

Burma peace funds must do no harm

In the past few months, various media reports have quoted some concerns and opinions of KESAN regarding the ongoing peace process in Burma. This statement clarifies and expands upon these issues.

Our perspective on the peace process and peace funds

Sustainable peace is the long-term vision of Karen people. That vision incorporates rule of law, the protection of human rights, democratic governance, security of livelihood and equitable access to natural resources and essential services. We are not there yet.

Peace funds can be an important tool for building a culture of peace in Burma. Well managed peace funds can serve as positive instruments to advance shared multi-ethnic and government agendas for peace. However, peace funds must contribute to addressing deep rooted and structural obstacles to realizing peace in the country and strengthen community decision making processes to identify the priorities of ethnic people. The effective management of peace funds includes maximum transparency, support for a shared framework for peace, inclusive and meaningful consultation with a wide-range of non-state actors, multi-party dialogues and clear monitoring and accountability mechanisms. What we have witnessed so far is that the current peace fund process falls short of these good practices – and standards.

Peace funds must strongly support local and national-level peace processes, rather than undermine them. To secure legitimacy and integrity, peace funds must not employ strategies that co-opt individual leaders, sow division within ethnic nationality leadership and create confusion between organizations or communities in a rush to deploy funds. Peace funds need to be appropriately paced. Peace funds need to be based on a thorough, inclusive and transparent diagnosis of the context, actors and drivers of conflict as well as the opportunities for peace building in each conflict area of Burma.

KESAN and the network of Karen CSOs and CBOs with whom we have worked for more than a decade are deeply involved in integrative approaches to peace process. All of our efforts – environmental, human rights, education, health, rural development – are linked to serving peace and preventing more conflict. The reality is that peace building efforts in Karen areas started well before the flurry of donor commitments for peace funds early this year.

KESAN is an ethnic, non-profit organization working on community development and environmental protection. While we do not deliver cross-border relief aid, we coordinate with many organizations that provide refugee and cross-border humanitarian aid to the Karen people and our ethnic brothers and sisters who continue to struggle against the ravages of long-running conflicts and human rights violations.

KESAN's highest interest is to ensure that good practice of democratic governance is adopted by all actors connected to peace funds: donors, recipients, implementing agencies, the KNU and the government of Burma. This is needed to avoid doing harm to vulnerable people and increase the chance

that peace funds achieve their noble goals. We will engage with any peace funds constructively by facilitating the informed participation of Karen CSOs, CBOs and community members in the peace process.

Key issues

Poor public disclosure

Sufficient, transparent and timely information is essential to informed participation. The Norwegian Peace Support Initiative (now renamed the Myanmar Peace Support Initiative – MPSI) has published several short concept notes and some FAQs on their website . One published concept note is one page in length. The second concept note spans two pages and outlines the general approach of the funds. Neither approaches the “total transparency” called for in a leaked 21- page Norwegian Peace Support Initiative Draft Programme Document dated 1 June, 2012: “A policy of total transparency of operations with both sides is considered the best way to mitigate the political risks involved, as the project will be well positioned to know about potential problems in advance of their manifesting themselves on the ground. A policy of transparent communication with both sides also helps to ensure that NIS continues to be seen a neutral facilitator in all project activities and maintains trust with all sides.”

As citizens of our country, we have the right to obtain information about any memorandum of intent or agreement with the Myanmar government over this peace fund. Why leak a program document but continue to deprive Burma ethnic peacebuilding actors of this essential information? What are the terms of the agreement? Where is the translation of any program documents into Burmese and ethnic languages?

MPSI can benefit from International Aid Transparency Initiative and Do No Harm frameworks that have been used widely in peace building initiatives and in monitoring aid flows. The World Bank and Asian Development Bank, despite their culture of secrecy in the past, have learned from civil society organizations about effective disclosure practices.

The need for inclusive and meaningful consultation

According to one MPSI consultant, he has conducted over 100 consultation meetings on behalf of MPSI, including briefings with Karen civil society and political actors in Yangon, Hpa-An, Mawlamyine, Kyaukkyi, Dawei, Bangkok, Chiang Mai and Kanchanaburi. This has included meetings with KESAN. However, the timing and nature of these consultations have not been conducive to genuine dialogue, transparency and accountability. They have mainly been meetings to share information about the MPSI and how to access the peace funds. This process does not equate to genuine consultation, broad community support, or free, prior and informed consent.

MPSI claims on its website that when the Norwegian State Secretary visited Chiang Mai and Burma last 28-30 of May, “The visit confirmed support from all stakeholders for the Norwegian led international Initiative.” This was not the case. In fact, Mr. Larsen faced a barrage of questions, doubts and concerns

from community representatives at the meeting in Chiang Mai. How can MPSI claim support when it did not secure it?

Top-down vs bottom-up approach

The fact that most ethnic civil society and community organizations are not registered with the government constrains them from participating in the current peace fund process. Due to policy restrictions and lack of clarity on registration processes, peace funds could end up privileging elite NGOs or consultants based in Yangon.

In the case of the MPSI pilot project at Kyaukkyi, Norwegian People's Aid (NPA) is overseeing the project and has subcontracted it to the Committee for Internally Displaced Karen People (CIDKP) as implementer. The project's potential strength is that IDPs can access humanitarian assistance quickly after the ceasefire had been established. Donors and INGOs can have access to a remote area to monitor the implementation of the ceasefire agreement there. The project also encourages parties in conflict to talk to each other to build mutual understanding. That the government recognizes CIDKP as a project implementer is a positive indication that ethnic organizations have a role in peace building.

The problem is that most Karen civil society only heard about the project after it had been decided by the government and KNU leaders. It was clear that the deal had been sealed and that it was unchangeable. MPSI consultants held consultations only after the decision. This retroactive consultation with CSOs and CBOs was an attempt to legitimize a flawed MPSI process, but did not gain broad community support. It was clearly not a case of free, prior and informed consent. Ethnic people are one of the key actors in peace building and they cannot simply be reduced into mere recipients of peace funds.

No shortcuts

Proponents of peace funds have the opportunity to demonstrate good practices. They can certainly benefit from ethnic organizations that have creative, locally-based practices for effective consultations. They should not confine their consultation approach within the parameters of the government and should not be limited to registered NGOs, elite groups and private companies or to a few ethnic leaders.

Whether peace funds come from Norway-led MPSI, World Bank or other official aid agencies, they should bring in and reach out to local NGOs or CBOs from outside the capital. They should be included in the actual negotiations and decisions. A top-down approach should be eliminated and peace fund proponents should not be party to furthering the divide between the core and the periphery.

However well-intentioned, the governance of peace funds must be done right. Safeguarding community's rights to meaningful participation and information are critical. So, don't rush.

To avoid mistrust, it is essential that proponents of peace funds must:

- Disclose, disclose, and disclose their design document including the translated versions.
- Provide a clear rationale of how the peace funds will support conflict resolution, from local to national level

- Make public the conflict analysis, project risk assessment and mitigation, monitoring and accountability mechanisms;
- Develop and execute a clear consultation strategy that outlines meaningful and broad participation of non-State actors. In practical terms, it should include:
 - Robust consultation approach outlining the scope, format, agenda and timeline of consultations and the process that ensures balanced representation among non-state actors (such as CBOs, faith-based, CSOs, ethnic nationality leaders, women and elders)
 - A similar set of discussion points wherever and whenever consultations are conducted to identify common grounds and differences
 - A timely disclosure of agenda, guide questions and reference materials at least 60 days before the consultation to allow non-state actors to conduct free, prior and informed discussion among their own constituents.
 - Disclosure (including web-posting) of outcomes/proceedings of the consultations

Very importantly, in the context of the still fragile peace process, peace fund proponents must also ensure security of ethnic representatives participating in the consultation from any military intimidation or backlash.

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