

# **EU Roadmap for Engagement with Civil Society in Myanmar**

## **Summary**



## **Background and introduction**

The European Union (EU) has set out a new policy for engaging with civil society worldwide. This recognises the importance of civil society for the promotion of democracy, good governance, peace, sustainable development and inclusive growth. It commits the EU and its Member States to increase the levels of support they provide to civil society and to plan and deliver such support in an increasingly strategic and coordinated way. The Roadmap for Myanmar therefore aims to ensure that EU support to civil society is more demand-driven, focused and joined-up, and therefore has a greater impact. Throughout the process of the development of the Roadmap, the EU Delegation held a series of consultations with civil society organisations (CSOs) in Yangon, Mandalay, and Mawlamyaing in late 2014 in order to identify priorities and specific actions to be taken by the EU and its Member States.

## **Current state of civil society and its operating environment**

Since the new government took office in March 2011, Myanmar has embarked on a process of extensive political and economic reform and the once limited space for civil society in public life has expanded as a result. However, civil society's ability to participate in the different domains of public life still remains restricted in several ways. This is largely due to the political, legal and judicial systems. Further political and legal reforms that meet international human rights and rule of law standards are therefore necessary before Myanmar civil society can enjoy free and unrestricted democratic participation in public life.

While there has been a noticeable improvement on issues of freedom of expression, association and assembly since the current government took office in 2011, there is still a long way to go before international standards are met. However the amendments to freedom of expression, assembly and association legislation have allowed for greater CSO participation in public debate. But despite the general improvement in basic legal rights, CSOs still enjoy more freedom in Yangon and other major urban centres than in the rest of the country.

CSOs in Myanmar have historically played a crucial role in service delivery across the entire country, and especially in conflict areas where they have been providing social services, such as education and healthcare for decades. Many of these organisations have been institutionalised at the community level. With ceasefire negotiations progressing and the government's increasing spending in the social sector, the future delivery of these services presents both challenges and opportunities. At the same time legitimacy for CSOs is increasing and Government is showing a growing recognition of the need to consult civil society. However, capacity for programme formulation and project management have, until recently, remained limited amongst CSOs in Myanmar.

## **Current EU engagement**

Establishing a structured dialogue with civil society has been a key priority area for the EU. As a leading donor in this field, it has prioritised its relationship with civil society in order to foster potential collaborations. The EU's dialogue with civil society has deepened since the establishment of an EU Office to Myanmar in April 2012.

The EU regularly consults CSOs both informally through bilateral meetings and via multi-lateral forums that focus on particular issues. In September 2013 the EU Delegation held consultations on its four development aid sectors (Rural Development, Education, Governance and Peace) to inform its Multi-annual Indicative Programme for 2014-2020. A further example of the EU's commitment to engaging civil society was the EU-Myanmar

Human Rights Dialogue in May 2014 where a range of CSOs were consulted and gave recommendations that directly fed into the dialogue itself.

EU Support to CSOs is provided primarily through a number of key thematic programmes, such as the Non-State Actors and Local Authorities programme (CSO/LA), the European Instrument for Democracy and Human Rights (EIDHR), and the Instrument contributing to Stability and Peace (IcSP). Support to civil society is further mainstreamed in EU bilateral programmes.

## **Lessons Learned**

CSOs have repeatedly identified a need for capacity development and for local CSOs to be able to access to funding independently rather than as sub-grantees of INGO partners. It is also noted that local NGOs and CSOs do not generally take issue with the overall policies of donors. There is also a perceived lack of clarity and transparency in awarding contracts. A major lesson learned is for donors to be more proactive in explaining their policies and procedures in order to dispel misconceptions.

## **Priorities and actions**

The priorities and specific actions to be taken are the result of four consultations with civil society undertaken by the EU in Mandalay, Mawlamyaing and Yangon in late 2014. The action table below puts forward a set of concrete actions which the EU Delegation and EU Member States propose to carry out. Their aim is to support the four priorities identified:

1. to increase the space for CSOs to operate,
2. to enhance the relationship between CSOs and public institutions
3. to increase CSOs' capacities for research, advocacy and policy dialogue with government
4. to enhance the organisational structures and internal management of CSOs and CSO networks.

This should lead to an environment where CSOs are able to fully play their legitimate role in Myanmar society, as service providers, advocates and watchdogs. The actions will be shared between the EU Delegation and EU Member States. The Roadmap is however a living document and the actions will be altered when necessary to reflect changing realities on the ground.

Proposed Priority 1
Increase the space for CSOs to operate
Indicator(s)

- Abrogation of restrictive provisions and legislation that currently affect freedoms of association, assembly, expression, media.
- Replacement of the above with constitutional provisions, laws and by-laws that preserve and promote freedoms of association, assembly, expression and media in accordance with international standards (including the Association Registration Law) and the implementation of these.
- Enactment and implementation of a Freedom of Information Act to enable CSOs and the population to access information from public institutions
- Reform of current procedures that must be followed to obtain permission to undertake research to make it easier and faster to obtain this.

#### **Proposed Actions:**

##### **A. Analysis: Studies, mappings and research**

- Undertake a study on the Study on the implementation of the new Association Registration Law.
- Update the existing CSO mapping.
- Undertake a study on existing legislation and administrative procedures/practices at all government levels and their impact on the enabling environment for CSOs.

##### **B. Policy dialogue, consultation and facilitation**

- Continue to advocate (along with other development partners) for CSO space in discussions with the authorities (at Union, State/Region and local levels).
- Actively promote the engagement of CSOs in the aid effectiveness structure: aim for one local one international CSO representative in every Sector Working Group, regular meetings between the DPWC and CSO representatives and local as well as international CSO involvement in Foreign Economic Relations Department and Development Partners Working Committee (FERD-DPWC) meetings.
- Provide feedback to CSOs after consultations to explain which of their recommendations were accepted / rejected and why.
- Advocate for a Freedom of Information/Access to Information law guaranteeing access to information for all citizens and lobby through Sector Working Groups for more release of information at the sector level.
- Encourage the authorities to reform authorisation procedure for research to make it simpler and less restrict and to recognise the research work of CSOs.

##### **C. Possible Funding: Operational support including mainstreaming**

- Future EU Delegation Local Authorities Call for Proposals to focus on strengthening local authorities; understanding the role of civil society and encouraging work with them; raising awareness of new laws and how they should be implemented.
- Future local governance projects can mainstream and promote the understanding of human rights, freedom of association, assembly, information, good governance and democratic principles to local authorities (including police, the General Administration Department, State/Region/Township association registration committees).
- Support workshops, consultations and the drafting of the Freedom of Information /Access to Information law.
- Support the development of the media
- Support the development of CSOs' research skills to ensure good quality research and reporting in the next EU Delegation CSO Call for Proposals.

<b>Proposed Priority 2</b>
Enhance the relationship between CSOs and public institutions
<b>Indicator(s)</b>
<ul style="list-style-type: none"> <li>• Establishment of formal mechanisms for consultation between civil society/general population and the Government (Union and State/Region and local levels) and the Parliament and frequency of their operation. NB such mechanisms should involve a broad and representative range of civil society as opposed to only specific organisations favoured by government.</li> <li>• Holding of public consultations on key legislation and issues, with sufficient lead-time and sharing of outcomes.</li> <li>• Transparency of decision making processes and policy formulation.</li> <li>• Public access to government documents.</li> </ul>
<b>Proposed Actions:</b>
<b>A. Analysis: Studies, mappings and research</b>
<ul style="list-style-type: none"> <li>• Mapping of current CSOs engagement in advocacy, policy dialogue, budget process and accountability work (including study of CSOs capacities).</li> </ul>
<b>B. Policy dialogue, consultation and facilitation</b>
<ul style="list-style-type: none"> <li>• Encourage local and national authorities to recognise the need for, and benefits of, policy suggestions proposed by CSOs.</li> <li>• Encourage the establishment of formal mechanisms of consultations</li> <li>• Encourage and facilitate CSOs to participate in forums and other consultations organised by the authorities.</li> <li>• Encourage Line Ministries to have a focal point or unit for communication with CSOs and the public.</li> <li>• Encourage political parties to engage with civil society.</li> </ul>
<b>C. Possible Funding: Operational support including mainstreaming</b>
<ul style="list-style-type: none"> <li>• EU Delegation's 2015 CSO Call for Proposals to focus on strengthening the relationship between Parliament and local authorities and civil society.</li> <li>• EU Delegation's 2015 CSO Call for Proposals to focus on strengthening CSOs' advocacy skills.</li> <li>• EU Delegation's 2015 CSO Call for Proposals to focus on supporting umbrella organisations and networks to organise and for their active participation in national and local governance processes.</li> <li>• EU Delegation projects on electoral assistance and democracy support and on peace to support civil society, citizens and authorities.</li> </ul>

<b>Proposed Priority 3</b>
Increase CSOs' capacities for research, advocacy and policy dialogue with government.
<b>Indicator(s)</b>
<ul style="list-style-type: none"> <li>Publication of high quality CSOs research that is capable of being used for advocacy and policy dialogue purposes.</li> <li>Existence of consultations with local CSOs before the adoption of new laws and policies.</li> <li>Existence of well-functioning and representative CSO networks / platforms / coordination platforms.</li> <li>Number of joint campaigns developed by CSO networks or platforms to influence policy and their success rate.</li> <li>Formal and well-functioning communication mechanisms developed between CSO networks or platforms and the media.</li> </ul>
<b>Proposed Actions:</b>
<b>A. Analysis: Studies, mappings and research</b>
<ul style="list-style-type: none"> <li>Mapping of current CSOs engagement in advocacy, policy dialogue, budget process and accountability work (including study of CSOs capacities).</li> </ul>
<b>B. Policy dialogue, consultation and facilitation</b>
<ul style="list-style-type: none"> <li>Continue to advocate with the authorities for systematic consultations before the drafting and adoption of new laws and policies. NB this should be done along with other development partners and include lobbying within the structure of Sector Working Groups.</li> <li>Continue consultations with CSOs in states / regions to better understand the needs and challenges faced.</li> </ul>
<b>C. Possible Funding: Operational support including mainstreaming</b>
<ul style="list-style-type: none"> <li>EU Delegation's 2015 CSO Call for Proposals to focus on supporting advocacy, research skills and policy-dialogue.</li> <li>EU Delegation's 2015 CSO Call for Proposals to support projects on civil society networking.</li> <li>EU Delegation's 2015 CSO Call for Proposals to use sub-granting mechanism and encourage support to CSOs in ethnic states and in rural areas.</li> <li>DFID, SIDA and other EU Member States (MS) to continue providing support to CSOs through Pyoe Pin and other programmes.</li> <li>Support to projects to strengthen the media and its relation with civil society.</li> </ul>

<b>Proposed Priority 4</b>
Enhance the organisational structures and internal management of CSOs and CSO networks.
<b>Indicator(s)</b>
<ul style="list-style-type: none"> <li>• Percentage of CSOs applying for European funding that are able to meet relevant criteria.</li> <li>• Number of trainings and capacity development activities</li> <li>• Percentage of CSOs that are not exclusively reliant on funding from INGOs and development partners.</li> <li>• Increase in membership of CSO networks.</li> <li>• Activities carried out by CSO networks – e.g. training and advocacy.</li> </ul>
<b>Proposed Actions:</b>
<b>A. Analysis: Studies, mappings and research</b>
<ul style="list-style-type: none"> <li>• Study on CSO networks' capacities and coordination mechanisms, including outreach to different faiths, ethnicities, sectors, regions.</li> </ul>
<b>B. Policy dialogue, consultation and facilitation</b>
<ul style="list-style-type: none"> <li>• Encourage INGOs to support local CSOs in a sustainable manner and establish indicators to measure the performance of INGOs in this regard.</li> <li>• Encourage CSO networks/platforms to organise and participate in policy dialogue.</li> </ul>
<b>C. Possible Funding: Operational support including mainstreaming</b>
<ul style="list-style-type: none"> <li>• EU Delegation's 2015 CSO Call for proposals to focus on strengthening the organisational capacities of CSOs (including internal governance).</li> <li>• 2015 CSO Call for proposals to support projects on civil society networking.</li> <li>• 2015 CSO Call for proposals to use sub-granting mechanism (including to small CSOs) and encourage the support to CSOs in ethnic states and in rural areas.</li> <li>• Provide programme management trainings to CSOs.</li> <li>• DFID, SIDA and other MS to continue funding of support to CSOs through Pyoe Pin and other programmes.</li> </ul>