Groups

#### Community Forest Groups and Forest Users Association in Kyun-Su Township – Main Facilitator GN

Five Community Forest groups with 255 members in total (179 men, 76 women) from 5 villages were operating well to conserve their community forests – constituting 8,622 acres of mangroves (including over 2,000 acres of woodlands). Since Cease-Fires were established in 2015, the groups developed and adhered to the community rules set up to conserve the community forests. The major tasks of the CF groups included making nurseries, planting seedlings in the forests, and patrolling the forest. In March 2017, the government approved and issued CF certificates to all CF communities. The CF certificates were signed by the district level Forest Department and are valid for 30 years. The government's certified area covers 1,469 acres of community forests, which is 17% of total conserved area (*See Table 3 for the Overview of CFs from Kyun Su Township*).

The CF groups further organized themselves in the Forest Users Association (FUA) with the objectives to do more effective advocacy on the community forests, to mobilize more CF members, to collaborate and work together amongst different CF communities, and to improve the living standard of communities by stimulating value-added products. The tasks of FUA include organizing awareness sessions in the township on the topic of conserving the forests and environment; coordinating between the concerned government departments and villages with interest to establish CFs; providing technical assistance in establishing CFs (such as planning, plotting and making nurseries); maintaining revolving fund; linking up with small enterprises and concerned private sectors for trading opportunities on value-added forest products; and seeking out technical and financial resources.

FUA was organized with 21 members (13 men, 8 women) from five CF communities and the office was opened in *Htein-Chaung* Village. The structure includes a Chairperson, a Technical Advisor, a Secretary, a Treasurer, an Auditor, an Accountant and 15 members. The FUA was officially registered on 30 April 2018.

FUA, with the technical assistance from GN, initiated income generating activities for CF communities. The activities included making bamboo furniture and piloting small fishery farms (crabs, mussels and snails) within community forest areas. The purpose was to sustain and expand CF functions and to increase the certified area coverage. The crab farm in *Htein-Chaung* Village, amongst other piloted activities and piloted fishery farms<sup>7</sup>, shows potential and keeps the members' motivation although COVID related movement restrictions affected its productivity and profit (*See Case 9*).



**Fig-16: Man posting information of CF area in Htein-Chaung – Photo: GN**

### **CBOs and Community Forests in *Lenya* and *Manoeyoe* Areas – Main Facilitator SY**

Young leaders from four CBOs were actively working with Southern Youth in lobby and advocacy towards better legal recognition of community management systems, improving community based rules, regulation and practices on natural resource management in their territories, and responding critically to the threats on their indigenous rights and community development.

The CBOs in *Ahlin-Thitsar* (*Manoeyone* area), *Anargat-Ahlin* (*Lenya* area), *Ahlinyaung-Pandai* (*Kyun-Su* area) and *Khaing-Myal-Thitsar* (*Tharabween* area) were active in conserving the forests including mangroves, watersheds, cultural and herbal forests and mountains and rivers in their territories<sup>8</sup>. The communities from these four areas were conserving 23,886 acres (9,674 ha) of forests and received the CF-certificate from the KNU in June 2019 (*See table 2 for detail areas of community conserved forests*).



### **Community-based Monitoring System on Mining – Main Facilitator DDA**

The communities in mining affected areas organized themselves in Mine Monitoring Groups (MMGs) and developed the rules and regulations for inspecting the mining sites. Some frustrations of the groups existed when the state actors didn't respond enough on the MMGs' reports,<sup>9</sup> however they continued their efforts as the rest of community put the trust on them.

Fifteen MMGs were functioning as community monitoring systems for mining activities in Tanintharyi. The MMGs received formal government recognition and the power to conduct one-day inspection visits in the mining sites with 3-days prior notice. The efforts to pitch the communities' suffering from irresponsible mining had shifted from emotion-based to facts-based approaches by using the site inspection checklist and the official reporting channel directly to the government. MMGs also represented the communities in case of conflict negotiations, and in getting compensation for their losses caused by mining activities.

Yamon MMG mediated with the mining companies Ngwe Gabar and Shwe Pinlae to compensate for the damages to community's farms in March 2017. After several negotiation meetings, 101 affected households received a compensation of 125,385,944 MMK (~96,000 USD) in total from the company in August 2017.

*Bawapin* MMG reported evidence of the violation of mining rules (using heavy machines and vehicles that were forbidden according to the license) and the lack of Environmental Management Plan (EMP), in the mining site of *Dawei-Myay* Company. The efforts of *Bawapin* MMG by using the formal channel and engaging with the company at the same time stopped the company's use of forbidden machinery in October 2018.

***Fig-17: Man marking a tree in the forest the community is conserving – Photo: SY***



### 3.1.3 Empowered Communities

*Facilitated by all 5 SRJS Partners*

Empowered communities are essential in conserving the nature, promoting human rights – including indigenous peoples' rights - and accessing ecosystem services. SRJS Myanmar Partners used different approaches to empower rural communities in Tanintharyi region, who survived the authoritative regime and the civil war. The communities where SY and TN are active are under two administrative authorities, the Myanmar Government and the KNU. Despite these contextual challenges, the partners were able to find ways for building the resilience of the communities. There are many concrete examples of community empowerment during the SRJS Programme – in other words, communities started voicing out for their rights.

- ❖ The successes in the cases of fighting back on giant top-down conservation projects, and stopping deforestation under green grabbing by mega oil-palm businesses have shown the strength and power of indigenous communities (*Case 4 and 5*).
- ❖ TCVS alumni organized community groups and actively mobilized for forest conservation and proved that actual work matters more than the showcase in big projects for forest protection.
- ❖ Initially three and later more villagers in the *Manoeyone* area resumed farm works in their shifting cultivation areas grabbed by MAC oil-palm plantation, during May 2018 (*See the case 7*).
- ❖ The community from *Tharabween* and *Manoeyone* areas have, in almost a decade, improved their strategies to respond to the impacts of oil-palm companies and are contributing to wider sectoral change.

- ❖ The *Chaung-mon-ngar* village community in *Pyi Gyi Mandai* Township are united to deal with the concession of Yuzana Oil-Palm Company and the related eviction notice of the authority, in September 2019 (*See the case 6*).
- ❖ The *Ban-Chaung* village community raised their concerns over air and water pollution by the Coal Mine of Eastern Mining Company, and the mining site was made to relocate in 2017.
- ❖ The *Heinda* MMG demanded prior resolution of existing problems, thus the government postponed granting a new license for an extended mine area for the Myanmar Pongpeppi Company<sup>10</sup>, in 2018.
- ❖ The community of *Kyet-Paung-Chaung* Village reached out to the media for publicity about the loss and damages to their farms and water resources caused by the company's violations of the regulations (including dumping the waste into creeks and using explosive materials during night time). The ministry concerned made frequent site inspections after the community's complaint and stalled the license for largescale mining asked for by the company.
- ❖ The *Dugyo* village community from *Manoeyone* area who were relocated by the military over a decade ago, seek out available resources for legal aid and assistance from SRJS partners and won the negotiation with the previous land owner who had sent notice letter demanding to pay 4.8 million MMK (~3,700 USD) for the land used by 24 households, in 2020.



*Fig-18: CBO members posing for group photo after conducting forest inventory – Photo: SY*





## 3.2 Changes in Policy and Practices

SRJS Myanmar partners have been working to improve the enabling environment in order to make changes in the policies and practices of different actors in conserving nature and promoting IP rights. The SRJS Programme TOC had broader focuses on international conservation organizations, the regional government, communities and their access to legal support and the media.

There are many concrete examples showing that the communities have enhanced their knowledge, skills and tools in defending their rights and the environment over the years. All partner CSOs designed and facilitated community empowerment activities and MLN was backing up the partners and communities with legal awareness and legal support in many cases. Strategic litigation strategy and efforts of MLN together with its partner lawyer networks gave positive results for the communities especially in the second half of the SRJS Programme.

### State Actors

The state actors within Tanintharyi Region have shown they changed their practices by acknowledging the roles of CSOs and civil societies. Although there were some restrictions on the actions and movements of CSOs, they were able to open channels especially for mutually benefiting issues and processes. Most of the outcomes were in the cases of facilitating conflict resolution (negotiation) and promoting public participation. Actual changes in state actors' policies were less obvious and slowly occurring. Partner CSOs were working hard to activate and implement proper and existing government policies.

There are several quotes of government actors mentioning the roles of CSOs and - most importantly - there are several examples of government actors giving seats to CSO representatives – for instance CSO representatives were invited to partake in the national land law drafting (sub-committees) process, in the land reinvestigation committees, in tripartite mechanisms (including SNU) and in tripartite negotiations for resolving the complaints of village communities over oil-palm and mining operations.

The most promising change in practice was that regional government and regional parliament welcomed expert support and technical assistance from SRJS partner CSOs, especially for improving public consultation processes while drafting the bills/plans in the region.

One example is the request from the regional government to DDA to provide assistance in land use mapping and in collecting evidence needed by the tripartite investigation committee responsible to handle the conflict between a community and an oil-palm company in Tanintharyi Township. This was a healthy improvement showing the state actors put the trust in a civil society organization. (*See the case 1*)

Another example is the Environmental Conservation Department's (ECD) request to DDA to facilitate the public consultation process in drafting the 5-years Environmental Management Action Plan (EMP 2021~2025) for Tanintharyi Region, required by the National Environment Policy (2019). This became a joint activity of DDA together with ECD, and with the support of WWF, FFI and WCS.

*DDA facilitated sensitization workshops in Dawei, Myeik and Kawthaung Districts on the national environmental policy and the ECD's policies and activities. As the second step, DDA hosted consultation workshops (3 times) together with different actors including village communities, CSOs and private sector and started drafting the action plan. The third step was to facilitate a region level workshop together with experts and the parliamentary committee. However, due to COVID prevention measures, the workshop had to be changed into an online discussion. The plan is ready for rolling out in 2021.*

The Regional Parliament also showed improvements as a result of SRJS interventions. The partner CSOs and communities usually approach individual MPs for raising their concerns/demands and many changes could be claimed in various cases. The improvement in the legislation process of the Regional Parliament is worth mentioning as it started recognizing and practicing public consultation. Public consultation never happened in the past, and many policies and laws were publicized only at its final stage. Consultation workshops happened in some cases with some high profile attendees and with limited time for quality discussions. Tanintharyi Regional Parliament, however, started opening the public consultation processes for drafting the bills, facilitated (and in some cases assisted technically) by DDA. The final product (the law) was not as hoped for but the process clearly improved, said DDA.

## **Interaction with KNU**

The intervention areas of SY and TN were both KNU controlled areas and mixed control areas (dual administration of KNU and the Myanmar Government). The partner CSOs could maintain the proper relation with KNU in conserving the forests and nature, and at the same time raise the concerns of communities with mining

and oil-palm companies. KNU has its own land policy<sup>11</sup> characterised by the 'Kaw' systems for land governance by Karen communities. The KNU land policy recognizes existing customary practices (Kramer, 2015)<sup>12</sup> thus favouring community systems regarding territorial governance, maintenance of cultural and communal lands, access to diverse livelihoods resources, and conservation of forests and ecosystems.

During the partner CSOs' interventions with the SRJS programme, KNU issued CF certificates to 18 communities in SY's intervention area, amounting to nearly 24,000 acres (over 9,600 hectares) in total (*See Table 2 for details*). Moreover, in 2017 KNU requested TRIP NET to facilitate a tripartite discussion between KNU, a coal mining company and the affected communities. (*See TN's Contribution*). It showed the KNU's perspective on the roles and credibility of CSOs in interacting with communities.

In addition, there was a new room for intergovernmental collaboration smoothed by the effort of TRIP NET who facilitated meetings between the Myanmar Government Forest Department and the KNU Forest Department. In 2019 there were two joint meetings (the 3<sup>rd</sup> meeting was postponed due to COVID preventive measures) between the two government entities that resulted in mutual understanding on conserving the forest (*See the case 2*).

## **Private Sector**

SRJS partners didn't have direct engagement with the private sector. However, they had activities for promoting the rule of law on the business conducts especially within mining and oil-palm sectors through multi-actor dialogues and lobbying to the government actors. Amongst the private sector actors, the mining companies had moderate changes in their practices since MMGs were approved by the Region Government. The companies started



preparing the necessary documents such as the detail specification of their operation and environmental management plan – those were neither available nor questionable in the past.

There were company contributions in some villages; it is unclear if the aim was fulfilling corporate social responsibilities, social/charitable donation or investing for their business efficiency. However, it may have been an opportunity of the villages for their community development. Most of the mining companies responded well to, and improved their communications with, the village communities. There is an example of a company improving its practices in dealing with the village.

*A mining company from Kanbauk started the practice of informing and consulting with village communities on their mining activities after Kanbauk MMG had been formalized with the Regional Government's approval. The company even issued authorizing cards for artisanal miners from the village. –see the review report on MMGs<sup>13</sup>.*

## Media

The achievements of the communities over giant conservation projects, inconsiderate largescale land concessions for oil-palm and irresponsible mining were also possible by the contribution of the local media. The role of media in pitching the plight of the communities and pushing the responsible actors for taking actions was in some cases decisive<sup>14</sup>. One of the local media (7 Day News) had published a series of articles covering the updates and quotes of officials on the plan for revoking oil-palm permissions in Tanintharyi Region (See media citation list for oil-palm sector). This

enabling environment was encouraged by partner CSOs arranging media trips and stimulating media attention.

*The media trip arranged by DDA to Kanbauk area in 2018 stimulated the media for covering follow-up articles on the problems the fishing communities faced by the exploration activities for a 1,230 MW LNG power plant project of Total and Siemens Myanmar. Since the communities appeared in the media and submitted complaint letters, the companies started a negotiation process on compensation for the damaged fishing nets of communities and reduced the stretched zone restriction down to ~50 feet around the surveyor ship.*

DDA initiated collaboration with news agencies and media platforms including Dawei Watch, Dekkhina Insight and other media for regular reporting on the basis of investigative journalism and portraying election commitments of the candidates on environment and natural resource issues.



**Fig-19: A media covering for a press conference held during December 2020 - Photos: SY**

### 3.3 Dialogue and Partnerships

Realising climate resilience and sustainable management of International Public Goods needs dialogues and mutual understanding for balanced solutions amongst different actors – civil society, state actors and private sector – with different interests. The SRJS Myanmar Partners invested in empowering communities, who usually are excluded from dialogues and have less opportunities to influence the policies and plans even if there is a risk for potential harm to them. The partner CSOs also facilitated and engaged the evolvement of multi-stakeholder dialogues and partnerships especially in the mining, oil-palm, forests and fisheries sector.

The initiation of multi-stakeholder dialogues and collaboration needs continuous stimulation, trust-building, the right timing and readiness, and the pressure point amongst all the actors. Given the situation in the Myanmar context where trust is still an issue and the communities are not prioritized in many policy agendas, the collaborative environment for all the actors is filled with hesitations. However, different actors started recognizing the role of CSOs in the pathway to sustainable development (and also for the country's macro-economy) within the past decade. There were increasing pressures on the state actors and private sector for maintaining the stable investment environment, observing human rights due diligence, and improving business conducts, as the country linked up to the wider international market. These requirements combined as a force for making a shift in the business conduct paradigm of the state and private sector actors.

#### **Mining sector**

This shift was most noticeable in the extractive industry when in 2018 a tripartite mechanism was established at the national and sub-national levels as called for by the Extractive Industries Transparency Initiative (EITI), the global standard to promote the open and accountable management of oil, gas and mineral resources. Myanmar joined EITI in 2014<sup>15</sup>. The establishment of a tripartite mechanism was backed up by MATA and its members in the country - in Tanintharyi *DDA, SY and GN*. The mechanism, Tripartite Group for EITI in Myanmar – or Multi-Stakeholder Group (MSG) - was organized at the national level with seven representatives each from private sector and state actor, and nine representatives from CSOs. At the region level, the Sub-National Coordination Unit (SNU) was organized with five representatives each from private sector, government and CSOs. The mechanism started its functions and dialogues on improving transparency and accountability of the extractive industry and required community-based monitoring systems as a necessary component.

Mining Monitoring Groups (MMGs) were formed as the units for monitoring the mines and their reports of site-inspections were submitted to the Tanintharyi Region SNU – chaired by Southern Youth (SY) at the time of the SRJS-program. According to SY and DDA, SNU gave follow-up to the reports of MMGs with field inspections and raised the issues in the tripartite dialogue. It shows that the two mechanisms (MSG and MMG) have connected with positive potential for the future, although there has been no concrete outcome in the less than three years since MSG's establishment.

It was an important step that state actors recognized and provided seats for CSOs in policy dialogues and consultation processes, although there may be driving forces from various underlying rationale and pressures points. The other improvement was the inclusion of affected communities in the process. This is exemplified by the case of a conflict between communities and an oil-palm company organizing for which an investigation committee was formed. The case is not yet concluded and no one knows what further actions should be taken. However, it can be seen as the step required for democratic processes and for proceeding with dialogues on upcoming challenges for sectoral reforms, rather than only organizing ad-hoc activities.

### **Fisheries sector**

GN contributed to the initiation of a multi-actor dialogue in the fisheries sector. The dialogue involved the District Fishery Department, the District Fishery Industry Association, the Tanintharyi Fishery Alliance and local fisher-folk communities. The dialogue started in 2015 and is still focusing on better regulation of the fishery sector (including legislation), negotiations concerning the conflicts caused by unclear territorial demarcation (onshore, offshore, and subsistence), and promotion of value-added products of fish and water resources. MLN, DDA and GN worked together in helping the Regional Parliament with drafting and debating the Fresh Water Fishery Law. An important improvement in the multi-actor dialogue during the SRJS Programme was the inclusion of fishery workers from local communities.

### **Land**

DDA is facilitating the Tanintharyi Land Forum (TLF) that initiates dialogues on land issues between heterogeneous social actors in the region. It is important as the issues around natural resources, forest, indigenous peoples' rights and conservation are directly related to land, which is a deeply political and principle based issue. While DDA and SY are also participating in the national level movement 'Land in Our Hands' (LIOH)<sup>16</sup> on the peoples' rights to land, TLF provides a space for all organizations and individuals working for land rights in the Tanintharyi region.

### **Forests and Indigenous Peoples**

Social actors were active in dialogues on conserving the forests and indigenous peoples' rights, thereby attracting state actors as well. The recent establishment of an ICCA Working Group in Tanintharyi Region and ICCA NEWS raised the attention of state actors. TRIP NET and SY are contributing actively in the ICCA forums and expect to influence the actions and agenda of state actors in the near future.

### **MM government - KNU**

Another immediate dialogue, facilitated by TRIP NET, was the inter-governmental (KNU and Myanmar Government) meeting of the respective Forest Departments. It holds the expectation of collaboration sparked by the discussions during the last two years. This dialogue, can be seen as an unusual but positive initiative between two government entities, and an alternative dialogue for peace building<sup>17</sup>. (*See Case 2*)

*Fig-20: Fishing communities from Tanintharyi Region – Photo: Zaw Htet*





## 3.4 Sustainable Management and Inclusive<sup>18</sup> Nature Conservation

### 3.4.1 Community Management Systems

Various stories prove that communities are getting empowered and capable of responding to the threats and challenges happening around the village development, livelihoods and human rights. Different communities have established their own rules and regulations on natural resource management and environmental conservation. Indigenous communities have traditional knowledge, skills and their own customary systems for managing and using natural resources (including land, water and forest) in their territory. Also, most of the indigenous communities in Tanintharyi Region are survivors from the prolonged armed conflicts; they have to continue fighting against mega-development projects by the remnants of the authoritative regime and by the emerging industrialized agriculture.

Firstly, re-establishing the community-based rules and regulations on sustainable management and conservation is intended as immediate protection of their land from profit-oriented projects. The second purpose is reducing the immediate negative impacts of business activities on the daily lives of the people. The third purpose is upholding the social cohesion and peacefulness in the village. The overall ambition is that sector-wide reforms, macro-economic development and sustainable management are built on social cohesion and harmony within and among communities. With their specific ambitions and visions, empowered communities assemble themselves as the functioning units in their own societies.

The communities in Kyun-Su Township organized firstly as village based CF groups conserving over 8,600 acres of mangroves. After receiving CF certificates from the government (*for nearly 1,500 acres in total*), they evolved as an association (FUA) linking up the existing CFs and stimulating new CFs. FUA aims to become a resource pool for providing technical assistance to CF areas and seeking out the sustaining options for their conservation efforts. (*See the table 3*).

*Fish resources increased significantly in CF areas of Kyun-Su Township, through 5 years of mangrove conservation. Families from Htein-chaung CF area can catch up to 1.5 viss of prawns daily for their family's consumption – the amount is a 5 times increase compared to the last five years. The families from Tee-Pu CF area said they can catch Blue Swimming Crab in all seasons – compared to last 5 years (2010~2015) when those crabs were only available in the monsoon season (2 months). The CF members also testified that other fishery resources in other villages are increasing as well.*

*Due to patrolling activities in CF areas, the frequency and the number of logs from illegal logging declined dramatically. Table-3 shows the number of logs seized over the years. The blank number doesn't mean there was no attempt of illegal logging, as the patrolling group might have taken action before the act was actually committed. The case in Htein-Chaung (see page-54) can be used as the obvious example of reduction in numbers of logs by illegal logging.*

The communities in *Lenya*, *Manoeyone*, *Tharabween* and *Kyun-Su* Areas are conserving the forest at area-wide scale and received recognition from KNU for almost 24,000 acres of forest (See the table 2). The communities have established a CBO in each area for wider issues concerning their communities – including issues related to oil-palm projects, mining projects, deforestation, environmental conservation and indigenous peoples' rights. These communities support Southern Youth for more effective advocacy work towards broader policy reforms.



**Fig-21: KNU certificate for community forests are transferred to the representative of a village – Photo: SY**

Township and Villages		Acre	Hectare
<b>Pyi Gyi Man Dai township, Manoyone area</b>		<b>10,894</b>	<b>4,412</b>
1	<i>Htin-Mel</i>	2,200	891
2	<i>Manoyone</i>	2,490	1,008
3	<i>Lanpoe-Gan</i>	302	122
4	<i>Kya-Choung</i>	507	205
5	<i>Ywar-Thaya</i>	5,395	2,185
<b>Pyi Gyi Man Dan township, Lenya area</b>		<b>4,892</b>	<b>1,981</b>
6	<i>Ka-Taw</i>	2,789	1,130
7	<i>Kyout-Lone-Gyi</i>	411	166
8	<i>Oo-Yin-Gyi</i>	170	69
9	<i>Htin-Gun-Kyun</i>	543	220
10	<i>Yone-Daw</i>	527	213
11	<i>Hin-Line</i>	452	183
<b>Kyun Su Township</b>		<b>7,900</b>	<b>3,200</b>
12	<i>Anine</i>	4,000	1,620
13	<i>Sin Gu</i>	100	41
14	<i>Anine**</i>	1,000	405
15	<i>Singu**</i>	2,000	810
16	<i>Noung-Mya-Nge**</i>	200	81
17	<i>Noung-Mya-Nge</i>	600	243
<b>Tanintharyi Township, Tharabween Area</b>		<b>200</b>	<b>81</b>
18	<i>Shwe-Choung</i>	200	81
<b>TOTAL</b>		<b>23,886</b>	<b>9,674</b>

**Table-2: Overview of Community Forests from Lenya, Manoeyoe, Tharabwin and Kyun-su, Facilitated by SY**

**Table-3: Overview of Community Forests from Kyun-Su Township, Facilitated by GN**

<b>Name of CF (Village):</b>	<b><i>Kattalu</i></b>	<b><i>Htein-chaung</i></b>	<b><i>Leik-kyal</i></b>	<b><i>Tee-pu</i></b>	<b><i>Kabin-chaung</i></b>
<b>Village Tract:</b>	<i>Kattalu</i>	<i>Kattalu</i>	<i>Kattalu</i>	<i>Kam-gyi</i>	<i>Kam-gyi</i>
<b>Township:</b>	<i>Kyun-Su</i>	<i>Kyun-Su</i>	<i>Kyun-Su</i>	<i>Kyun-Su</i>	<i>Kyun-Su</i>
<b>CF Established in:</b>	Aug 2015	Aug 2015	Aug 2015	Aug 2015	Aug 2015
<b>Conserved Area (ac):</b>	<b>2,273</b>	<b>1,280</b>	<b>1,935</b>	<b>1,608</b>	<b>1,526</b>
<b>Gov. Certified Area (ac):</b>	<b>500</b>	<b>250</b>	<b>240</b>	<b>233</b>	<b>246</b>
<b>CF Certified on:</b>	12 Dec 2016	12 Dec 2016	12 Dec 2016	12 Dec 2016	12 Dec 2016
<b>CF Certificate issued on:</b>	10 Mar 2017	10 Mar 2017	10 Mar 2017	10 Mar 2017	10 Mar 2017
<b>Nursery Area (ac):</b>	50	50	50	50	50
<b>Nursery for filling up (ac):</b>	10	10	10	10	10
<b>Members (M, F):</b>	<b>40 (25M, 15F)</b>	<b>49 (37M, 12F)</b>	<b>38 (26M, 12F)</b>	<b>86 (65M, 21F)</b>	<b>42 (26M, 16F)</b>
<b>Type of forest:</b>	Woodland	Mangroves	Mangroves	Mangroves	Mangroves
<b>Any forest specification of Gov.:</b>	<i>Katan PF</i>	<i>Katan PF</i>	<i>Katan PF</i>	<i>Katan PF</i>	<i>Katan PF</i>
<b># of logs seized by patrolling:</b>					
<i>Year-2017</i>	-	400	-	-	50
<i>Year-2018</i>	-	210	-	-	20
<i>Year-2019</i>	-	140	-	-	-
<i>Year-2020</i>	-	76	200	-	-
<b>Remark:</b>	<i>Easy routes for patrolling</i>	<i>Difficult routes for patrolling</i>	<i>Easy routes for patrolling, No illegal logging found out except in Nov 2020</i>	<i>Easy routes for patrolling</i>	<i>Easy routes for patrolling</i>

### 3.4.2 Inclusive nature conservation and Additional Protection

The communities have established CBOs to conserve their forests and nature with their own rules and regulations. At the same time, they have to advocate, with the support of SRJS partners, for recognition from the state actors for their management institutes. CF areas in *Kyun-Su* Township (facilitated by GN) approached the government departments for increased protection of their conserved areas. They applied at the Forest Department for CF certificates and have been piloting livelihoods activities for which they will seek additional protection from other departments. The crab farm pilot in *Htein-Chaung* CF area has shown some potentials after its establishment in 2020 (*See Case 9*).

The communities in *Lenya*, *Manoeyoe*, *Tharabween* and *Kyun-Su* areas (facilitated by SY) have approached the KNU Forest Department for protection of their conserved areas. The area-based grassroots organizations are working together with SY for effective and consolidated advocacy and are responding to the development challenges and threats faced by their villages. During 2017~2020, the communities demanded recognition for inclusive bottom-up community conservation. The communities succeeded in two significant cases to halt top-down conservation approaches by the Government and by International Conservation NGOs – the Proposed *Lenya* National Park and the R2R Project (*See the cases 4 and 5*).

The *Kamoethway* community (facilitated by TN) approached both the Myanmar Government and the KNU for the sustainability of the ICCA community (*See the case 3*).

[illegible]

**Fig-22: CF Certificate of Kattalu – issued by the Forest Department**



### 3.4.3 Dealing with the Drivers of Deforestation

Monoculture plantations and export driven industries are becoming the main drivers of deforestation in Myanmar as the effects of neoliberalism at the global scale since the '80s. The actual deforestation related to those monoculture plantations in country started and intense after 1990s together with the vast political interest of the military government – rather than the economic interest of the country. Inconsiderate logging happened since then and continued under land use permits for industrial agriculture projects during democratic transitioning period (2010~2020).

Rubber, oil palm, corn, and tissue-cultured banana are the prominent monoculture plantations currently in Myanmar. Amongst these plantations, Oil palm related deforestation and social conflicts were the most concerns for Tanintharyi Region during SRJS programme interventions.

Annual deforestation rates in Tanintharyi are high especially related to oil palm concessions. Largescale rubber & oil palm plantation (>50 acre scales) contributes the forest loss in *Myeik* (43%) and *Kawthaung* (76%) districts (2000~2014); where the plantation areas are overlapping with 70 villages and the concession area affects 557 villages in total<sup>19</sup>. According to the official data from 2015 (See Table-4, Page-39), the actual oil palm plantation happened only in 35% of the almost one million acres of land granted to 44 companies in Tanintharyi. However, these companies had already benefited from logging and clearing out the rain forests (See the cases 7 & 8). It is however untraceable how much profits these companies have reaped through the loggings and contributed to the country's economy.

On the other hand, the oil palm concession and related land grants were made without any consideration to the actual land use systems and practices on the ground – overlapping with the village

territories and even with the State's conservation projects such as the national park in *Lenya*. It undermines and resulting the conflicts with indigenous communities; in addition to the problem of deforestation.

The common problem is cutting off the communities' access to their livelihoods & forest resources (including orchards & shifting cultivations). There was a case of blocking the community's access to the main road (in *Case 1*) without any reason. The second problem is the attempts to evict the villages and destroying the community's orchards & farms. This is also the stage where the communities got aware on the situation. MSPP tried to offer a few amounts of compensation for the loss of communities in this stage (*Case 8*). The conflicts between the company and village communities tend to increase this time and both sides usually tried to overcome by all means. Affected communities have to reach out to different concern persons and allies, while the companies use the legal tools and judiciary means.

There were two cases of suing the villagers by oil palm companies within SRJS active areas (*Case 1* & 6). In the *Case 1*, 37 farmers were sued (separately & yearly) since 2012. 25 farmers among them were fined by the court and 12 farmers are still facing trials at the end of 2020. The government formed tripartite investigation committee to handle this situation in 2019 and the case is still ongoing. The second case is of *Yuzana* Oil Palm Company suing 23 farmers from *Chaung Mon Ngar* Village (*Case 6*). There was even an attempt of the government to relocate the village in 2019, however, the villagers won the case in 2020.

It is exceptional that the farmers win against the company (as in *Case 6*) in the court sessions as it demands and decides mostly on

the official documents – such as the land use permits for the cases of oil palm related conflicts. It also means that once the court accepts the case, the company has already reached in the upper hand. As in the *Case 1*, the farmers were fined by the court decisions in addition to the loss of their land, livelihoods & related live making resources.

On the other side, the companies' tricks and unlawful activities – such as expanding or changing the project location towards the village territories (more to the main roads) and blending with the communities' orchards for misreporting on the project accomplishments (showing more plants) – are not easily observable for the communities and not properly monitored by the authorities.

However, the unity of the communities together with the persistent contributions and collaborations of the CSOs have yielded the initial quakes towards the oil palm sectorwide reviews. The further actions of the government especially the announcements on the proposed amount of land to be revoked from the unaccomplished project areas (*Table-5, Page-53*) and organizing the investigation committee are the good steps and have the potentials for further advocacy towards policy reforms.



**Fig-23: Piles of logs seen at log-station of MAC oil-palm company  
(Upper) – Photo: SY;**

**Fig-24: A huge log with marks seen during inspection visit of the  
Forest Department at the State-run log-station in 2019 (Lower) –  
Photo: GN;**

**Table-4: Oil-palm plantation area from Tanintharyi Region (2015)**

	Name of Companies <sup>i</sup>	Allocated acre	Planted acre	% Planted	Forest Clearance (ac) <sup>ii</sup>	Remark <sup>iii</sup>
	Dawei District	17,777	17,001	96%		
	... 5 companies in total	17,777	17,001	96%		
	Myeik District	233,695	46,260	20%		
	Shwe Kamboza	39,314	8,705	22%	(unknown)	Cut the access to main road; 37 farmers have been sued; 12 are still facing trial ( <i>Case 1</i> )
	MSPP	42,200	2,020	5%	~3,000	Damages to orchards & farms; Health impacts to people & livestock ( <i>Case 8</i> )
	... Other 17 companies	152,181	35,535	23%		
	Kawthaung District	741,430	283,296	38%		
	Yuzana	283,094	191,348	68%	(unknown)	23 villagers have been sued; villagers won the case; 1 villager is still facing trial ( <i>Case 6</i> )
	Auto Electric Group <sup>iv</sup>	133,600	1,923	1%	~10,000	A few hundred acres have successful plants; Socio-economic impacts to the village ( <i>Case 7</i> )
	... Other 18 companies	324,736	90,025	28%		
	<b>TOTAL</b>	<b>992,902</b>	<b>346,557</b>	<b>35%</b>		

**Source:** [Data from DICD, 2015] Adapted from the annex-2 of “Myanmar Oil Palm Plantations: A productivity & sustainability review”<sup>20</sup>

**NOTE:** <sup>i</sup> Only the name of companies from SRJS active areas are mentioned

<sup>ii</sup> Extracted from the cases of this report (Chapter 3.6).

<sup>iii</sup> In addition to the problem of cutting the access to livelihoods & forest resources of the communities (updated as of December 2020)

<sup>iv</sup> Appeared as MAC in this report

**Disclaimer:** This report uses secondary data and the numerical information are described as appeared; thus the accuracy is not guaranteed.

## 3.5 Organizational Capacities of SRJS Partners

Throughout the years of SRJS interventions, the SRJS Partners themselves were strengthened in their organizational capacities and collaboration experiences. Annually, the SRJS partners prepared and analysed the Organizational Capacity Assessment (OCA) and planned for filling the gaps in their operational capacities and in effective advocacy work in and outside the SRJS partnerships. Next to the individual organizations' analyses and plans to increase their own capacity, an agenda with common interests was formulated and joint trainings were organised.

The SRJS partners received a Project Cycle Management (PCM) training and learned how to identify and execute the required actions in the different phases of the program. The hands-on training for basic bookkeeping and Financial Management helped the SRJS partners in preparing budgets, securing the receipts and transactions, and preparing the financial reports. These two trainings were helpful especially for the partner CSOs in *Myeik* who had less organizational and programmatic experiences compared to those from *Dawei*.

Training in Outcome Harvesting (OH) enhanced the SRJS partners' skills to collect, reflect and report on the outcomes of their advocacy activities within a complex political and transitional context. The OH methodology also requires that the partners keep the supportive evidence for the validation of the claimed outcomes – which helps in turn creating portfolios with an overview of experiences with interventions made throughout the years and lessons for further actions.

The workshop on Gender and Natural Resource Management (in collaboration with Point B) raised the gender sensitivity of the

SRJS partners in all of their activities. All the partners have the practice of ensuring affirmative action – to invite at least 30% women participants in every activity. DDA improved its policy to support the participation of woman by providing and paying for baby-sitters for children under 3-years of age.

The two Environmental Law Trainings provided by the Environmental Law Centre (an IUCN Organization) enhanced the SRJS partners' knowledge on international agreements and guidelines, and stimulated initiatives for promoting environmental and natural resource rights. The Inclusive Community Engagement Training provided by *Doh Eain*<sup>21</sup> enhanced the SRJS partners' knowledge on engagement principles; tools to identify the barriers of inclusive engagement and designing and facilitating engagement processes.

*Communities are not homogenous — in working with communities and planning for sustainable use of natural resources and for sustainable livelihoods, all interests should be clear and taken into account. Failing to do so may result in injustice and future conflicts or may even deprive people of their livelihoods.* – Evelien (IUCN NL), 2020<sup>22</sup>

A GIS and drone training given by the Indonesian SRJS-partner Sawit Watch in Bogor, provided Southern Youth and DDA with high-tech tools and knowledge for helping communities with land use mapping and for preparing evidence-based lobby regarding oil-palm concessions.





*Fig-25: A young lady is gazing with fascination to a group work during a capacity building training organized by SY - Photo: Zaw Htet*

### 3.6 Cases



*Fig-26: Press conference hosted by farmers who have been sued by Shwe-kanbawza Oil-palm Company – Photo: SY*



## Case not yet concluded however investigation committee satisfied with the report

Around 1999, the then military regime issued 10 permits for *Shwe Kanbawza* Company concerning 27,682 acres of land for an oil-palm plantation in Tanintharyi Township (along the *Pyidaungsu* Main Road). The company blocked the villagers' access to the main road thus restricting the livelihood activities of the communities. Moreover, the company started suing the villagers with the accusation of illegal land users in 2012<sup>23</sup> and continued suing them in the following years till 2019. In total 37 farmers faced trials and the court fined 25 farmers each with 100,000 MMK (~77 USD). Twelve farmers were still facing trials by the end of 2020. The farmers were pitching their sufferings through a press conference and protests. They cried out the government for how the situation was handled and demanded the release of the land as the company was not actually using the land.

In order to resolve the issue, the regional government formed a tripartite investigation committee involving village leaders, a company representative and government departments (the district level General Administration Department served as Chairperson). In 2019, the investigation committee approached DDA for technical assistance by preparing a report (together with mapping) supportive for solving the problem. This was the second time for the regional government to seek technical assistance for the same case – the first one was in 2018 with One Map Myanmar that resulted in more conflicts and complications of the case.

DDA had already done some mapping with the community concerned in 2016, upon request of an MP at that time. This time, DDA started with proper protocols by first making common agreements among all the concerned actors – such as defining the

meanings of village area, road, orchards, project area and plantation. DDA started actual mapping together with SY, only after the tripartite committee members agreed on the clear definitions and terminologies. The mapping process was completed in October 2019 and the draft report was finalized with six recommendations in January 2020.

The report presented the actual land use situation with historical reflection throughout the case, rather than technical mapping alone. DDA had presented preliminary findings to the different actors - especially those from the investigation committee - before the report was submitted officially in February 2020. The investigation committee was delighted with the report, except the company as it revealed that the company had only established plantations in 4,000 acres within and 1,000 acres outside the permit area of 27,682 acres. The report was also discrediting the company's attempt to re-apply VFV land claiming, trying to amend the land area to 8,692 acres. The company changed its name to "*24 Hour Agro*" and continued suing the farmers. This failed because the company was new.

The case is not yet concluded as it needs further discussion about the investigation and the action of the government. It would be interesting to wait and see the follow up actions, as many farmers have been sued and punished with the accusation of trespassing. The report shows that the company was also trespassing outside the permitted area, which is an offense too. The farmers who are still facing trials hosted a press conference on 19 December 2020 – saying that they are facing threats in addition to the time spent for court sessions.

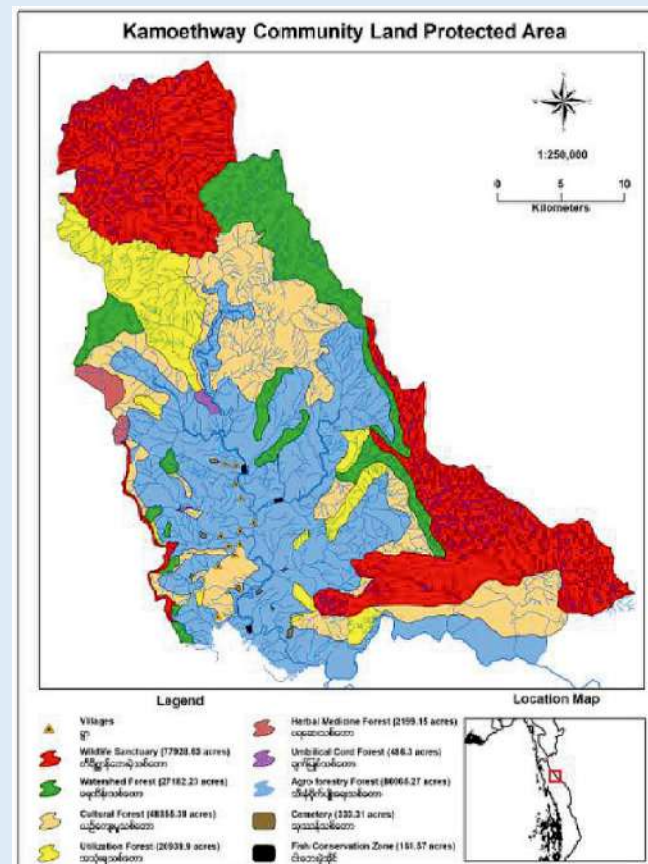


## New Room for Intergovernmental Collaboration

TRIP NET said the actions would be sustained only if both governments collaborate and recognize.

During the SRJS Programme intervention, TRIP NET had crafted the possibilities for collaboration between KNU Forest Department and Myanmar Government's Forest Department; and approached the individual entities by making the simple dialogue, 'How do we understand and conserve the forest?'. It stimulated the willingness to share the knowledge, experiences and visions by removing the barrier of arguments on the problem statements. The first exchange visit happened in August 2019; the Director General of the Forest Department hosted the visit of KNU delegates in the capital Nay Pyi Taw. TRIP NET facilitated the sharing session and the first visit. This resulted in two concrete exchanges between the two forest departments. KNU agreed sending seed samples to the Seed Bank of Forest Resources Institute in Yezin. The MM Forest Department invited the KNU Forest Department to send participants to their trainings.

The second visit happened in the *Kamoethway* area, in November 2019 – with the presence of the MM Director General and the Director of the Forest Department, and representatives from KNU relations office. The second meeting included a one-hour boat trip over the Tanintharyi River. At the end of 2<sup>nd</sup> visit, both agreed having a 3<sup>rd</sup> meeting in *Bago* to advance with possible collaborations. Unfortunately, the 3<sup>rd</sup> visit was postponed due to COVID restrictions. TRIP NET believes the 3<sup>rd</sup> visit would be ready for bringing more discussions for creating steppingstones towards collaborative initiatives. Despite the challenges ahead, TRIP NET continues visioning on the establishment of a sustainable conservation area through good governance – such as a 'Peace Forest'.



**Fig-27: Map showing Kamoethway Community Protected Area**

## **Kamoethway: A Concrete Example of the Community Conserved Area in Dual Administration Zone**

*Main Facilitator: TRIP NET*

Starting from 2018, *Kamoethway* got in the centre of attention for government actors discussing forest conservation, indigenous communities and inter-governmental collaboration. *Kamoethway* in northern Tanintharyi was selected as one of three pilot areas (among Bago, Mon and Tanintharyi Regions) for creating case studies as examples for the government's forest policy reform. The pilot tied in with the joint project called "*Strengthening of Forestland Community Tenure through Policy, Pilots and Law: A Multi-stakeholder approach to change*" that was implemented by TRIP NET, the Land Core Group (LCG) and MONREC (Ministry of Natural Resource and Environmental Conservation) with the support of Mekong Region Land Governance (MRLG). TRIP NET gained the confidence of government bodies concerned with forest conservation and indigenous communities. Consequently, TN took that opportunity for building up further coherent collaboration between the government of Myanmar and the KNU by arranging joint field visits to the *Kamoethway* area in 2019. The visit was part of TN's efforts to improve legitimacy of community conserved areas and to create *room for intergovernmental collaboration*.

*Kamoethway area is under dual administration - the Myanmar Government and KNU. In 2014, the communities established the Kamoethway ICCA, covering 221,991.96 acres (~90,000 ha) and together with Banchaung and Salween Peace Park constituting almost 1% of land cover in Myanmar. The Karen people have likely lived in the hills of Tanintharyi for over 1,000 years. The Kamoethway area comprises 12 villages which were settled in the area more than 150 years ago. The people's organisation 'Rays of Kamoethway Indigenous People and Nature' (RKIPN) was established with technical support from TRIP NET for management and conservation activities. RKIPN is managed by 94 elected representatives from 12 villages. The Kamoethway community is asserting its rights as indigenous peoples to control their own natural resources and development according to customary practices and values. The Kamoethway model clearly signals that it is possible to conserve forests while respecting the rights of local communities, and supporting their efforts to manage and protect their lands and resources.*

**- (TRIP NET and RKIPN, 2016)<sup>24</sup>**

*The Kamoethway Forest conservation zones include Wildlife Sanctuary, Watershed Forest, Herbal Medicine Forest, Cultural Forest, Umbilical Cord Forest, Agroforestry Area, Fish Conservation Zone, and Cemetery. Each conservation zone has detailed rules and regulations decided upon by consensus among the community. The rules are based on traditional knowledge and historical practice, and include prohibitions on hunting endangered wildlife or cutting trees along the watershed. At the same time, they allow for villagers to continue their agricultural and cultural practices, foraging for vegetables and collecting Non Timber Forest Products NTFPs in order to survive. In this way, Kamoethway ICCA is a bio-cultural landscape, a complex mosaic of nature conservation and human use. The Kamoethway ICCA represents a concrete alternative to top-down protected areas, where indigenous land rights are secured, the forest is successfully protected, and local people control their own natural resources.*

**- ('Our Forest Our Life' of CAT, 2018)<sup>25</sup>**

## Proposed National Park in Lenya was suspended as the People Demanded ICCA Approach

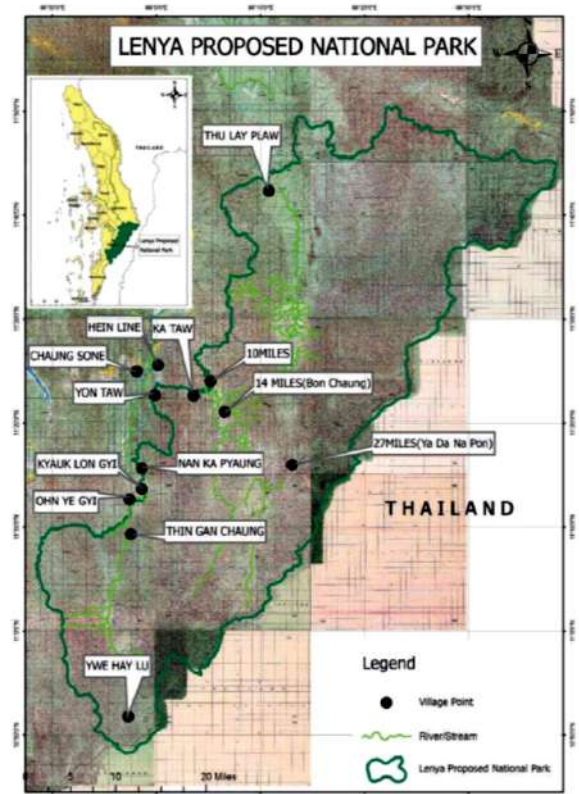
The *Lenya* National Park was planned in 2002 and in 2004 it was proposed to extend the area to more than 700,000 acres (~284,000 hectares). According to a research by the Conservation Alliance of Tanawtharyi (CAT) in 2018, the proposed area would directly affect nearly 2,500 peoples from 13 villages and would block the access to forest livelihood resources for 25 villages. Most of the communities in the proposed national park are *Karen* communities who have lived there for many generations since 200 years ago.

The communities living in the proposed NP noticed the plans for a park only when big international conservation organizations started mapping and collecting data in the area in 2017. In 2018, CAT conducted a research and released a report called *"Our Forest Our Lives"*<sup>26</sup>. The report describes how a top-down and centralized approach to conservation dismisses the role of, and poses a threat to, indigenous communities. The report demands to halt the proposed NP and to recognize Indigenous and Community Conserved Areas.

*"Despite the vital importance of biodiversity protection in Tanintharyi, Protected Areas in the region have failed to respect the rights of indigenous people and threaten to cut communities off from their lands, resources and livelihoods. This has serious implications both for the rights of indigenous communities and for achieving lasting and sustainable peace."*

*In order to protect the rights of local communities and the prospects for future peace, these protected area proposals must be halted until a comprehensive peace deal is signed, laws and policies respect customary tenure rights, and the right of return to IDPs and refugees have been guaranteed."*

The project was suspended after the launch of the report together with a press conference. There was no official letter issued on halting the project, however, an official from the Government Forest Department made a verbal announcement to a meeting in May 2019, mentioning that the proposed national park would be reduced to 300,000 acres of reserve forest. This is one of the greatest success of indigenous communities and collaborative efforts of civil society organizations.



**Fig-28: Map showing location of Lenya Proposed National Park**

*The proposed area for Lenya National Park and a large portion of R2R project overlap with the area where SY is active. Ground actions to successfully halt the projects were organised and supported by SY together with other CAT members.*





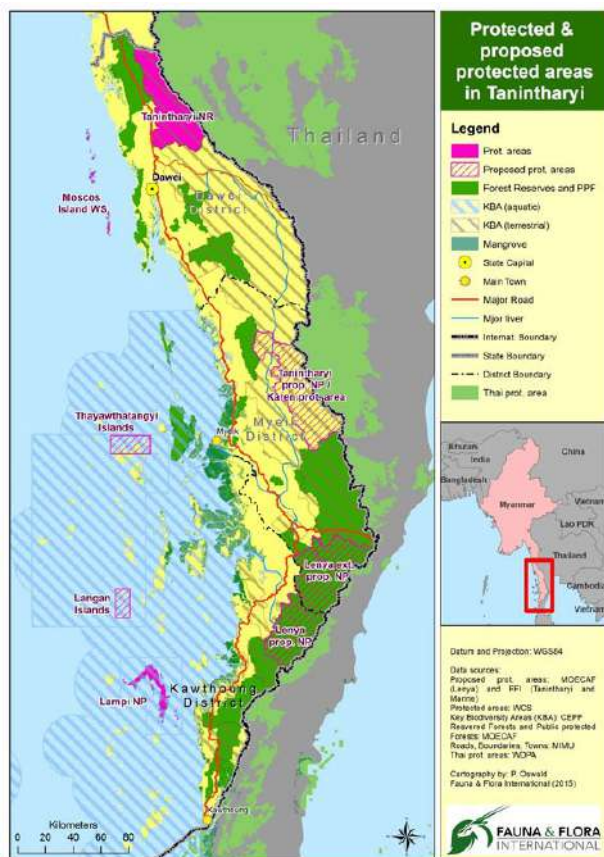
**Fig-29: CBO members are doing detail research to respond to top-down conservation projects – Photo: SY**



*Fig-30: One of the indigenous villages that is potentially affected by the top-down conservation projects – Photo: Zaw Htet*







**Fig-31: Map showing Protected and Proposed Protected Areas in Tanintharyi – Map produced by FFI**

## R2R Project was suspended for Investigation after Receiving the Complaints from Indigenous Communities

R2R is the abbreviation for the “Ridge to Reef: Integrated Protected Area Land and Seascape Management in Tanintharyi”<sup>27</sup>. This conservation project with the focus on climate change, environment and energy was planned for 6 years (2017~2023) with a budget of more than 5.2 million USD supported by the Global Environment Facility (GEF). The main implementer is UNDP together with the Tanintharyi Region Government, the Government Departments from MONREC and MOALI, and international conservation NGOs as project partners.

The project targeted 3 million acres of forest and started its inception phase in 2017. The concerns of communities and civil society groups increased as there was no information available even not after the communities reached out to the project implementer. Therefore, CAT composed and submitted a formal complaint letter on behalf of indigenous communities to the project donor – GEF, in May 2018. The complaint highlighted the violation of IP’s rights and the risks posed to the rights of IDPs and Refugees. The complaint also offered an alternative vision of indigenous communities in Tanintharyi Region<sup>28</sup>. The complaint letter included over 600 signatures from indigenous communities.

UNDP, the main implementer of R2R responded to the complaint letter in December 2018 mentioning that the R2R project was suspended for investigating under its Social and Environmental Compliance Unit (SECU)<sup>29</sup>. The field inspection as part of the investigation started in February 2019 and planned for a follow-up in February 2020. Due to COVID prevention measures, the second investigation visit was done through online communication with officials from the KNU. No update information was released publicly.

Throughout the whole process since the complaint letter, Southern Youth together with other members of the CAT coalition continued to raise the peoples’ concerns and to promote the rights of indigenous communities through press releases (in 2018<sup>30</sup> and 2019<sup>31</sup>), a joint statement (2020)<sup>32</sup> and a research report called “*Tanawthari Landscape of Life*”<sup>33</sup> (March 2020)<sup>34</sup>.



## Villagers won the case sued by Yuzana Oil-Palm Company

*Chaung-Mon-Nga* is one of the *Karen* communities who survived the armed conflicts two decades ago. Located in Pyi Gyi Mandai Sub-Township, the village is not part of the area for which the *Yuzana* Company in 2013 got a government permit to establish an oil-palm plantation. However, in recent years the company approached nearby villages with the reason of making nursery plots. In March 2018, the company started suing 23 villagers, accusing them of occupying the land without registration (using Article 27 of the VFVL) and of criminal trespassing (using Section 447 of Myanmar Penal Code). The company accelerated the case<sup>35</sup> soon after the government, in September 2018, had adopted the amendments to the VFVL, which set the deadline for punishing occupants without land registration. On 11 September 2019, the government issued an eviction letter, ordering the relocation of the village<sup>36</sup>.

The community appeared in the media after a media trip facilitated by Southern Youth (SY), and it built its unity by collecting data and evidences needed for dealing with their problems. With the support of SY they prepared the village profile, and with the support of MLN their legal awareness was improved. The court proceedings were continued at the same time of building the village's capacities and MLN was providing legal aid and mobilized the partner lawyer network. The villagers won the case thanks to their unity, the actions of the CBO (*Khaing-Myal-Thitsar*) and the support of partner CSOs. The case was concluded by early 2020, except for the villager who needs to defend the criminal charge (Section 447 of the Penal Code) as of postponed hearings in COVID period.

**Fig-32: The over-view of Chaung-Mon-Ngar Village – Photo: MLN**





## Unmasking Oil-Palm Plantation

Since 2011, the Myanmar Auto Corporation (MAC)<sup>37</sup> has logged and cleared nearly 10,000 acres in the *Manoeyone* forest area<sup>38</sup>, with permission from the Myanmar Investment Commission (MIC)<sup>39</sup> to establish an oil-palm plantation<sup>40</sup> on 133,000 acres. The oil-palm plantation actually established covered less than 4,000 acres and only a few-hundred acres had successful plants at the end of 2016. The concession area includes paddy fields, home gardens and the shifting cultivation area of communities in the *Manoeyone* area and the community noticed it only when their land was bulldozed by the company in mid-2017. The company banned and threatened the villagers who tried to farm or accessing forest resources. The land, the livelihoods and the rights of indigenous communities were taken away even without any notifications. In addition to mass deforestation and damaging the wildlife, the concession affected the social-economy of the village communities – such as loss of livelihood resources and people forced to migrate to other areas for job opportunities and increasing costs for casual labour.

The village communities received big support from Southern Youth Development Organization (SY) for improving knowledge, skills and tools on fighting the concession, demanding FPIC practices and engaging with different actors. The other partner CSOs including MLN, GN, DDA and TRIP NET also collaborated on this issue. In March 2018, a research report called “*Behind Oil-Palm*”<sup>41</sup> was launched by SY together with ALARM, MLN, GN, Candle Light Group and the Future Light CBO (*Anargat-ahlin*). The report revealed the actual intention of the MAC Company, the plantation situation, and the suffering of village communities. According to the report, the initial response from the government was to relocate the villages and to encourage the company to take judicial action against ‘trespassers’, rather than taking action on the disputed project. In April 2018, three villagers from the village community started resuming farm works in their shifting cultivation areas, saying that it is their right.

In August 2018, MIC published a list of proposed reductions in the oil-palm areas of four companies (*Table-5, Page 53*). MIC said they would start field inspections and asked the region government about its opinion on revoking unsuccessful oil-palm permits. The proposed area for which oil-palm permits of four companies should be revoked amounted to more than half of MIC’s original permit (164,863 acres in total)<sup>42</sup> – including 68% of MAC’s concession area<sup>43</sup>. Although the actual action or exact size of revoked concession permits is untraceable, this case is another achievement in regulating the oil-palm sector.

**Fig-33: Bird's-eye View of Oil Palm Plantation in Tanintharyi – Photo: Taylor Weidman | Global Oneness Project**  
[Retrieved from: <https://www.globalonenessproject.org/library/photo-essays/palm-oil-myanmar#photo=1>]

## Breaking-through a never-ending fight

In May 2017, the Director of the Tanintharyi Region Environmental Conservation Department (ECD) visited the *Bawsa-Ngwe* community and recorded the loss and damages caused by the operations of the MSPP oil-palm company. In the two days after the visit, there was a negotiation meeting with members of parliament (MPs), representatives from the company and affected villagers. The local CBO – *Khaing-myal-thitsar (KMTS)* hosted the meeting and demanded compensation for the loss of farms, and restitution of their lands. The visit of the ECD Director was actually the second visit of an official doing field inspection after the report “*Green Desert*”<sup>44</sup> was published in December 2016. The first visit was by the Myanmar Human Rights Commission, who had met with 42 affected villagers in early 2017.

### Beginning Episode

In 2011, MSPP<sup>45</sup> received a permit from the Myanmar Investment Commission (MIC) for an oil-palm plantation of 38,000 acres in the *Tharabween* area. Since then, the company started logging and clearing forest; 2,500 acres of forest by 2013 and 3,000 acres by 2015. In late 2014, the company started restricting the community’s access to the forest and livelihoods resources. In December 2015, the company offered a compensation of 1,000,000 MMK (~770 USD) for 1,000 acres of community land saying that this was a final offer and subsequently accelerated its logging activities.

The village communities were suffering a lot while the company was making money from massive deforestation. Twelve villages – *Swe Chaung, Baw Sa Nawy, Lake Mae, Kyauk Seint, Ka Wae, Thein Pyin, Kyauk Taung, Pyin Ka Doe, Ta lan Tak, Pain Chaung, Thar Ya Gone, and Tharabwe* – suffered from loss of access to livelihood resources and forest, contamination of the river and water resources and related dead livestock. The village communities and

*KMTS* had tried all possible options for ending their ordeal. They had reached to the KNU, the central government including different departments and ministries, to the lawyers, to the JMC (Joint Monitoring Committee<sup>46</sup>) and directly to MSPP – by sending letters and personal meetings.

They also had their allies – *Tarkapaw, Candle Light, Tanintharyi Friends*, other *Karen* organizations in the region and all SRJS Myanmar Partners. Southern Youth was one of the closest allies supporting the resilience of the communities in this area. The communities received knowledge and information on the relevant laws, FPIC, human and land rights, and hands-on technical skills for data collection, mapping and documentation from partner CSOs – and were able to make a better blow. The community and CBO documented proper village profiles and territorial boundaries, and recorded their losses and damages. The community’s clear and strong evidences worked effectively. The KNU (*Mergui-Tavoy District*)<sup>47</sup> requested the Myanmar government for a reinvestigation, stimulated and supported a visit by JMC to the area and sent the complaint letters directly to the President and the State Counsellor. The company suspended its expansion and logging activities by mid-2016.

### Strategic Move

Although the logging expansion activities were suspended, the communities still suffered from the impact of the oil-palm plantation. The communities advanced another step for claiming back their land and compensation for the loss and damages. They had enough information in hand for pitching their sufferings and published a **report** together with partner CSOs. The report described the impact of oil-palm on indigenous communities, forests and natural resources, and the associated conflicts and social problems. The report also highlighted the flaws in the



regulatory framework regarding oil-palm land permits and the disregard of responsible persons for voices and complaints from the communities. The latter fact pushed the government officials to visit the village. The subsequent tripartite negotiation concluded with the agreement that the company was to pay a compensation of 36,573,000,000 MMK (~28,000 USD) in total for 227 acres of land<sup>48</sup>.

The community continued engaging with different actors in order to halt the impact of the oil-palm operation on their forests, livelihoods, livestock and their health<sup>49</sup>. The community continued exposing more facts on the company's failures and violations of rules and pushed the MPs to raise questions in the parliament. The MIC permit demands that 75% of the plantation should be accomplished after 4 years. The company had planted only around 7,000 of the 38,000 acres' concession. The movement of the communities in *Tarabween* was strengthened when they joined forces with the communities in *Manoeyone* (described in the Case 7: "Unmasking Oil-Palm Plantation") and forced the authorities to take actions regarding the oil-palm sector. In the meantime, there

was much uncanny information about actions to be taken against oil-palm companies and the proposed numbers of acres to amend the oil-palm permits. (See the media citation list on oil-palm sector in Annex 3).

After adoption of the amendment to the VFVL in September 2018, the government called for VFV land applications. MSPP reapplied for a land use permit under the amended law for 10,000 acres, which including more than 2,000 acres of land of the village community. The community with the support of partner organizations proved that the company, in 2019, was operating in an area nearly double the size of the official permit. After the agreement on compensation for the grabbed land and after release of the evidence that the company exceeded its concession, the company kept out of the community's proclaimed area in 2020. It appears to be a never-ending fight unless the regulatory framework for largescale concession permits is improved. However, the strength of united communities and the continuous support of civil society organizations resulted in some kind of justice.

**Table-5: The Proposed Decrease of Oil-Palm Concession (August 2018)**

Sr	Name of Company	MIC's Original Permit	MIC's Proposal		Region Government's Proposal	
			Amount (ac)	%	Amount (ac)	%
1	MAC	133,600	91,111	68%	127,009	95%
2	MRPP	50,000	28,696	57%	28,696	57%
3	MSPP	38,000	19,000	50%	28,000	74%
4	Shwe Kanbawza	27,682	26,056	94%	26,056	94%
	<b>TOTAL</b>	<b>249,282</b>	<b>164,863</b>	<b>66%</b>	<b>209,761</b>	<b>84%</b>

**NOTE:** Available information concerned only 4 companies although the government said to take action on 5 companies in the oil-palm sector



## Crab Farming: A Sustaining Option for the Community Forests?

A group of men and women are sorting out the mud crabs to categorize into different classes. They are working together with excitement as this is the first time they are harvesting from the crab farm. They measure each crab in the baskets and put them in different baskets labelled “Class A”, “Class B” and “Class C” according to the size and weight – the best crab they have got reaches up to 6”x3” in size and 4~5 pound in weight (Class A). After a few hours, they finish the categorizing and conclude that the total yield is around 360 *lb* (16 kilogram) to be sold on the market. The undersized crabs are released back to the pond for further growth. This scene took place in November 2020, in the crab farm in the community forest (CF) of *Htein Chaung* Village in *Kyun Su* Township, Tanintharyi Region.

The group chose for crab farming as it needs a relatively small investment and is easy convertible to cash (more liquidity) than other farms such as for fish and shell. The objective of the crab farm is to establish an ideal farming model, generating jobs and income for the village community, and to sustain the CF activities. The crab business could be started with a starting capital of 4,100,000 MMK (~3,100 USD) made up of 82 shares of 50,000 MMK (~38 USD). The profit or dividend will be based on the number of shares. In order to manage and govern the crab farm, the CF community in *Htein Chaung* together with GN established Green Economy Entrepreneurs (GEE) in January 2020. The board of GEE consists of 15 people: Patron, Chairperson, Vice Chairperson, Secretary, Vice Secretary, Treasurer, Accountant, Advisor and 7 members.

The crab farm was established in March 2020, by making a dyke around a brook in the CF area. The farm is fenced off with bamboo

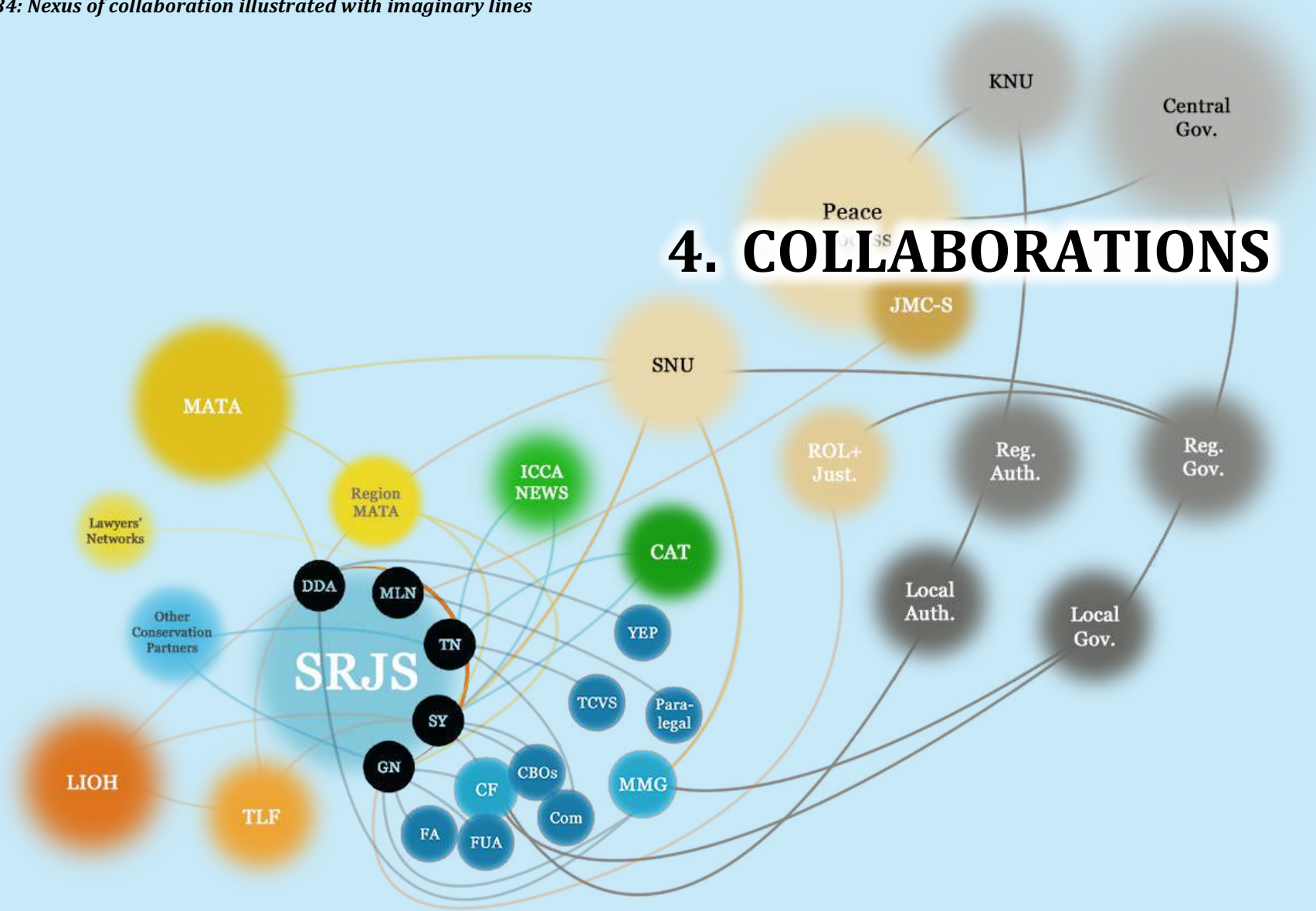
sticks and green nets. The size of the crab farm is 12,082.07 *sq. ft.* (0.12 acre). The area already has some crabs naturally but more crabs were added for breeding, the first time in May - 300 crabs (~13 *kg*) and the second time in July - more than 1,300 crabs (~52 *kg*). The weight of a breeding crab is nearly 2 *lb* and the cost for a kilo of breeding crab is around 3 USD. The breeding crabs are fed with small fishes once per three days.

The farm was ready for harvesting after six months of breeding and the very first harvest time was in November 2020. Despite the delays by movement restrictions under COVID, the group harvested 10 *Viss* (~16 *kg*) of qualified crabs and sold to the wholesale point where they got a good price for the crabs.

The members remain upbeat on their mud crab farming although the first harvest didn’t show any profit after deduction for expenditures. The crab business is not only about the product (mud crab), but also about the share contribution system and the links to the CF activities – which strengthens the ownership sense of the members.

The members will proceed with more batches of crabs as a new model for income generation. Moreover, the crab farming is also supporting their conservation efforts; the creation of additional activities in the conserved area will reduce the need for separate patrolling activities. This model is still young, however with many potentials as a sustaining option for the community forests. The positive impact of conservation efforts in recent years merits follow-up support. Initiatives like crab farming should be encouraged.

Fig-34: Nexus of collaboration illustrated with imaginary lines



## 4.1 Nexus of Collaboration

The nature of working towards political and social change – including influencing policy makers, fighting for human rights, and mobilizing social movements – is complex. Different sets of initiatives are interrelated, there is a variety of collaborations and the interventions ask for a right timing. The right interventions can cause the change sought for, especially when the action is based on the needs of the constituency, is sparked in the wider society and is getting broad public attention.

The outcomes and results of the SRJS programme would not have been possible without collaboration among different CSOs and social actors. A single intervention or a set of activities by a single organization would not come this far. At the same time, many successes and outcomes in the years of the SRJS programme are based on the years of continued interventions by the SRJS partner CSOs and not just the immediate result of one activity or one program.

The collaborations happened within the circle of SRJS partners, within conservation alliances, around lobby and advocacy efforts towards better regulations and policy reforms, regarding sustainable land and natural resources, concerning the promotion of access to legal services, and so on. The collaborations of the SRJS partners could be seen at different levels – the national level (in the platforms of MATA, ICCA NEWS, LIOH, etc.), the Tanintharyi regional level (such as SNU, TLF, MATA and CAT, etc.), and the local level (such as joint activities, campaigns and technical assistances in the field).

### 4.1.1 Consolidated Programme Interventions

The first and foremost collaboration of the SRJS partners was together developing the Theory of Change (TOC) for the SRJS programme. The individual organizations have sets of unique strengths, technical expertise, strategies and geo-contextual experiences. Given the situation, the five Partner CSOs jointly developed a shared TOC for Tanintharyi landscape (SRJS Myanmar Programme) aligned with the SRJS global programme. The shared TOC is a set of different commitments of SRJS partners towards a common vision “*Indigenous communities in the Tanintharyi River Region play a leading role in nature conservation and sustainable development of their communities*” (see Fig. 4, page 6). The joint programme also provided the opportunities to expand the partners’ collaboration both within and outside the circle of SRJS. The SRJS partner CSOs established strong connections amongst themselves by different sets of collaboration and especially at the regional level advocacy (see Page-55, Fig 34: *The Nexus of Collaboration*).

#### Steering Committee

The collaboration and connections were based on their thematic advocacy focuses and therefore the information properly flowed among the partners during various meetings. They had regular meetings for coordinating the implementation of the SRJS programme. The coordination meetings were organized by the Steering Committee made up of one representative per CSO and



the SRJS partners met quarterly (although less frequent in the last year). The partners shared the updated situation and programme interventions, raised the challenges from the ground that need common attention or collaborative response, improved the reports (including OH reports) and arranged for capacity building trainings of the SRJS partners themselves.

### **Annual Reflection and Planning Meeting**

In annual Reflection and Planning meetings, the SRJS Partners reflected on the accomplished programmatic activities and immediate outcomes, and identified and adapted the interventions for the following year. The SRJS programme and TOC were open to adaptations related to the changes in the socio-political environment and the urgent challenges faced by partners and communities.

The annual Reflection and Planning meeting enabled the partners to adapt programmatic activities, identify the activities that needed collaboration with other SRJS partners (joint activities), identify the capacity gaps (*by using OCA*) and consolidated the training needs – to improve organizational capacities.

### **Joint Trainings**

The SRJS partner CSOs had different capacity needs and specific priorities, however, some joint training needs were identified. Some of the identified trainings/workshops couldn't take place - due to busy schedules or other priorities and due to the COVID pandemic in 2020 – such as a Lobby and Advocacy training and a Strategic Environmental Assessment (SEA) workshop together with officials of the Tanintharyi government.

The joint trainings and workshops organised for SRJS-partners:

- ❖ Capacity Needs Baseline (2017)
- ❖ Planning, Monitoring, Evaluation and Learning (PMEL) (2017)
- ❖ Project Cycle Management (2017)
- ❖ Outcome Harvesting (2018) and OH write-shops (2019)
- ❖ Environmental law (2018 / 2019)
- ❖ Gender and Natural Resource Management (2018)
- ❖ Inclusive Community Engagement (2019)

## **4.1.2 Sector Wide Collaborations**

### **Mining**

SRJS partners have collaborated extensively on different issues in the mining sector. DDA, SY and GN worked with the national platform MATA, the main platform for collaboration on mining issues both at national and subnational level. In Tanintharyi, DDA provided facilitation and technical backups, and SY served as the Chairperson in the Subnational Coordination Unit (SNU) which is a tripartite mechanism for better regulations in the extractive industry in Tanintharyi.

DDA was the main facilitator for the formation, formalization and functioning of Mining Monitoring Groups (MMGs). The MMGs are the basic units of the community-based monitoring mechanism in the mining sector. They submit their reports to the multi-actor dialogues for the extractive industry, the SNU.

DDA and SY have supported the MMGs and communities with information and capacity building. SY, GN and MLN have supported the communities in conflict negotiating with the mining company either by direct engagement with the private sector or in tripartite discussions.

## Land

The land issue has a broad agenda. In Tanintharyi, DDA and SY worked with their constituencies in the social movements and joined forces with Land in Our Hands (LIOH) at national level. In 2018-2019, the focus was on the national *'Anti-VFV campaign'*<sup>50</sup> calling to repeal the Vacant, Fallow and Virgin Land Management Law (VFVL) that criminalizes customary communities. DDA facilitated the Tanintharyi Land Forum (TLF) for information sharing and hosting dialogue among activists and organizations working for land reform in the region. TLF is continuing as the regional platform for CSOs including SRJS partners.

Most of the land issues in Tanintharyi are related to giant conservation projects of international organizations and largescale concessions for oil-palm companies. The areas where SY is active have faced both of these issues and other SRJS partners collaborated with SY to support the communities in responding to the challenges. DDA provided technical assistance for mapping the community land use (and for mapping oil-palm plantation areas in some cases). SY worked closely with the communities on documenting and strengthening the capacities. MLN assisted by providing relevant legal knowledge and legal assistance in case where legal proceedings took place. MLN and GN were active in lobby and advocacy, pushing the formal processes in government for taking the necessary actions.

TRIP NET and SY collaborated with the conservation alliances (CAT, ICCA working group and ICCA NEWS). These alliances or platforms are the advocacy mechanisms of CSOs working for forest and nature conservation and indigenous peoples' rights. These collaboration platforms have organised joint community research, published reports and created media attention on the issues of drivers of deforestation, inclusive and community managed conservation, and the rights of indigenous communities.

## 4.1.3 Maintaining the Civic Space

The collaborative approaches and consolidated actions are essential in maintaining the space of civil societies especially in Myanmar where democracy norms and practices are not yet fully realised during the young transition period. The collaboration and the advocacy efforts of SRJS partners also mean safeguarding the civic space and improving the legitimacy of the CSOs.

SRJS partners have used their organization's skills and expertise in promoting with state actors the recognition of CSOs and democratic practices in legislation processes in Tanintharyi Region. Many regional state actors have changed their practices especially regarding inclusion of civil society (and organizations) in negotiation processes and dispute settlement, although the final decisions remain centralized.

Multi-stakeholder dialogues and platforms in Tanintharyi have been initiated and consolidated with major contributions from SRJS partners, together with other CSOs and allies. These dialogues and platforms are used for better regulations and policy reforms in each sector, for pushing responsible persons to take necessary actions for immediate problems, and widening the space to engage with private sector and state actors.

## 4.2 International Exchange and Exposures

Participation in international exchange programs enabled the SRJS partners to widen their network with the international community. It facilitated exchange and learning regarding similar issues in different landscapes. And it gave the opportunity to look for international support for local initiatives and movements. During the SRJS programme, there have been several opportunities for the partner CSOs to connect with, and participated in, events related to their thematic focuses and interventions.

- ❖ TRIP NET participated in the ***International Conference on Communities, Conservation and Livelihoods***<sup>51</sup> organised by the Commission on Environmental, Economic and Social Policy (CEESP of IUCN) and the Community Conservation Research Network (CCRN), in Halifax, Canada, May 2018.
- ❖ TRIP NET participated in a ***Photo Voice training*** organised by SRJS/WWF in Aceh, Indonesia, April 2019.
- ❖ DDA participated in the ***8<sup>th</sup> EITI Global Conference***<sup>52</sup> hosted by the Government of France on 18-19 June 2019 in Paris. The conference gathered more than 1,000 stakeholders from around the globe to take stock of progress and priorities in extractives transparency.
- ❖ SY and DDA received a training on ***the use of drones and satellite images*** organised by Indonesian SRJS partner Sawit Watch, in Bogor, Indonesia, August 2019.

- ❖ SY and DDA participated in IUCN NL's '***Closing event Environmental Defenders Programme***', in Amsterdam, Netherlands, May 2019<sup>53</sup>.
- ❖ A regional exchange event was planned for sharing the experiences and ideas on strategic environmental assessment (SEA) and gender for SRJS partners from Myanmar, Indonesia, Philippines and Cambodia. The plan couldn't be realized due to COVID pandemic restrictions.

***Fig-35: Communities, Conservation and Livelihoods Conference in Halifax, May 2018 - Photo: IUCN-CEESP***







***Fig-36: Closing event 'Environmental Defenders Programme', in Amsterdam, Netherlands, May 2019 – Photo: IUCN NL***



A photograph of a weathered wooden boat, likely a sampan, moored in a narrow waterway surrounded by dense mangrove forest. The boat's interior is packed with numerous long, light-colored logs. The boat's hull is made of dark, aged wood, and its structure appears somewhat dilapidated. The water is calm and reflects the surrounding greenery. The background shows more mangrove trees and a glimpse of a larger body of water in the distance.

## 5. CONSTRAINTS and CHALLENGES

*Fig-37: A boat with logs seized during community patrolling within CF area – Photo: GN*

## 5.1 External Environment

### 5.1.1 Civic Space

Shrinking civic space in the transition period to democracy is affecting the results of lobby and advocacy for social change. Myanmar has initiated its political transition to quasi-civil government in 2010 and the first civil government in decades came to power in 2015<sup>54</sup>. Although the people had high expectations for concrete changes in the political environment, the civic space continues to dwindle. Examples are the penalties for human rights defenders, the ruling party's decision to break off the relationships with CSOs, and the government's efforts to control the CSOs and related international support.

In early 2020, the authorities started legal proceedings against an environmental defender in connection with a traditional prayer ceremony against the impacts from a coal-powered cement factory<sup>55</sup>. Actually, legal proceedings against environmental and human rights defenders continue to be started under both outdated and newly amended oppressive laws<sup>56</sup>. There were many cases of violent crackdown by the police on peaceful protesters and movements even during the period of NLD government.

The government and the parliament are neglecting but using the legal frameworks that are restricting freedom of expression<sup>57</sup> and freedom of association. In the areas where SRJS partners are active, there were no reported cases of life threats or assassinations related to the civil movement, however, there were a few incidents of local authorities demanding the CSOs to show the formal government approval and questioning the registration status of the organization.

Organization registration is voluntary according to the law governing local associations. However, the processes are complicated and tricky – clearly not favourable for human rights defenders and their activities – especially by limiting the definition of ‘association’ or ‘organization’. On the other hand, unregistered organizations have difficulties to survive in the long run, including limited access to fund sources and limited space to maintain staff.

### 5.1.2 Policies and Decision Making Processes

SRJS partners have contributed to successes and outcomes, especially regarding the changes in practices of the regional government. Actual changes in policies, legislation, genuine protection and promotion of civil and human rights, however, were less obvious. The legislation for governing land administration, conserving forests and biodiversity, and protecting customary communities is based on the fragmented and administrative perspective, and is showing no respect or interest for the policies and principles on intrinsic and comprehensive values of forests, nature and ecology as valued by indigenous communities.

Very few bills or proposed amendments were available for public consultations during the political transition period (2010~2020). If consultations happened, it constituted of formal and high-profile discussions in a controlled circle of participants and within a limited period of time. The consultation processes in Tanintharyi



started to improve when the CSOs (SRJS partners) promoted wider public participation and the Regional Parliament and the Regional Government showed some recognition and trust for civil society, as in the case of the Environmental Conservation Department (ECD). Nevertheless, it doesn't simply mean the final outcome is satisfactorily. Some possible underlying reasons include:

- ❖ The decision making powers and procedures in the formal processes are not clear. (*Who decides which inputs will be used to improve the draft?*) The inputs are invited as window dressing and are not meant to change the content nor to present alternatives. Also, there is no predefined or known principle for accepting or rejecting inputs.
- ❖ The billing committees and respective parliamentary committees for making specific laws have the responsibility and mandate for reviewing and checking the draft laws or proposed amendments. The committees review the content only concerning the harmonisation with existing laws and related laws within the same sector and not concerning compliance with the intrinsic values of the people and with international conventions (especially on human rights) to which the Government has to abide by.
- ❖ The power sharing within the government structure (Union and States/Regions) is still limited, especially resource allocation and governance is still centralized. The major decisions such as largescale concessions for oil-palm and permits for the extractive industry (e.g. mining) are taken by the Union Government. The role of the Regional Government in those cases is providing remarks in support of the Union Government's decision.
- ❖ In summarizing the abovementioned points, the decision making powers and processes (including for legislation) are heavily centralized and changes in the policy environment remain challenging under the existing government structure.

### 5.1.3 Legal Framework and Efficacies

The constitutional provisions for land and natural resource ownership and the formal land titling under the existing legal framework are not conducive for forest conservation by community-based rules and practices. For instance, the community forests in *Kyun-Su* Township (facilitated by Green Network), had to arrange for the land administration with at least four different departments (Forest, Timber Enterprise, Agriculture, and General Administration) from three ministries (MONREC, MOALI and Home Affairs). Since each ministry has its own policy and is using specific laws, it is very complicated to find agreement on the rules for community forests.

Moreover, the content and actual implementation of the rules are not adequate. One of the concrete examples concerns again the establishment of community forests. According to the forest rules and the Community Forestry Instruction (2019), the CF groups are allowed to harvest timber in accordance with the community management plan and to do commercial harvesting with the approval of the Forest Department (ODM, 2020)<sup>58</sup>. However, Green Network testified that the CF groups they've met during an exchange visit in *Kachin* State are not allowed to harvest even after 20 years of the creation of CF. In this regards, even the CF communities with formal certificates remain unsure when and how they will benefit from their efforts.

In contrast, the licensing process for and permission for the mining and oil-palm plantation businesses seems to be very relaxed. They have to submit assessments and management plans regarding the social and environmental impact of the business activities. Based on the incidents and conflicts shown in the Chapter 3: '*Outcomes and Success*', it can be concluded that none of the companies operating in Tanintharyi have actually implemented any social and environmental assessment or developed executable plans; if they

have it was without public consultation and without publishing the results.

According to the review report on MMGs, the mining companies sometimes mix up the religious donations and social contributions with their corporate social responsibilities (CSR). It might also be the result of unclear definitions in the laws and rules on CSR and/or on the percentage specified on actual production amount<sup>59</sup>.

The oil-palm companies benefit enormously from massive timber extraction (sometimes ironically in reforestation projects). The plans for an actual oil-palm plantation are just an excuse for claiming, expanding and exploiting the occupied area. One company tried to include plots with only one or two oil-palm plants in their project area during a mapping exercise for dispute resolution between the company and a village community. It shows that the rules or predefined specification for project approval and permission are lacking clarity and in-depth monitoring<sup>60</sup>.

The existing laws - and projects of both the government and international NGOs with top-down approaches - related to forest landscape and biodiversity protection are based on the conservation model that forests and nature are separated from the people and should be driven by external expertise. This results in inefficient implementation. Moreover, it results in violation of the rights of indigenous communities by undermining their genuine conservation efforts, by accusing them as 'criminal trespassers' in the forest, and by breaking down the connection between forests, nature and indigenous communities.

Given the situation of insufficient protection and recognition of indigenous (land) rights in the legal and regulatory framework, customary communities are at risk of losing their ancestral land, being forcibly relocated and made landless. Many legal

instruments have been set up in favour of polarization in land distribution, rather than for increased land tenure security for customary communities and land distribution to landless peoples.

### 5.1.4 Rule of Law and Justice

Existing land-related laws favour industrialized economic promotion rather than cultural and indigenous rights.<sup>61</sup> Large-scale land concessions for oil-palm plantations - and other mega development projects, permits for resource extraction, forest demarcation and biodiversity protection are happening without any consideration or consultation of the actual land use systems and practices of customary communities inhabiting in the project areas.

Regulations on business conduct and the control of companies violating the rules are insufficient and land intensive projects are approved without strict appraisal of social and environmental assessments. In most cases, action against violation of the rules was only taken after persistent complaints and movements of the people, and not following genuine regulatory control under 'rule of law'. All cases in the Chapter 3 of this report, are examples of the absence of the rule of law and justice in the oil-palm and mining sectors.

The rules for redistribution or restitution of land are not clear and processes of returning land to the original owner are ambiguous. The formal processes for releasing land in different situations - unaccomplished projects of a company, exclusion from forest demarcation area by the Forest Department, land released by the military, or land released through the decision of a conflict resolution committee - often result in labelling the land as '*State Land*' with the potential to become another large-scale industrial

concession. Oil-palm companies can reapply for the land that was released after their permits were revoked.

Also in the mining and forest sectors, violations of the rules are investigated only after consistent complaints or intense conflicts. Field inspections by government departments or officials only happened after MMGs supported their reports, although there is no evidence of action taken against a company - apart from negotiations concerning damages to village orchards, and the lack of action to approve the extension of a mining concession. The Forest Department ordered the removal of charcoal burning places after several reports of CF groups on illegal logging.

The stories concerning the 'rule of law' are different and very sensitive in the dual administration areas that are under the authority of both the Myanmar Government and the KNU. In these areas where SY and TRIP NET are active, it is even more challenging to monitor and regulate and to take actions against the conducts of business actors. In the cases of unsustainable logging or right-out forest clearance by oil-palm companies and in the cases of damage to orchards and pollution of the river by mining companies, CSOs and communities have to engage with all the available linkages and departments of both the MM Government and KNU.

Also the land rights of customary communities are complicated in the mixed administration areas because of the rules of two different administrations. In a broader sense, the land titling of KNU recognizes indigenous ownership rights while the Myanmar Government may enable land user rights. The complexity in securing indigenous lands in the mixed administration areas is

even more unsettling when business interests are involved, planning mega development projects like mining projects, oil-palm plantations and hydro-power dams.

### **5.1.5 Adaptation of SRJS Partners**

The situation of shrinking civic space with centralized decision making processes and rigid policies is affecting the motivation of social actors, CSOs and communities that try and follow the formal processes. The bright side is the belief that persistence in changing practices will lead to actual policy changes in the future. There have been some visible changes in the practices of the state actors during the SRJS programme.

The SRJS partners are active in developing multiple strategies to maintain the civic space. They are increasing the collaboration with civil society actors (CSOs with similar advocacy focuses and community groups) and state actors (regional members of parliament and relevant departments). The collaboration can follow different paths - joint activities, establishment and maintenance of platforms and multi-party dialogues, engagement with formal processes in the policy reform and stimulation and initiation of alternatives.



## 5.2 Resources and Internal Capacities

The SRJS partners are operating with limited financial and human resources that determine the geographical coverage, the scope of advocacy efforts, the number of staffs manageable for the long run, and the operational maturity (including the financial management capacity) of the organization itself. The nature of advocacy works asks for flexible employability of staff. From time to time more staff time is needed to tackle additional or immediate activities; prioritizing the activities and the focuses become essential. It is important to wisely balance between grounded advocacy works towards social change and sector reform, the fulfilment of the CSO's vision, and the well-coordinated collaboration for advocacy effectiveness. Failure in maintaining the balance may result in resource exhaustion and affect the survival of a CSO.

### 5.2.1 Resource Constraints

SRJS Partners tackled these balances by investing in building resilience of the communities and increasing the collaborative environment for advocacy effectiveness. However, they faced resource constraints when additional activities coming up during advocacy works were demanded. One significant example was the legal support to the communities in *Chaung-Mon-Ngar* village who had to defend themselves against the *Yuzana* oil-palm company. This case was supported by MLN with the strategic litigation approach in 2019~2020.

Another example is GN's work on the local fisheries sector that included: engagement for better regulations on fish catching, reduction of conflicts concerning different sizes of fishing permits,

conservation, and promotion of value-added fish products. The engagement asked for a multi-actor dialogue with the government, private sector (industrial association) and fishery communities.

Another common constraint amongst SRJS partners is limited human resources. All the SRJS partners have been working hard and focused on their advocacy effectiveness, which required them to engage in different dialogues and circles of coordination at different levels, sometimes even at the national level. It is a challenge for the CSOs to keep track of all advocacy efforts and also maintain the management functions within the organization. It is a test for management efficiency to conduct both program activities and office functions such as leadership abilities, capacity building scheme for the staffs, turnover control and planning of follow-up program to SRJS.

For additional activities and interventions, SRJS partners tried different paths – using funds within the SRJS programme administration and seeking fund sources within their collaboration circles. In the SRJS programme, the partners could adapt and amend their budget spending in accordance with their prioritized activities and the urgency of the issues to be addressed. The SRJS programme also provided additional budget heads such as 'unforeseen budget' and 'opportunity fund', which allowed the partners to pay for unanticipated but related and prioritized activities.

## 5.2.2 Organizational Capacities

Each of the SRJS partners has organized its team as a close and compact group of local young people. The strength of the teams is characterized by (not limited to) working from the heart, committed to the organizational goal and dedicated to community development. In this regard, the organizing pattern resembles more a people centred rather than a system oriented organization. However, the SRJS partners in *Dawei* have more experiences in program implementation thus having the operational advantages with required tools and instruments (including policies) for program and financial management.

It is a great challenge for the partners to recruit personnel who are ready for proper planning, fund raising, management, reporting, and documentation – especially when they have small budgets. The choice for the organizations is to recruit and consequently train the new staff. Additional challenge is therefore managing the staff turnover.

Throughout the SRJS programme, the capacity needs of each partner were assessed and joint trainings were organized for common capacity needs. However, basic skills (such as English language and computer literacy) and specific institutional capacity needs (such as communication, budgeting and reporting) were left to the individual organisations to learn and practice. The need for these skills is covert in nature until the organization needs to communicate effectively on its goals and interventions and to raise its profile. The communication experience between SRJS partners and IUCN-NL shows that the partners have better abilities on pitching their visions, interventions and results in live sessions rather than in written reports.

Reporting and presentation require technical skills to produce clear program narratives and harvested outcomes. Whereas IUCN NL asks for reporting on outcomes, most of the partners have difficulties in presenting the outcomes separated from the outputs of their interventions. The complexity of lobby and advocacy in the current political transition environment of Myanmar makes it hard for the partners to discern progress. The methodology of Outcome Harvesting provide the SRJS partners an approach to reap the programme results based on significant changes in the behaviour of different actors. It also soothes the partners' concerns of attributing an outcome to a single programme where it concerned collaborative efforts. In the OH-methodology they are asked to indicate the contribution rating (0 = the programme did not contribute at all and 5 = the outcome would not have been possible without the support of the programme).

## 5.3 Other Constraints and Challenges

### 5.3.1 Working with Different Actors

Most lobby and advocacy efforts of SRJS partners concern engagement and/or collaboration with several actors like different state actors, other civil society actors, the media, and in some cases private sector actors through multi-stakeholder platforms. It is important for SRJS partners to keep track of the progress concerning changes in policies and practices on the one hand and the status of the relationship with the different actors on the other hand. The common constraint in working with government actors is their availability, time and commitment regarding the issues. Government officials have to follow the higher rank officials and/or the agenda of the central government (or the 'State Figures').

In one example, the decision for a better functioning of the SNU was delayed because of the absence of the General Administration Department (GAD), who has the role of Secretary in the sub-national multi-stakeholder dialogue. In another example, the drafting of the ECD environmental plan was delayed because the schedules of the different actors didn't match.

SRJS partners have built and maintained good relationships with several Regional Government officials and MPs in Tanintharyi. However, the overall shrinking civic space and the ruling party's decision to dissociate from CSOs<sup>62</sup> affect the commitment and willingness to collaborate with civil society organizations, including SRJS partners. This was apparent in DDA's efforts to collect and publicize election commitments of candidates on issues

concerning the environment and natural resources. Only two candidates of the National League for Democracy (NLD) party responded to the interview questions, the rest of them cancelled the appointments.

The main challenge in working with the media is to agree on a timeline and to have the anticipated articles published in the right time. The media actors have set their main topics for publishing. This affects the timing for a specific case related to environment and natural resources issues and community movements. Sometimes, the issue wasn't covered at the right time.

### 5.3.2 COVID Pandemic

In the last year of the SRJS programme, the COVID pandemic affected the programme interventions. The first COVID restrictions were implemented at the end of March, 2020, and the SRJS partner CSOs were forced to postpone or cancel many plans and activities. They adapted their work plans, amended the budgets (allocation to activities that were still allowed), and shifted to using more online tools for communication. IUCN NL extended the programme with four months and offered SRJS partners additional funds for adaptation to the COVID context<sup>63</sup>. For the partners in Tanintharyi, the COVID Context Adaptation fund was managed by DDA.



## 6. CONCLUSIONS and FOLLOW-UPS



*Fig-38: A young man carrying water along the road that is about-to-be-improved outside Dawei – Photo: Zaw Htet*

## 6.1 Conclusions

The indigenous communities in Tanintharyi Region became more empowered, developed well-functioning groups and the leaders received training. Their indigenous knowledge and ancestral practices were polished with the technical inputs and support from the collaborative efforts of the civil society organizations – for better protection of their indigenous rights and promoting their roles in conserving the nature. Empowered communities in the region were also the strengths and elements for advancing advocacy efforts towards wider policy reforms and social change.

Throughout the SRJS programme years, the partner CSOs initiated and/or maintained the multi-stakeholder dialogues and partnerships for continuing collaborative efforts towards wider reforms in oil-palm, mining, forest, nature conservation and development sectors. A lot of successes and outcomes have been harvested (112 OHs), yet many of them need to be consolidated and/or can be replicated in other locations. This means that the end of the SRJS programme does not signal the end of the advocacy efforts of the SRJS partners. Consequently, the results of the SRJS programme will still be expanded. SRJS has been a steppingstone for the partners in Myanmar that contributed to the realization of their visions towards social change, the intensification of their collaboration and the capacity strengthening of the organizations.

Partner CSOs are continuing on the routes toward their visionary journeys. They have been equipped with better tools, skills and experiences. Their upcoming plans include replicating the interventions that worked well, sustaining the outcomes and results harvested until today, and seeking alternatives and adapting the strategies in the constantly changing socio-political

environment and under the new government term (2021~2025). It is a coincidence that the end of the SRJS programme coincides with the end of 5-years term for the Myanmar Government. After the 2020 general elections, the new term of the government for the next 5 years starts in 2021.

The NLD is again the ruling party in the new term both in the Government and in the Parliament. This is the best situation to continue the collaboration and dialogues that have already started.

Nevertheless, it will be challenging to improve the civic space in general and to effectively collaborate with the government departments unless there will be genuine changes in their policies (especially for collaboration with CSOs). Also, the standout state actors (such as government officials and MPs) should be stimulated to become the champions of change in conserving the forests and nature and in promoting indigenous peoples' rights. It is therefore wise to strategize the advocacy efforts for the upcoming government term and to target the next general election.

*The conclusions above related to engagement with the NLD government are outdated by the military coup of 1 February 2021.*

## 6.2 Follow-ups

### 6.2.1 Sustaining the Results

The SRJS partners should **continue investing in the empowerment of communities and young leaders**. There have been promising results and it is an effective path to achieve sustainable changes. The transfer of knowledge to, and facilitation of communities for resilience building should be more action oriented rather than just sharing. The intensive interventions for empowering peoples to become highly capable young leaders are important and should continue.

The **community groups should be well functioning and be self-sustaining** at the same time. So far, the existing community groups are functioning well in the mining sector, community forests and CBOs focusing on wider community development. Many successes and outcomes have proven the strength of these groups in responding to the challenges faced by the communities. At the same time, these groups need to be self-sustaining – especially MMGs, FUAs and CF groups – who need to cover for at least the travel costs for their regular activities. The trainings for the community groups should include strengthening the skills for appropriate income generation activities that can support the sustainability of group functions. However, it should be demand driven from the groups and should not be overburdening the members.

**Stimulating new initiatives for the community groups** is essential for keeping the momentum, motivation and lively status. The group members need inspiration to develop effective and innovative ways to make their collective voices heard regarding development problems and their rights. New initiatives may also

assure wider community's support for these groups and thus increase the group members' confidence in their contributions to the community.

**Involvement of women and young people in the leading roles** of the community groups matters. In the cases where SRJS partners facilitated community groups, the most motivated and bold actions were organised by groups with youth members or young leaders.

The SRJS partners have improved their awareness on gender parity and women leadership in their facilitation and interventions, although there is not yet a specific story of women leadership. The role of women and young people are also important in the decision making process at the organization level of SRJS partners.

### 6.2.2 Advancing Forward

SRJS partners should impose **clear milestones and monitoring mechanisms regarding multi-stakeholder platforms** to measure effectiveness and sustainability. This is essential to keep the social actors (including communities) motivated for the engagement and for stimulating their positive expectations in those mechanisms.

The engagement strategies should **increase people's confidence in the state actors' collaboration with, and accountability to**, the people, especially at the local and regional level. In the past years, the state actors have improved their perspectives and recognized the roles of CSOs. However, the changes in their



practices and collaboration depend more on the influence coming from the central government than from their constituents. It is the virtue of civil societies calibrating the state actors' morale on democratic norms.

The interventions and movements towards social change in the Tanintharyi Region should **link strategically to national and international movements**. It amplifies the voices and stimulates the ripple effects of the advocacy efforts. There are many advantages by linking up with wider movements such as opportunities for collaboration, mobilization of resources, and stronger legitimacy of the organization within the sector it's lobbying for.

The advocacy activities of SRJS partners were less targeted on the donors and international organizations, even though there was an expected outcome set in relation to conservation NGOs. The campaigns on the proposed national park and the ridge-to-reef program happened in response to top-down conservation of the government and the international NGOs. Still, there should be more **proactive advocacy activities targeting international organizations including donors and implementers**.

### 6.2.3 Adaptation to the Changing Environment

The ability to adapt is key to survive in the constantly changing environment. Adaptation is needed in various facets of each organization – internal (organizational) management, external relations and collaborations, strategies for effective lobby and advocacy, and so on.

The start of a new term for the existing government is a good time for the SRJS partners to analyse and prepare their engagement strategies for the next five years. The strategies of each CSO will vary according to the specific organizational vision, thematic focuses and expertise. The strategies should include long-term interventions anticipating and targeting the next general elections.

The democratic transition in Myanmar is still in its initial phase and thus the related cultures are still slowly developing. Moreover, the many grievances and pains from the past authoritative regimes still need to be settled and new economic and development challenges keep developing. These aspects should be considered in the design and implementation of the programmes that are promoting inclusiveness and meaningful participation of the diverse communities. The partner CSOs should be innovative and develop alternative ways towards conservation of forests and nature, promotion of indigenous peoples' rights, and support from multi-actors.

It is crucial for an organization to understand the geo-political context, to have experiences and skills related to the sector targeted for lobby and advocacy, to consolidate interventions, to have sound management, and to have clear directions based on sharp visions.

In addition, effective use of technologies are important assets of organizations in the age of information technology. After liberalization of the telecom sector in the last decade in Myanmar, internet subscription rates and the use of electronic communication channels have risen dramatically. The access to various equipment (such as computers, audio-visual devices, GPS devices, and drones), electronic systems (such as e-banking and e-payment, and e-communications), and database management systems (including geospatial mapping, data collection and analysis, and so on), have improved. However, many CSOs

(including SRJS partners) are utilizing only a small portion of these technological innovations. Future programme design and interventions should consider the effective utilization of new technological devices including secure and effective data management systems and communications channels.

The last but not least part concerns the adaptation for survival of the organization. Although the increasing experiences with lobby and advocacy activities in the Tanintharyi region form an appreciated asset, it is also posing more demands on both the individual personnel (CSO leader and employees) and the team (the whole organisation). The resources - time, money and human resources - are always limited and ask for proper management and planning. Internally, this needs sharp visions, clear directions, prioritized interventions, allocation of tasks, strengthened capacities of the employees/staff and succession planning.

In addition, the constantly changing socio-political context asks from the CSOs to act quickly, to extend its resource pools and to widen its communications. CSOs need to establish effective channels and processes for communicating its vision and interventions. Communication channels need to be developed for both the internal (within the organization) and the external relations (resource mobilization and fund raising). CSOs should be aware and make necessary adaptations and therefore need - at least - sound data maintenance for generating concrete information, framing the information and effective communication.

***Fig-39: A woman is seedling the paddy in the shifting cultivation plot - Photo: SY***





*Fig-40: A mining site from Tanintharyi Region – Photo: DDA*





# ANNEXES



*Fig-41: The field visit of IUCN-NL together with SRJS Myanmar Partners to Htein-Chaung Community during February 2019 – Photo: GN*

## Annex-1: Organizational Profiles of SRJS Partners

### Green Network Mergui Archipelago

Green Network Mergui Archipelago (GN) was established in November 2012 with the objective to do Extractive Industries Transparency Initiatives together with grassroots organizations. The founder and current director is “*U Poem*”. Since June 2012, GN is also member of IFI (International Financial Institutions)<sup>64</sup> Watch Myanmar. The organization addresses several important issues including socio-environmental challenges, indigenous rights, natural resources and sustainable development.

The organization linked up with IUCN-NL to join the SRJS Programme in 2017, together with four other partners in the Tanintharyi Region. The main actions under the SRJS programme include mobilizing and strengthening the community groups for sustainable management and use of the forest resources (including mangroves and swamps), water resources and natural resources. The community groups include Community Forest Groups (CFs), Forest Users’ Association (FUAs), Fisher-folks’ Alliance (FFA), and Mining Monitoring Groups (MMGs). Community forest related activities are mostly supported under the SRJS programme as it is the main thematic focus of the Green Network Mergui Archipelago. CF related activities include preparing and planting the mangrove-nurseries, patrolling the forest and engaging with Members of Parliament.



#### Vision

Socio-environmental development with green economies for sustainable and enriched ecology for human and biodiversity.

#### Mission

- ❖ Raising the awareness, training and mobilizing the communities and community organizations on realizing rights and responsibilities towards green socio-economic development that ensures sustainability of natural resources.
- ❖ Development of sustainable livelihoods for communities in the Merqui Archipelago.
- ❖ Improving socio-economic development of the region by linking up and collaboration with CSOs, NGOs and INGOs for sustainable development and value added products creation.

#### Established Collaborations:

- ❖ SRJS Partners
- ❖ Forest Law Enforcement, Governance & Trade (FLEGT)
- ❖ ALARM
- ❖ MATA
- ❖ Lawyers’ Network
- ❖ Myeik District Fisheries Federation
- ❖ Tanintharyi Fishery Workers Alliance
- ❖ IFI Watch

## Myeik Lawyers Network

Myeik Lawyers Network was established by seven lawyers in 2013 to provide legal aid and services for victims of land grabbing, and for cases related to women and child rights. Myeik Lawyers Network (MLN) started its connection with Myanmar Lawyers Network in 2016 and opened its office in 2017. MLN now has over 30 lawyers as its members in Tanintharyi Region. Myeik Lawyers Network was actively helping the communities whose lands were taken by the oil-palm companies - MSPP, Asia World, MAC and Surisuban.

The main activities of MLN include raising awareness of the communities on the laws related to land, child and women rights, and citizenship rights and responsibilities. The approach includes legal awareness sessions and paralegal trainings which have been provided in 16 batches till 2020. In 2019, a paralegal forum was hosted for the trained paralegals. The forum elected the focal persons and created linkages amongst themselves and MLN for providing legal aid and paralegal services to different communities. MLN also hosts discussions and trainings/workshops with lawyers in Tanintharyi for strengthening their knowledge and capacities, and for analysing the existing legal frameworks. MLN is collaborating with other lawyers' networks including Myanmar Lawyers Network.

### Objectives of MLN

- ❖ To promote rule of law.
- ❖ To strengthen judiciary system.
- ❖ To fulfil human rights through legal frameworks.
- ❖ To protect and promote ethnic and indigenous peoples' rights.
- ❖ To protect the environment through legal frameworks.

### Successes

1. MLN won the case of Chaung Mon Ngar Villagers who were sued by Yuzana Oil-palm company.
2. The villagers got their land back in the case sued by Surisuban Company.
3. In the case of largescale land application by MSPP and Asia World Companies, MLN supported the villagers with advises and advocated to the government.
4. MLN won several cases of victims against the perpetrators of underage rape and violence against women.

### Established Collaborations:

- ❖ Myanmar Environmental Lawyers Network
- ❖ Blessing Law Firm
- ❖ Myanmar Lawyers Network
- ❖ 88 Generation Peace and Open Society
- ❖ Student Union
- ❖ Southerner TV News
- ❖ Land in Our Hands
- ❖ အရပ်ဖက်အဖွဲ့အစည်းများငြိမ်းချမ်းရေးကော်မတီ(တနင်္သာရီတိုင်း)
- ❖ *Tarkapaw*
- ❖ Tanintharyi Friends
- ❖ Candle Light
- ❖ DPLN
- ❖ ALARM
- ❖ Earth Right International
- ❖ Future Light for Child





## Southern Youth Development Organization

*Karen* communities in Tanintharyi have survived the past civil war and faced many threats to practicing their customary rights, along with forced relocations in some areas. Their struggle for indigenous rights are continuing even after political reforms have been initiated in recent years – in the presence of irresponsible businesses and resource exploitation under the different names of development.

To help strengthen the resilience of the communities, to conserve the environment and to promote the cultural and indigenous rights of *Karen* communities, Southern Youth Development Organization was established in June 2014. Southern Youth Development Organization (SY) believes in social justice, democracy and human and environmental rights.

The organization targets to strengthen local young people to initiate and take charge in taking actions for protecting and promoting the rights of indigenous peoples, conserving the nature and environment, and ensuring sustainable development. Since the end of 2016, the organization had a connection with IUCN-NL and joined the SRJS programme for activities related to improving social justice; preventing the violations of indigenous peoples' rights; raising the awareness of communities on human rights and violations; and conservation efforts with remedies to deforestation and land grabbing.



### Vision

Empowered young peoples, working for sustainable development in their communities by mobilizing available resources.

### Mission

- ❖ Protecting the natural environment and empowering people.
- ❖ Creating the space for young people and improving their capabilities to identify and solve the problems in their own communities.
- ❖ Facilitating social development plans contributing to a better society.

### Programmatic Activities

- ❖ Capacity building of young leaders who are taking charge for sustainable development in their communities.
- ❖ Improving transparency and mobilizing unity in the rural communities.
- ❖ Promoting and protecting indigenous peoples' rights and conserving the nature.
- ❖ Access to education for children.
- ❖ Promoting local products.
- ❖ Gender and Women empowerment.
- ❖ Monitoring activities with camera traps and drones.

## Tenasserim River and Indigenous Peoples' Network

TRIP NET is a community-based organization which supports and empowers forest dependent *Karen* indigenous communities across Tanintharyi Region to document and formalize their forest and natural resource management practices in order to claim their rights and influence policy makers. Indigenous communities in Tanintharyi Region face a wide range of threats - a decades-long civil war; extractive industries (tin, coal & gold); mono-crop plantations (oil palm & rubber); 'green-grabbing' of customary land by government and conservation INGO led programs; and a legal framework that does not recognize customary land rights or community-based natural resource management.

Working closely with six partner communities, TRIP NET's impact is achieved through community-based initiatives participatory biodiversity research; mapping and demarcating traditional forest management and land use; establishing community-managed protected areas; promoting low-input high-yield ecological agriculture and creating seed banks. Local-level interventions are combined with national-level advocacy for laws and policies that recognize *Karen* customary tenure rights, and guarantee their participation in all decision-making processes related to the development of their territory.

In 2018, TRIP NET was invited to contribute information on Karen customary forest management to a national-level interdepartmental policy process which will influence the content of a forthcoming Myanmar Land Law. TRIP NET works in a political context that is uncertain and rapidly changing. Southeastern Myanmar, where TRIP NET works, has been the site of armed conflict since the 1940s, but is presently governed by a ceasefire agreement. A key element of Myanmar's currently stalled

peace negotiations were discussions over the establishment of a federal model of governance, including over land and natural resources. In the context of protracted armed conflict and an ongoing political dialogue process where the interests of local people have often been ignored, TRIP NET empowers its partner communities to build their capacities and stand up for their rights, however the political situation develops.

At present, the forests and natural resources in TRIP NET's project area are managed under customary tenure, although customary tenure is not acknowledged in law, policy or practice in Myanmar. Therefore, it is strategically important that local communities formalize and bring attention to their management models and practices in the present formative period when the outcomes of legal reforms and peace negotiations are still undetermined.



## Dawei Development Association

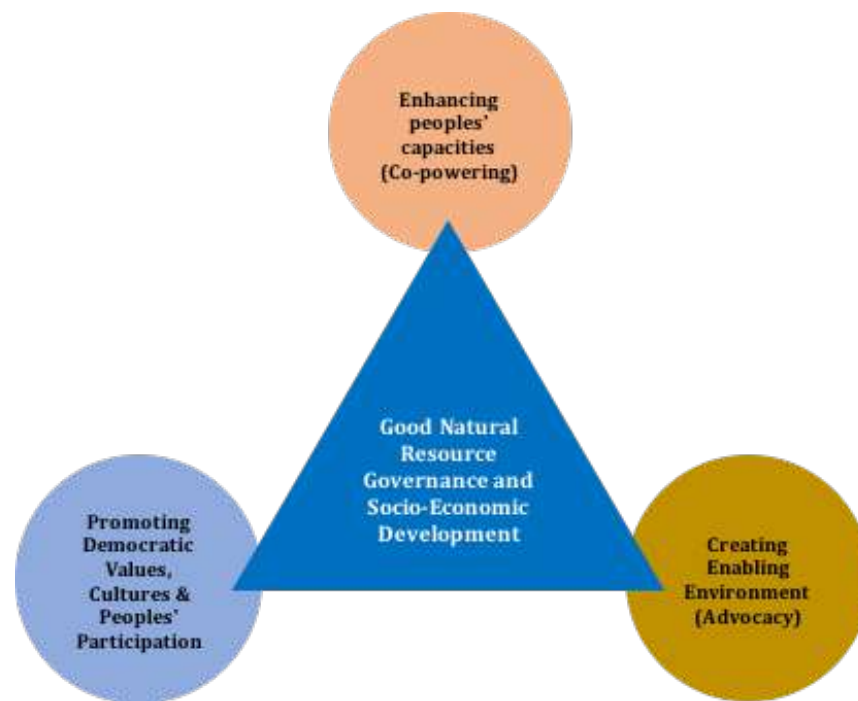
Dawei Development Association (DDA) is a non-profit, civil society organization founded in 2011 and based in Dawei, Tanintharyi Region, Southern part of Myanmar. DDA's activities include mobilization, advocacy & campaigns, research, youth empowerment, land and environment issues, promoting public participation, promoting corporate accountability, natural resource governance through collaboration with local communities, government, parliament, civil society organizations, NGOs and INGOs.

**Vision:** Just and capable society

**Mission:** Co-powering the communities (enhancing peoples' capacities); Promoting democratic values, cultures & peoples' participation; and Creating the enabling environment (Advocacy).

**Goal:** Efficient people participation and enabling environment for good natural resource governance and socio-economic development.

### DDA's Strategy





## Annex-2: Featured Publications

*The publications mentioned hereunder were the deliverables from (either one or more of) DDA, TRIP NET, SY, GN and MLN. This annex aims to highlight the publications contributed to the outcomes and results of SRJS programme however were NOT necessarily mean the support received from SRJS Programme.*

- ❖ **We Will Manage Our Own Natural Resources:** Karen Indigenous People in Kamoethway Demonstrate the Importance of Local Solutions and Community-Driven Conservation. TRIP NET and RKIPN (2016). [https://www.burmapartnership.org/wp-content/uploads/2016/03/Book\\_We-Will-Manage-Our-Own-Natural-Resources.pdf](https://www.burmapartnership.org/wp-content/uploads/2016/03/Book_We-Will-Manage-Our-Own-Natural-Resources.pdf)
- ❖ **Green Desert:** Communities in Tanintharyi renounce the MSPP Oil Palm Concession (2016)  
Tarkapaw, TRIP NET, Southern Youth, Candle Light, Khaing Myae Thitsar, Myeik Lawyer Network and Dawei Development Association. <https://eia-international.org/wp-content/uploads/Green-Desert-FINAL.pdf>
- ❖ **Behind Oil-Palm:** Consequences of International Investment in Oil Palm Plantations  
ALARM, SY, MLN, Future Light, Green Network, Candle Light (2018)  
<https://eia-international.org/wp-content/uploads/Behind-the-Oil-Palm.pdf>
- ❖ **Our Forest, Our Life:** Protected Areas in Tanintharyi Region Must Respect the Rights of Indigenous Peoples  
Conservation Alliance of Tanawthari (CAT) - TRIP NET, CSLD, TKP, CL, SY, KESAN and TN (2018)  
<https://www.iccaconsortium.org/wp-content/uploads/2018/07/Our-Forest-Our-Life-BURMA.pdf>.
- ❖ **Blocking A Bloodline:** Communities along the Tanintharyi River Fear the Impacts of Large-Scale Dams  
Southern Youth (2019). <https://progressivevoicemyanmar.org/2019/08/09/blocking-a-bloodline-communities-along-the-tanintharyi-river-fear-the-impacts-of-large-scale-dams/>
- ❖ **Beyond the River:** Overcoming Challenges with Indigenous Ecological Knowledge  
TRIP NET (2019). <https://progressivevoicemyanmar.org/2019/08/09/beyond-the-river-overcoming-challenges-with-indigenous-ecological-knowledge/>
- ❖ **Tanawthari Landscape of Life:** A Grassroots Alternative to Top-Down Conservation in Tanintharyi Region  
Candle Light, Southern Youth and Tarkapaw Youth Group (on Conservation Alliance of Tanawthariy) (2020)  
<https://www.iccaconsortium.org/wp-content/uploads/2020/05/Tanawthari-Landscape-of-Life-A-grassroots-alternative-to-top-down-conservation-in-Tanintharyi-Region.pdf>

## Annex-3: News and Media Citations

[Chronological order – oldest to newest in each issue] During SRJS Interventions

### The Movement of Indigenous Communities against the Top-down Conservation

- ❖ ICCA Consortium (13 July 2018), *"Burma/Myanmar – Stop the Ridge to Reef project"*, <https://www.iccaconsortium.org/index.php/2018/07/13/stop-the-ridge-to-reef-project-in-burma-myanmar/>
- ❖ Conservation Alliance Tanawthari (CAT) (16 July 2018), *"Global Environment Facility conservation project in Myanmar violates indigenous rights"*, Press Release posted by Progressive Voice, <https://progressivevoicemyanmar.org/wp-content/uploads/2018/07/CAT-GEF-Press-Release-English.pdf>
- ❖ Chris Lang (18 July 2018), *"If the national park comes, how will we survive?" Karen indigenous peoples make formal complaint to the Global Environment Facility about the Ridge to Reef conservation project in Myanmar.* <https://medium.com/conservationwatch/if-the-national-park-comes-how-will-we-survive-e660c46968a>
- ❖ Rina Chandran (6 August 2018), *"Myanmar's indigenous people fight 'fortress' conservation"*. [Reuters] <https://www.reuters.com/article/us-myanmar-landrights-environment-idUSKBN1KR00G>
- ❖ Joshua Carroll (2 Nov 2018), *"Displaced villagers in Myanmar at odds with UK charity over land conservation - Karen people in Tanintharyi region fear project to protect 800,000-acre area will cut them off from ancestral lands"*. [The Guardian] <https://www.theguardian.com/global-development/2018/nov/02/displaced-villagers-myanmar-at-odds-with-uk-charity-over-land-conservation-tanintharyi>
- ❖ Conservation Alliance Tanawthari and Accountability Counsel (24 July 2019), *"UN Watchdog Visits Myanmar to Investigate Conservation Project Jeopardizing Indigenous Peoples Rights"*. Press Release uploaded by KESAN, <https://kesan.asia/for-immediate-release-un-watchdog-visits-myanmar-to-investigate-conservation-project-jeopardizing-indigenous-peoples-rights/>
- ❖ Kyaw Soe Htet (9 August 2019), *"UN team meets locals to discuss issues with Tanintharyi conservation project"*. [Myanmar TIMES] <https://www.mmtimes.com/news/un-team-meets-locals-discuss-issues-tanintharyi-conservation-project.html>
- ❖ Anirudha Nagar (20 August 2019), *"Indigenous Communities in Myanmar Take Action Against Top-Down Conservation - Why the Karen people are fighting against the \$21 million UNDP 'Ridge to Reef' project"*. [The Diplomat] <https://thediplomat.com/2019/08/indigenous-communities-in-myanmar-take-action-against-top-down-conservation/>
- ❖ Conservation Alliance Tanawthari (21 May 2020), *"Tanawthari Landscape of Life"*. [YouTube] [https://www.youtube.com/watch?v=Oz9PsKlTcsA&feature=emb\\_logo](https://www.youtube.com/watch?v=Oz9PsKlTcsA&feature=emb_logo)
- ❖ Conservation Alliance Tanawthari and Accountability Counsel (22 May 2020), *"Karen Indigenous groups launch their conservation vision for Myanmar's Tanintharyi Region, rejecting the harmful 'Ridge to Reef' Project"*. Joint Statement. <https://www.accountabilitycounsel.org/2020/05/karen-indigenous-groups-launch-their-conservation-vision-for-myanmars-tanintharyi-region-rejecting-the-harmful-ridge-to-reef-project/>

- ❖ Chris Lang (22 May 2020), *"Tanawthari Landscape of Life: Indigenous communities in Myanmar propose alternative to top-down conservation"*. [REDD-Monitor]  
<https://redd-monitor.org/2020/05/22/tanawthari-landscape-of-life-indigenous-communities-in-myanmar-propose-alternative-to-top-down-conservation/>
- ❖ Jack Jenkins Hill (22 May 2020), *"Communities in biodiverse Tanintharyi Region are spurning big, top-down projects and seeking recognition for their own approach to conservation"*. [the FRONTIER Myanmar]  
<https://www.frontiermyanmar.net/en/in-tanintharyi-an-indigenous-alternative-to-big-conservation/>
- ❖ Daniel Quinlan (27 May 2020), *"Campaigners in Myanmar's Tanintharyi region oppose \$21m conservation project"*.  
<https://news.mongabay.com/2020/05/campaigners-in-myanmars-tanintharyi-region-oppose-21m-top-down-conservation-project/>
- ❖ Skylar Lindsay (3 June 2020), *"Southern Myanmar's indigenous groups say the UN should scrap \$21 million conservation plan"*.  
<https://www.aseantoday.com/2020/06/southern-myanmars-indigenous-groups-say-the-un-should-scrap-21-million-conservation-plan/>
- ❖ Victoria Milko (19 August 2020), *"Indigenous activists clash with UN over proposed park"*. [AP]  
[https://www.washingtonpost.com/world/asia\\_pacific/indigenous-activists-clash-with-un-over-proposed-park/2020/08/19/3bce73d8-e1d6-11ea-82d8-5e55d47e90ca\\_story.html](https://www.washingtonpost.com/world/asia_pacific/indigenous-activists-clash-with-un-over-proposed-park/2020/08/19/3bce73d8-e1d6-11ea-82d8-5e55d47e90ca_story.html)

## Some Articles covering issues with Oil-Palm in Tanintharyi Region

- ❖ Taylor Weidman (4 January 2017), *"The human cost of palm oil production in Myanmar" - Aggressive expansion of plantations enacted in southern provinces largely ignoring environment and workers' rights*. [Aljazeera].  
<https://www.aljazeera.com/gallery/2017/1/4/the-human-cost-of-palm-oil-production-in-myanmar>
- ❖ Ei Phyu Mon (12 Jan 2017), *"မလေးရှားတွင် အချမ်းသာဆုံးစာရင်းဝင် Samling Strategic အုပ်စုပိုင်ကုမ္ပဏီသည် ဗြိတိသေသ၌ လူ့အခွင့်အရေး ချိုးဖောက်နေကြောင်း အရပ်ဘက်အဖွဲ့များက ထောက်ပြ"*. (CSOs pointed-out that a company under Samling Strategic Group from Malaysia's richest list committing human rights violations.) [7 Day News] <https://7day.news/detail?id=86161>
- ❖ EIA-International (12 January 2017), *"Myanmar communities fight back against palm oil impact"*.  
<https://eia-international.org/news/myanmar-communities-fight-back-palm-oils-impact/>
- ❖ Earthsight (20 January 2017), *"Oil palm plantation in South Myanmar conflict zone wreaks havoc on local communities and forests"*.  
<https://www.earthsight.org.uk/news/idm/oil-plantation-south-myanmar-conflict-zone-wreaks-havoc-local-communities-forest>
- ❖ Sai Ko Ko Tun (5 December 2017), *"တနင်္သာရီတိုင်းရှိ ဆီအုန်းကုမ္ပဏီငါးခု၏ လုပ်ငန်းများရပ်နားထား"*. (Operations of 5 Oil-palm Companies from Tanintharyi Region are suspended) [7Day News] <https://7day.news/detail?id=114834>
- ❖ Htet Shine (21 March 2018), *"မြေဧကသိန်းချီရသော်လည်း ဆီအုန်းအနည်းငယ်သာ စိုက်ပျိုးထားသည့်ကုမ္ပဏီ"* (The company that grew a few oil-palm in hundred-thousand acres of land). [Myanmar Time] <https://myanmar.mmtimes.com/news/108690.html>



- ❖ Tun Tun Min and Pyi Thein (23 March 2018), “တနင်္သာရီတိုင်း ဆီအုန်းစိုက်ပျိုးရေးစီမံကိန်း ငါးခုကို ပြန်လည်သိမ်းရန်စီစဉ်”. (*Plan to revoke 5 Oil-palm projects from Tanintharyi Region*) [7 Day News] <https://7day.news/detail?id=123203>
- ❖ Phyto Phyto Wai (4 April 2018), “ပြန်လည်သိမ်းယူမည့် ဆီအုန်းစိုက်ပျိုးရေး စီမံကိန်း ငါးခုရှိ မြေများကို မြေလွတ်မြေလပ်မြေရိုင်းဥပဒေဖြင့် လျှောက်ပါက ဒေသခံများအား ဦးစားပေးခွင့်ပြုမည်”. (*Priority to local people applying VFV available from revoking 5 oil-palm projects.*) [7 Day News] <https://7day.news/detail?id=124089>
- ❖ Pyi Thein (25 April 2018), “တိုင်းအစိုးရ စစ်ဆေးပြီးမှ ဆီအုန်းစိုက်ပျိုးမြေနေရာများ ပြန်သိမ်းနိုင်မည်ဟု MIC တာဝန်ရှိသူပြော”. (*Revoking oil-palm areas only after the Region Government’s inspection says MIC Official.*) [7 Day News] <https://7day.news/detail?id=125140>
- ❖ Dawei Watch (1 December 2018), “MIC ခွင့်ပြုထားသည့်ဆီအုန်းမြေ တိုင်းအစိုးရ အဆိုပြုသည့် ဧရိယာအတိုင်း ပြန်သိမ်းမည်” (*Revoking oil-palm areas will be as per region government’s proposal*). <http://www.daweiwatch.com/2018/12/01/news/dawei/15212/>
- ❖ Sai Ko Ko Tun (7 December 2018), “တနင်္သာရီဒေသတွင် ဆီအုန်းစိုက်ပျိုးရန် ကုမ္ပဏီငါးခုကို မြေဧကငါးသောင်းခန့်သာ ပြန်လည်ခွင့်ပြုမည်ဟုဆို”. (*5 Oil-palm companies will be re-allowed for around 50,000 acres in total in Tanintharyi Region.*) [7 Day News] <https://7day.news/detail?id=144119>

#### **Community’s struggle against Shwe Kanbawza oil-palm company**

- ❖ Myat Htut (24 October 2017), “တနင်္သာရီမြို့နယ်တွင် တောင်သူများ တရားစွဲဆိုခံရမှု သတင်းစာရှင်းလင်းပွဲ ပြုလုပ်”. (*Farmers from Tanintharyi Township hold press conference on being sued*). [DVB] <http://burmese.dvb.no/archives/235126>
- ❖ RFA (8 July 2018), “ရွှေကမ္ဘာဇာကုမ္ပဏီ လုပ်ငန်းမလုပ်တော့တဲ့ မြေတွေပြန်ပေးဖို့ တောင်းဆို”. (*Demanding to release the land that was not used by Shwe Kanbawza Company*). <https://www.rfa.org/burmese/news/land-problem-in-tanintharyi-07082018070834.html>
- ❖ De Moe Thway (9 July 2018), “Farmers in Tanintharyi Stage Protest Against Shwe Kanbawza Oil-Palm Company”. [the Mizzima] <https://www.burmalink.org/farmers-in-tanintharyi-stage-protest-against-shwe-kanbawza-oil-palm-company/>
- ❖ “တနင်္သာရီမြို့နယ်တွင် ဆီအုန်းကုမ္ပဏီစီမံကိန်းများကြောင့် မြေသိမ်းဆည်းခံထားရသည့် ကျေးရွာခြောက်ရွာမှတောင်သူများ ဆန္ဒထုတ်ဖော်” <https://news-eleven.com/news/67353>
- ❖ De Moe Thway (24 November 2018), “ကုမ္ပဏီဆီအုန်းစီမံကိန်းနှင့် ပတ်သက်၍ တရားစွဲဆိုခံထားရသည့် တောင်သူများက အစိုးရမှ ကြားဝင်ဖြေရှင်းပေးရန် တောင်းဆို”. (*Farmers on trial defending oil-palm company’s accusation request the government to handle the situation*). [the Mizzima] <http://www.mizzimaburmese.com/article/52663>
- ❖ Myeik Online Tv (20 December 2020), “ဆီအုန်း စီမံကိန်းကြောင့် ဒေသခံ တောင်သူများ တရားစွဲဆိုခံနေရခြင်း အပြင် ခြိမ်းခြောက်မှုများလည်း ရှိနေ၍ တောင်သူများ သတင်းစာ ရှင်းလင်းပွဲ ပြုလုပ် (မြိတ်၊ ၁၉ ဒီဇင်ဘာ ၂၀၂၀)” (*Press conference of farmers on facing trial and receiving threatens by oil-palm project*). [On Facebook] <https://www.facebook.com/2216707851889615/posts/3090716251155433/>
- ❖ BETV Business (24 December 2020), “ဆီအုန်းစိုက်ပျိုးရေးစီမံကိန်းများကြောင့် ဒေသခံတောင်သူများ တရားစွဲခံရခြင်း ရင်ဆိုင်နေရ”. (*Farmers are still facing trials proceeded by oil-palm projects*). [Broadcast on BETV YouTube] <https://www.youtube.com/watch?v=Q8HQ7Yz7xeM>

## Some Articles covering LNG project from *Kanbauk* area

- ❖ Ye Htut Win (14 March 2019), “*Gas power project involving Total and Siemens angers fishing communities*”. [the Frontier Myanmar] <https://www.frontiermyanmar.net/en/gas-power-project-involving-total-and-siemens-angers-fishing-communities/>
- ❖ Kyaw Ye Lynn and Thomas Kean (17 June 2019), “*Total, Siemens propose scaled-back LNG project in Tanintharyi*”. [the Frontier Myanmar] <https://www.frontiermyanmar.net/en/total-siemens-propose-scaled-back-lng-project-in-tanintharyi/>
- ❖ Chan Mya Htwe (24 June 2019), “*Negotiations still underway over Kanbauk LNG Project*”. [the Myanmar Times] <https://www.mmtimes.com/news/negotiations-still-underway-over-kanbauk-lng-project.html>

### Articles of Myanmar Energy Monitor (*Only for subscribers*)

- ❖ *Kanbauk* residents request information about LNG project – 10 July 2018  
<https://energy.frontiermyanmar.com/news/communities/kanbauk-residents-request-information-about-lng-project>
- ❖ LNG pipeline survey draws opposition from fishermen - 20 September 2018  
<https://energy.frontiermyanmar.com/news/communities/lng-pipeline-survey-draws-opposition-fishermen>
- ❖ Tanintharyi fishermen claim disruption from *Kanbauk* survey – 19 December 2018  
<https://energy.frontiermyanmar.com/news/communities/tanintharyi-fishermen-claim-disruption-kanbauk-survey>

## ENDNOTES

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- <sup>1</sup> Myanmar Alliance for Transparency and Accountability, (MATA for short) is a national network comprised of over 450 civil society actors and individuals from all of Myanmar's 14 states and regions. MATA supports members to collaboratively examine economic, political and social reform issues and to advocate for transparency and accountability of governance in Myanmar – with a focus on extractive industries. <https://www.mata-nrg.org>
- <sup>2</sup> A short documentary video on TCVS programme is available on:  
<https://www.youtube.com/watch?v=8xOAX7VwG8A&channel=TripNet>
- <sup>3</sup> Point B - Design-Thinking Centre for Community Engagement, <http://www.pointb.is/>
- <sup>4</sup> The Conservation Alliance Tanawtharyi (CAT) is the coalition of 6 Karen community organizations in Tanintharyi, including TRIP NET and Southern Youth Development Organization.
- <sup>5</sup> Indigenous and Community Conserved Area | ICCA from the North, East, West and South
- <sup>6</sup> The ICCA Consortium (17 June 2019), “Myanmar ICCA Working Group Grows Stronger and Plans Further Actions”.  
<https://www.iccaconsortium.org/index.php/2019/06/17/myanmar-icca-working-group-grows-stronger-and-plans-further-actions/>
- <sup>7</sup> In *Kabin-Chaung* the pilot mud-crab farm failed because of the nature of the soil. Also in *Leik-Kyal* the pilot fish farm failed and the pilot clam farms in *Kabin-Chaung* and *Tee-Pu* were not successful.
- <sup>8</sup> *Lenya*, *Manoeyone* and *Tharabween* are territorial areas established by the villages that survived from or were resettled by the civil war and not by the Government's administration structure; meaning that the involved villages (and the number of villages) may differ from the list of the Government.
- <sup>9</sup> Zaw Htet Aung (2019), “သတ္တုလုပ်ကွက်စောင့်ကြည့်ရေးအဖွဲ့များအား ပြန်လည်သုံးသပ်ခြင်း” [Reviewing Mining Monitoring Groups – Tanintharyi Region], Facilitated and Supported by MATA and DDA. [p-30].
- <sup>10</sup> Win Zarni Aung and Ye Htut Win (11 March 2019), “Tanintharyi villagers keep up fight against tin mine”. [the Frontier Myanmar].  
<https://www.frontiermyanmar.net/en/tanintharyi-villagers-keep-up-fight-against-tin-mine/>
- <sup>11</sup> KNU land policy (December 2015) [https://www.tni.org/files/article-downloads/knu\\_land\\_policy\\_eng.pdf](https://www.tni.org/files/article-downloads/knu_land_policy_eng.pdf)
- <sup>12</sup> Kramer, T. (2015). “Ethnic Conflict and Lands Rights in Myanmar”. Social Research, 82(2), 355-374. <http://www.jstor.org/stable/44282108>
- <sup>13</sup> Zaw Htet Aung, “Reviewing Mining Monitoring Groups”. [p-29].
- <sup>14</sup> Many media citations are still needed to be recorded especially from printed media. Some online links were also dead by the time of writing this report.
- <sup>15</sup> The EITI Board has temporarily suspended Myanmar since 18 February 2021. Following a coup d'état on 1 February, the EITI Board concluded that it was not possible to envisage the EITI operating under the current circumstances. <https://eiti.org/myanmar>,  
<https://eiti.org/board-decision/2021-05>
- <sup>16</sup> Land in Our Hands (LIOH) is a multi-ethnic national platform for land rights movements in Myanmar | <https://lioh.org>



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- <sup>17</sup> Karen Peace Support Network argued the existing peace negotiation is at its dead-end and requiring a new political dialogue framework. KPSN (July 2018), “Burma’s Dead-End Peace Negotiation Process: A Case Study of the Land Sector”.  
<https://progressivevoicemyanmar.org/wp-content/uploads/2018/07/Eng-Burmas-Dead-End-Peace-Negotiation-Process-KPSN-report-web.pdf>
- <sup>18</sup> The definition of ICCA Consortium: “Inclusive conservation” from the perspective of custodian indigenous communities - who decide **whether** and **how** to include *others* in their conservation endeavours. Conservation where indigenous peoples and local communities are the key actors governing and managing over their lands, forests and biodiversity, and are able to invite others to collaborate and support them on their terms. **Cited in:** CAT (2020), “*Tanawthari Landscape of Life*”
- <sup>19</sup> John Patrick Baskett (January 2016), “*Myanmar Oil Palm Plantations: A productivity & sustainability review*” – [p-52], Report of Fauna & Flora International (FFI), [http://www.supplychainge.org/fileadmin/reporters/all\\_files/Myanmar-Oil-Palm-Plantations-productivity-and-sustainability-review-en.pdf](http://www.supplychainge.org/fileadmin/reporters/all_files/Myanmar-Oil-Palm-Plantations-productivity-and-sustainability-review-en.pdf)
- <sup>20</sup> *Ibid. Annex-2: Tanintharyi Oil Palm Plantation Area Statement 2015*
- <sup>21</sup> Doh Eain | <https://www.doheain.com/en/about>
- <sup>22</sup> Evelien van den Broek (19 May 2020), “*Inclusive community engagement for environmental justice*”. [IUCN-NL]  
<https://www.iucn.nl/en/updates/inclusive-community-engagement-for-environmental-justice>
- <sup>23</sup> New laws on administering the land were enacted in 2012 – the Farmland Law (FLL) and the Vacant, Fallow and Virgin Land Management Law – both laws push for land registration and penalize those who fail to do so. The FLL 2012 repealed the Law Safeguarding Peasants’ Rights (1963) – that prohibited the arrest and detention of a peasant. Although the government enacted “the Law of Protection of the Farmer Rights and Enhancement of their Benefits” a year later (in 2013), it doesn’t provide enough legal protection for the farmers.
- <sup>24</sup> TRIP NET and RKIPN (2016), “*We Will Manage Our Own Natural Resources: Karen Indigenous People in Kamoethway Demonstrate the Importance of Local Solutions and Community-Driven Conservation*”.  
[https://www.burmapartnership.org/wp-content/uploads/2016/03/Book\\_We-Will-Manage-Our-Own-Natural-Resources.pdf](https://www.burmapartnership.org/wp-content/uploads/2016/03/Book_We-Will-Manage-Our-Own-Natural-Resources.pdf) (Burmese), [https://www.burmalibrary.org/docs22/We Will Manage Our Own Natural Resources - English.pdf](https://www.burmalibrary.org/docs22/We_Will_Manage_Our_Own_Natural_Resources_-_English.pdf) (English)
- <sup>25</sup> Conservation Alliance of Tanawthari (2018), “*Our Forest, Our Life: Protected Areas in Tanintharyi Region Must Respect the Rights of Indigenous Peoples*”. [p-30]
- <sup>26</sup> “***Our Forest, Our Life***”. <https://www.iccaconsortium.org/wp-content/uploads/2018/07/Our-Forest-Our-Life-BURMA.pdf>.
- <sup>27</sup> The detail of R2R project information is available on: <https://www.mm.undp.org/content/myanmar/en/home/projects/ridge-to-reef.html>
- <sup>28</sup> The complaint letter to GEF is available on:  
[https://info.undp.org/sites/registry/secu/SECU\\_Documents/CAT%20GEF%20complaint6b1aeaed2a624c7bbe55ab0498e6ef51.pdf](https://info.undp.org/sites/registry/secu/SECU_Documents/CAT%20GEF%20complaint6b1aeaed2a624c7bbe55ab0498e6ef51.pdf)
- <sup>29</sup> The case registry of SECU: <https://info.undp.org/sites/registry/secu/SECUPages/CaseFile.aspx?ItemID=28>
- <sup>30</sup> Press release of the Conservation Alliance Tanawthari (CAT) (16 July 2018) – “*Global Environment Facility conservation project in Myanmar violates indigenous rights*”. <https://progressivevoicemyanmar.org/wp-content/uploads/2018/07/CAT-GEF-Press-Release-English.pdf>
- <sup>31</sup> Joint press release of the Conservation Alliance Tanawthari and Accountability Counsel (24 July 2019) – “*UN Watchdog Visits Myanmar to Investigate Conservation Project Jeopardizing Indigenous Peoples Rights*”. <https://kesan.asia/for-immediate-release-us-jsmhdog-visits-myanmar-to-investigate-conservation-project-jeopardizing-indigenous-peoples-rights/>

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- <sup>32</sup> Joint Statement of the Conservation Alliance Tanawthari and Accountability Counsel (22 May 2020) - “Karen Indigenous groups launch their conservation vision for Myanmar’s Tanintharyi Region, rejecting the harmful ‘Ridge to Reef’ Project”.  
<https://www.accountabilitycounsel.org/2020/05/karen-indigenous-groups-launch-their-conservation-vision-for-myanmars-tanintharyi-region-rejecting-the-harmful-ridge-to-reef-project/>
- <sup>33</sup> The research report “Tanawthari Landscape of Life”: <https://www.iccaconsortium.org/wp-content/uploads/2020/05/Tanawthari-Landscape-of-Life-A-grassroots-alternative-to-top-down-conservation-in-Tanintharyi-Region.pdf>
- <sup>34</sup> A short documentary of “Tanawthari Landscape of Life”: [https://www.youtube.com/watch?v=Oz9PsKlTcsA&feature=emb\\_logo](https://www.youtube.com/watch?v=Oz9PsKlTcsA&feature=emb_logo)
- <sup>35</sup> Thompson Chau (11 Mar 2019), “Tanintharyi landholders sued under new law”. [The Myanmar Times].  
<https://www.mmtimes.com/news/tanintharyi-landholders-sued-under-new-law.html>
- <sup>36</sup> “ဘုတ်ပြင်းမြို့နယ် ချောင်းမွန်ရွာရှိအိမ်ခြေ ၁၃၀ ကို ကျူးကျော်ဟုဆိုကာ ဆီအုန်းကုမ္ပဏီက ပြောင်းရွှေ့နိုင်ထားသည့်ရက် နီးကပ်လာသဖြင့် ရွာသားများစိုးရိမ်နေ” [130 Households arose anxieties as the deadline for relocation gets closer in Chaung-Mon-Ngar]. [Broadcast on ELEVEN]  
<https://elevenmyanmar.com/broadcast/11990>
- <sup>37</sup> Myanmar Auto Corporation – A joint venture of Auto Industrial Co. Ltd. (AIC) (Korea) and Resources and Resources Ltd. (Singapore)
- <sup>38</sup> MAC’s Project location: <https://ejatlas.org/conflict/mac-oil-palm-plantation-tanintharyi-region-myanmar>
- <sup>39</sup> Myanmar Investment Commission
- <sup>40</sup> Ben Dunant and Kyaw Ye Lynn (8 April 2019), “Dispossessed: the human toll of Myanmar’s land crisis” - A highly centralised regime for governing “wasteland” is being expanded, with devastating effects on communities trying to reclaim their land after decades of war. [the Frontier Myanmar] <https://www.frontiermyanmar.net/en/dispossessed-the-human-toll-of-myanmars-land-crisis/>
- <sup>41</sup> ALARM, SY, MLN, et al. (March 2018), *Behind Oil-Palm – Consequences of International Investment in Oil Palm Plantations*.  
<https://eia-international.org/wp-content/uploads/Behind-the-Oil-Palm.pdf>
- <sup>42</sup> “တနင်္သာရီတိုင်းဒေသကြီးအတွင်း ဆီအုန်းစိုက်ပျိုးရန်ချပေးထားသောမြေများအနက် အမှန်တကယ်စိုက်ပျိုးခြင်းမရှိသည့် မြေဧကတစ်သိန်းကျော်ကို ပြန်လည်သိမ်းယူမည်” [More than 150,000 acres of land with uncompleted oil-palm plantation will be revoked], the article from Eleven Myanmar (31 August 2018) <http://www.elevenmyanmar.com/business/14840>
- <sup>43</sup> Dawei Watch (21 August 2018), “တနင်္သာရီတွင် ဆီအုန်းစိုက်မြေဧက တစ်သိန်းခွဲကျော် ပြန်သိမ်းရန် MIC ငြင်း” [MIC is planning to revoke over 150,000 acres of Oil-palm permission]. [MRTV]. <https://www.mrtv.gov.mm/mm/news-20471>
- <sup>44</sup> Tarkapaw et al., (Dec 2016), “Green Desert” - Communities in Tanintharyi renounce the MSPP Oil Palm Concession.  
Tarkapaw, TRIP NET, Southern Youth, Candle Light, Khaing Myae Thitsar, Myeik Lawyer Network and Dawei Development Association.  
<https://eia-international.org/wp-content/uploads/Green-Desert-FINAL.pdf>
- <sup>45</sup> MSPP location: <https://ejatlas.org/conflict/mspp-oil-palm-plantation-tanintharyi-region-myanmar>
- <sup>46</sup> Joint Monitoring Committee (JMC) is one of two mechanisms established for enforcing the Nationwide Ceasefire Agreement (NCA). The first one is Union Peace Dialogue Joint Committee (UPDJC) for holding dialogues on political, social, economic and land issues. The second mechanism is Joint Monitoring Committee (JMC) to monitor on the situation of troops’ movements and civilian protection. JMC is established at the Union level (JMC-U), the State/Region level (JMC-S) and the local level (JMC-L).

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- <sup>47</sup> Soe Moe Aung (11 March 2015), “ဆီအုန်းကုမ္ပဏီ မြေတိုးချဲ့နေမှု အစိုးရပြန်လည်သုံးသပ်ရန် KNU တင်ပြထား”. (*KNU request the government to reinvestigate the expansion of oil-palm project area.*) [7 Day News] <https://7day.news/detail?id=33511>
- <sup>48</sup> The compensation was made in two times – 1) 26,934,000 MMK (~20,000 USD) for 89.78 acres of land (300,000 MMK per acre) and 2) 9,639,000 MMK (~7,414 USD) for 137.7 acres of land (70,000 MMK per acre).
- <sup>49</sup> KMTS composed and released a statement on 20<sup>th</sup> April 2018, demanding the company to remove the processing plant from *Tharabween* area, because it is the main source contaminating water resources and poisoning the livestock animals
- <sup>50</sup> Zaw Htet Aung (March 2020), “*There is no VFV in Our area: Movement Compilation of LIOH and Allies*”. [LIOH] [https://lioh.org/wp-content/uploads/2020/12/VFV\\_report\\_ENG\\_v2\\_.pdf](https://lioh.org/wp-content/uploads/2020/12/VFV_report_ENG_v2_.pdf)
- <sup>51</sup> IUCN (2018), “*Communities, Conservation and Livelihood Conference*”. <https://www.iucn.org/commissions/commission-environmental-economic-and-social-policy/resources/events/communities-conservation-and-livelihood-conference>
- <sup>52</sup> Info of 8<sup>th</sup> EITI Global Conference. <https://eiti.org/conference/2019-paris>
- <sup>53</sup> IUCN NL Conference Report - Environmental Defenders | [https://www.iucn.nl/app/uploads/2021/04/24-7\\_brochure\\_conference\\_digitaal.pdf](https://www.iucn.nl/app/uploads/2021/04/24-7_brochure_conference_digitaal.pdf)
- <sup>54</sup> DW (2016), “*Myanmar's civilian government takes charge*”. <https://www.dw.com/en/myanmars-civilian-government-takes-charge/a-19151103>
- <sup>55</sup> Karen News (12 March 2020), “*Sued Karen Environmental Activist to Fight His Case*”. <http://karennews.org/2020/03/sued-karen-environmental-activist-to-fight-his-case/>
- <sup>56</sup> ‘*The government actors closely monitor CSO and control the authorization process required to convene meetings and operate programs. Following the protests over stopping the war, several civil society members were arrested*’. (Page-32, 33) “*The Role of CSOs in the Myanmar Peace Process*” – research report of EMReF and IPTI (21 January 2019). <https://reliefweb.int/sites/reliefweb.int/files/resources/2nd-edit-the-role-of-csos-in-the-myanmar-peace-process-english-0.pdf>
- <sup>57</sup> Athan (March 2020), “*A Chance to Fix in Time*” - Analysis of Freedom of Expression in Four Years Under the Current Government. Research Report of Athan – Freedom of Expression Activist Organization. <https://crd.org/wp-content/uploads/2020/09/Eng-A-Chance-to-Fix-in-Time.pdf>
- <sup>58</sup> Open Development Myanmar (11 February 2020), “*Forest Policy and Administration*”. <https://opendevelopmentmyanmar.net/topics/forest-policy-and-administration/>
- <sup>59</sup> CSR is demanded vaguely without specific policy or known notifications although “*the Union Minister for Investment and Foreign Economic Relations mentioned that the businesses accredited by Myanmar Investment Commission spend 2% of the net profit for CSR*”; appeared in an article from MIR. (16 July 2020). <http://miradio.com.mm/news/pyithu-hluttaw's-discussion-about-csr-myanmar>
- <sup>60</sup> According to the article 45-(a) of the VFV Rules, the company needs to “*carry out their project on the vacant, fallow and virgin lands within four years from the date rights are granted, with 15% completed in the first year, 30% in the second year, another 30% in the third year, and 25% in the fourth year, completing 100 percent of the project within that year.*” However, the method of calculation - based on agreed acres or plants or products - is not known, neither is the sanction for violating the license, whether the whole permission will be revoked or unplanted area will be claimed back.



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<sup>61</sup> Zaw Htet Aung (2018), “Pro-Business Circles vs. Individual and Civil Rights – A perspective on land rights in Myanmar.” Paper presented on 13<sup>th</sup> International Burma Studies Conference. Abstract on page-12: <https://13ibsc2018.weebly.com/abstracts.html>

<sup>62</sup> Ei Ei Toe Lwin (11 June 2018), “Sidelining CSOs is not the right path”. [the Myanmar Times]. <https://www.mmmtimes.com/news/sidelining-csos-not-right-path.html>

<sup>63</sup> The following requests can be supported by the SRJS CCA fund:

- i. Additional institutional costs, related to better online communication and working from home (if this does not fit within the current budget)
- ii. Extra support for online communication to sub-contracted CSOs / CBOs and communities in project landscapes
- iii. Activities linked to monitoring and reducing illegal activities in the landscapes due to the lockdown (e.g. extra support of environmental defenders, legal support, campaigns, monitoring tools, apps)
- iv. Activities linked to lobbying and communication around possible Corona measures that threaten to reduce civic space for communities in project landscapes and CSO partners in countries
- v. Activities linked to LandA to rebuild smarter, calling for green recovery, a sustainable and climate neutral economy, improved and sustainable livelihoods protecting ecosystems etc.
- vi. Activities linked to defending rights of women and local communities that have been affected by the pandemic in the program landscapes
- vii. Activities linked to awareness and education activities for partner communities about Corona and possible Corona impact on their forests / wildlife / rivers / natural resources
- viii. Protective and disinfection materials (mouth masks, hand gel, gloves, etc.) for employees of partner organizations, sub-contracted CSOs and high risk communities, to enable field project field activities to start safely once quarantine measures in a country are lifted.
- ix. Increasing digital security
- x. A maximum of 10% of each regional CCA Fund may be reserved per region for short-term urgent humanitarian aid to partner communities in landscapes where the program operates.

<sup>64</sup> IFI Watch | <https://www.if-watchmyanmar.org/>





This report is developed as a portfolio of the SRJS Myanmar partners' achievements & lesson learned - which is also valuable for all of the partners and related social actors, to leave with a legacy of these achievements.

#### SRJS Myanmar Partners



Supported by -



Shared Resources Joint Solutions (SRJS) is a 5-year strategic partnership between the Netherlands Ministry of Foreign Affairs, IUCN National Committee of the Netherlands (IUCN NL) and Worldwide Fund for Nature in the Netherlands (WWF NL). Together with over 50 NGOs and civil society organisations in 16 low- and middle-income countries and international partners, the programme aims to safeguard healthy, biodiverse ecosystems in order to protect climate resilience, the water supply and food security. Within the SRJS Initiative, measures were planned to enable civil society organisations (CSOs) with improved understanding and capacity to lobby, advice and interact with businesses and governments on transparency and compliance with environmental standards and laws.

