



Potential refugee return in eastern Myanmar: Exploring the relevance of a study into local protection concerns, plans, and aspirations

By Matt Schissler

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L2GP is an initiative, which works to promote effective, efficient and sustainable responses and solutions to humanitarian and protection crises with an explicit focus on enabling locally-led responses.

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About Local to Global Protection

Local to Global Protection (L2GP) L2GP is an initiative, which works to promote effective, efficient and sustainable responses and solutions to humanitarian and protection crises with an explicit focus on enabling locally-led responses. L2GP studies have been carried out in Burma/Myanmar, Sudan, South Sudan and Zimbabwe and action research is currently undertaken in Syria, Myanmar, Sudan and the occupied Palestinian territories.

L2GP was initiated by a group of organizations within the ACT Alliance¹ in cooperation with other organizations and individuals where the studies have taken place. The initiative has among other been financially supported by Church of Sweden, DanChurchAid, Sida (Sweden) and Danida (Denmark).

A paper summarizing the initiative and synthesizing key findings from the first five studies has been published by the Overseas Development Institute's Humanitarian Policy Group (ODI HPG) as the HPN Paper 72².

The analysis and opinions in this report are solely the responsibility of the credited author and cannot be attributed to any of the above mentioned institutions.

¹ The ACT Alliance is a coalition of more than 140 affiliated organisations working together in 140 countries to create positive and sustainable change in the lives of poor and marginalised people regardless of their religion, politics, gender, sexual orientation, race or nationality in keeping with the highest international codes and standards.

² HPN Paper 72 - <http://www.odi.org.uk/events/2798-hpn-network-paper-local-global-protection-myanmar-burma-sudan-south-sudan-zimbabwe>

Preamble

This scoping study is part of a series of studies commissioned by Local to Global Protection intended to document and promote local perspectives on protection, survival and recovery in major humanitarian crises. It focuses on potential IDP and refugee return in Myanmar, anticipated to increase after elections in November in 2015. The research for this paper was done in 2013 – 14. The intention of this scoping study is to stimulate thinking on how humanitarian and development actors can support the return of Myanmar refugees to their place of origin, taking into consideration how some of the significant protection threats and opportunities have changed since the 2012 ceasefire was signed. The paper questions the continued relevance of an L2GP "approach", i.e. starting with participatory action research to understand existing threats and strategies to deal with those threats, to inform the decision-making process for intervention, intervention design and implementation strategies. It concludes that this or similar locally-led approach is essential to supporting returnees and their host communities in real time, as the landscape of threats and opportunities is constantly changing, and suggests some specific areas for subsequent action.

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I. Introduction

The state in Burma/Myanmar and ethnic Karen armed³ groups fought a long-running civil war, from 1949 to 2012 and that continues to shape modern Myanmar. Starting from pitched battles on the outskirts of central Rangoon and shifting towards the east employing modes of guerrilla warfare and counterinsurgency, the conflict took a massive human toll, on civilians as well as combatants. While civilians faced violence and abuse from actors on both sides, as the conflict progressed, civilian populations increasingly became the targets of state violence as part of the counter insurgency strategy of Myanmar's state armed forces, the Tatmadaw.

Within this setting, civilians in Karen areas developed a variety of approaches to resist violence and protect themselves, their livelihoods, and culture, both from deliberate violence as a mode of counter-insurgency or revolution, and from violence associated with heavy militarization of the countryside by both state and non-state actors. Hundreds of thousands of civilians survived in this setting, including during displacement, using a variety of strategies and without any form of direct protection by international actors. These strategies did not avoid humanitarian suffering on a mass scale, nor were they a substitute for the state and other armed actors meeting their responsibilities to respect basic human rights, or a durable peace and reconciliation process that would address the root causes of violence and abuse. But many of these strategies were – and are – effective.

These local strategies of self-protection have been the subject of documentation and support by both local and international actors concerned with southeast Myanmar, including earlier Local to Global Protection Project (L2GP Project) research⁴. At the same time, the bulk of this documentation is in the context of an active armed conflict. Major changes have occurred since early 2012, when an initial ceasefire agreement was signed between the government and the largest Karen armed group, the Karen National Union (KNU)/ Karen National Liberation Army (KNLA). Subsequent discussions have grown to include the other large Karen armed group, the Democratic Karen Buddhist Army (DKBA).⁵

As the context changes, so too have the protection concerns and priorities of peoples in eastern Myanmar, and the calculations individuals and communities make about how best to protect themselves. Some risks have been reduced, new ones introduced and, as a corollary, new options become available or attractive and old ones no longer desirable or necessary.

³This scoping study was designed to focus on areas where conflict has featured primarily between the state and ethnic Karen groups, though a variety of armed groups seeking to represent other ethnic nationalities have also been in conflict with the state in Myanmar since independence in 1948. In adjacent and sometimes overlapping areas, for example, conflict with ethnic Karen and Mon groups has also taken place, with many similar dynamics including displacement and abuse.

⁴Ashley South and others, 'Conflict and Survival: Self-Protection in South-East Burma' (Asia Programme Paper: ASP PP 2010/04, Chatham House September 2010)

⁵This includes both those portions of the DBKA that have transformed into government Border Guard Forces and those portions that have remained independent. Other Karen groups are also engaged in ceasefire discussions, most notably the Karen National Union – Peace Council.

How are these local protection priorities and self-protection strategies changing? This is an important question. International actors with an interest in protection should make their starting point understanding local priorities and strategies. If understood, international actors may seek to support them. In the absence of additional work to understand these priorities and strategies, there is a risk that internationally-funded or -coordinated interventions in southeast Myanmar will inadvertently undermine such strategies, increase vulnerability, and prompt opposition or backlash among communities and local civil society.

As a first step towards enabling effective action to support local self-protection efforts, at the end of the year 2013, L2GP commissioned a brief scoping study on current initiatives to understand – and support – local priorities and efforts, and identify appropriate follow-up. This was conceived of as an open ‘pre-research’ exercise, to ascertain the desirability of further L2GP action in this area. It was designed to explore what research, action, or action-research might be necessary in the current context; the extent to which such research would be practical, physically and politically; and any related risks or sensitivities. Finally, the focus for the research was defined to include both IDPs and other communities in southeastern Myanmar and refugees along the Thailand-Myanmar border.

The following report is the result of this research, which occurred from December 2013 to February 2014 and entailed interviews with people living in and/or working for organisations working in eastern Myanmar, Mon and Kayin states, Bago and Tanintharyi regions in Myanmar; and Mae Sot, Chiang Mai, and Bangkok in Thailand.⁶ This included 30 Myanmar individuals that are members of local organizations working in southeast Myanmar and 9 foreigners working for international agencies. While it was agreed in advance that a full study in the camps would not be possible, interviewees included 8 refugees living in camps along the Thailand-Myanmar border. The paper is a *pre-research* exercise, designed to determine whether steps towards further research or actions are advisable. Updates were made to respond to comments from L2GP during the rainy season 2014 and to comments from external stakeholders in early 2015.

The second section of this paper presents information about the changing context in Myanmar, and how this is likely to change protection priorities and alter the dynamics within which they are – or are not – addressed. Based upon interviews conducted for the paper, this section focuses on two primary issues:

- First, the ongoing ceasefire process between the KNU/KNLA and the Government of Myanmar (GoM), and both the related reduction in risks associated with conflict and counter-insurgency and increase in risks associated with new forms of business activity and large-scale development initiatives.
- Second, nascent and potentially increasing population movements, on the part of refugees housed in camps along Thailand’s border with Myanmar, internally displaced peoples (IDPs) in eastern Myanmar, and people from urban areas and interior Myanmar seeking new business and livelihoods opportunities in areas previously made inaccessible by armed conflict.

⁶ Many interviewees working for organisations in Myanmar were based in Yangon.

The third section of this paper details existing understandings of local protection priorities and self-protection strategies, and how they may change given the new context. This section emphasizes two core concepts:

- First, the central importance that people facing violence and abuse have long placed on mediating their relationship with the state and armed actors, with self-protection often hinging on an ability to move along a fluid spectrum of relationships with these actors.
- Second, the varying levels of collective organization entailed by the strategies documented to date, which have ranged from individual and household approaches to broader modalities of organization, including village-level decision-making and the formation of community-based organizations or armed groups with stated interests in protecting groups of peoples.

The final section presents concrete recommendations for the L2GP project, and closes with discussion of risks noted during interviews and in comments on an initial draft of this paper. Based upon an analysis of existing efforts to understand protection priorities and self-protection strategies, and identification of important gaps in these existing efforts, it explores the need for improved understanding of current and changing priorities and strategies. It then discusses specific modalities of potential research, including the need for research to be community-owned from development of questions through to production and control of research outputs. As a secondary matter, this section highlights a potential gap in available resources. Though scoping a large programmatic intervention was not the intent of this research from the outset, based upon the last finding in the before-last section, this paper suggests a mechanism for L2GP or other actors to support the strengthening of local efforts to address changing protection priorities in eastern Myanmar.

II. Current context: Changes since 2010

Current understandings of self-protection strategies employed in southeast Myanmar are based upon research undertaken during a period in which the region saw active armed conflict and the country was ruled by an authoritarian military regime. Following elections in November 2010, however, a number of changes have taken place, including liberalization of the economy, an influx of foreign investment, and reductions in restrictions on freedom of speech and political organisation. Most importantly for southeast Myanmar, in January 2012 the KNU/KNLA and the central government agreed to a provisional ceasefire agreement. Similar agreements were reached with another dozen ethnic armed groups, with the notable exception of two large groups in Kachin and Shan states, where sporadic fighting continues along with large-scale displacement.

Three years later, ceasefire talks continue. They have progressed from bilateral discussions between armed groups and representatives of the civilian government to negotiations over a single, nationwide ceasefire agreement between all parties. In southeast Myanmar, this process has changed the context in two important ways: (A) Altering protection concerns; (B) Population movements.

A. Altering protection concerns

The 2014 hot season, typically the time of most serious military activity, saw almost no active conflict between the KNLA and Tatmadaw. This reduction in fighting reduced protection concerns directly associated with conflict, including targeted attacks on civilians, civilian settlements, and food supplies, and forced labour and portering for combat operations.⁷ The ceasefires have also opened some new spaces for previously restricted communities, including facilitating freedom of movement and renewed access to some livelihood areas.

At the same time, the ceasefires have resulted in new concerns, as the absence of armed conflict has made it possible for business activity in areas and on a scale not previously possible.⁸ This includes new mining and logging activity, with permission granted by both state and armed group authorities with varying degrees of genuine legal sanction, and new agribusiness projects. Anticipated stability, if not peace, have also enabled large-scale development projects to be initiated even where they require travel through areas previously marked by conflict. These include the deep-sea port project and special economic zone (SEZ) in Dawei, the potential viability of which depends on a road link to Thailand that passes through KNU/KNLA active areas, and increased trade along the ASEAN highway link to Thailand along the road connecting the Mae Sot-Myawaddy border crossing to Pa'an and interior Myanmar. Concerns with development activity led by international actors and/ or the central government have also been clearly expressed, along with fear that the Tatmadaw is capitalizing on the absence of conflict to prepare for renewed combat.

While opening space for development and economic activity can generate positive dividends for communities in Myanmar, new business activity is already having severe negative impacts, including loss of land and livelihoods, particularly the result of destructive natural resource extraction activities as well as through land-grabbing and land speculation driven by actual or anticipated development activities. These problems are likely to persist and increase, exacerbated by Myanmar's weak legal frameworks for regulating investment activity and protecting land rights and the environment, which are problematic as a matter of law and poorly implemented even in stable, non-conflict areas. This has particularly worsened in areas where the reach and authority of the civilian government is poor, and where concessions can be granted by both the Tatmadaw and armed groups. Finally, the use of violence – or threats of violence – to implement projects and deter or disrupt opposition to planned projects has also been reported.

The negative impacts of investment are worsened where it is not clear which actors have legal jurisdiction over the territory. Access to and control of land was noted by nearly every interviewee, and

⁷All the Karen organizations interviewed made reference to this. KHRG, in particular, based their comments about this on a large data set, and shared an advance draft of a forthcoming report detailing changing human rights conditions since January 2012. This report was subsequently released in May 2014. See, *Truce or Transition*, KHRG, May 2014.

⁸Again, all Karen organizations, as well as other observers made reference to this, and KHRG made available a large supporting data set. See, *Losing Ground: Land conflicts and collective action in eastern Myanmar*, KHRG, March 2013.

is an issue for both current residents of areas affected by conflict and potential returnees from the refugee camps. In TanintharyiRegion, for example, a civil society activist reported that land had been grabbed southeast of Dawei city because villagers had not registered their land title with the government and had instead registered with the KNU land department. A concession was then granted for this “unused” land by Regional authorities. Elsewhere, in northern Mon State, another civil society activist reported that a village network was struggling to win closure of dozens of small-scale – but highly polluting – riverside gold mines because it was not clear who controlled the area, Mon State authorities or the KNU. Notably, the network has nonetheless pursued sustained local advocacy activities, including submitting results from water pollutiontests and lodging formal complaints to both authorities, both of which have given verbal promises to close the mines.

B. Population movements

The ceasefire agreements are creating dynamics that make it likely that large-scale population movements will occur within a relatively short time frame, including both movement of IDPs living within southeast Myanmar, people moving eastwards from interior Myanmar, and residents of the refugee camps along Thailand’s border with Myanmar. At the time of writing, representatives of both TBC and UNHCR said that there are no formal plans for “organized return” and that they are not seeking to promote return, and are instead emphasizing “preparedness” for return. A coup in ThailandinMay 2014, meanwhile, has been followed by engagement between a junta in Thailand and the Myanmar government, including discussions of refugee repatriation.⁹ Regardless of official positions, it appears to be clear that life for the current in-camp population will become increasingly difficult and unstable. Two additional factors are important when considering potential for refugee return: First, western donor aid funding has declined precipitously, resulting in significant decreases in rations and reductions in salaries for members of community-based organizations that provide support for heath, education, and overall management of the camps. Camp residents and CBO members described the toll this is taking, and interviewees working for international agencies said that they felt pressures were being generated that would, even without an organized repatriation process, force people out of the camps – though not necessarily back to Myanmar.

Second, because the in-camp population is politically valuable for both state authorities and ethnic armed groups, a handful of interviewees noted that there appears to be a competition under way to select designated locations for resettlement of refugee populations. While a number of interviewees referenced specific locations designated for return, this process was also described as “highly opaque.” Though this research only had limited scope for engagement with camp residents, participants in two small-group discussions in Mae La, as well as interviews with CBO members, indicated that a significant portion of Karen populations genuinely preferred relocation to KNU selected areas, as they do not trust the Myanmar government. Other camp residents, particularly those that do not have any relationship with the KNU such as non-Karen residents or those with connections to the DKBA, may not share this

⁹“Mae La Refugees, On The Edge,” DVB, August 9th 2014.

confidence. An informant residing in Nu Poe further to the south and who maintains regular contact with Muslim residents, for example, noted that they were concerned about relocation under any circumstances, and had begun seeking routes to Malaysia.

Thus far some “spontaneous returns” have begun to occur, though as of early 2014 these have remained relatively limited and have occurred primarily in Tanintharyi Region.¹⁰ A recent TBC report calculated that only 7.1% of the current camp population had left the camps as of February 2014,¹¹ and of this population TBC informants indicated that the majority had likely gone elsewhere in Thailand and had not returned to Myanmar. One informant, a western analyst focused on southeast Myanmar, also noted that perceived risk of losing access to land may push increasingly large numbers of refugees to return, so that they might reclaim land before losing it to others, or to establish new claims in abandoned areas. These same perceived pressure would apply to IDP populations as well.

III. Self-protection strategies: Changing with the context

A. Existing understandings

It is axiomatic that people facing threats to their basic safety and rights do not do so passively. People and communities under threat take whatever steps they can see to address them, though these steps are often not recognized by external actors. The Local to Global Protection initiative (L2GP) has undertaken dedicated research on the strategies employed by people in such circumstances in multiple countries. A variety of authorities on humanitarian protection have also noted the importance of these local responses, often referred to as ‘self-protection’ or ‘coping’ strategies.¹²

This paper employs the term ‘self-protection’ or ‘community self-protection’ in order to emphasize the fact that many concerns raised by peoples in southeastern Myanmar are indeed *threats* to their lives and livelihoods. That is, they are harms or risks of harm generated by the actions of individuals and groups who may be identified and responded to. This emphasis is important. The role of power dynamics and the use of violence in southeast Myanmar is distinct from issues that, while urgent, nonetheless are endemic, such as poverty. While individuals and communities might employ approaches to cope or survive issues of the latter type, ‘protection’ language requires one to engage questions about the role that specific, identifiable actors and the use of violence and abuse play in contributing to poverty. It implies the question, ‘protection from what or whom?’ ‘Community self-protection’ and ‘self-protection’ will be used as loosely inter-changeable, nonetheless maintaining the sense that strategies employed are at both individual and community levels.

¹⁰ As of 2015, UNHCR notes that in addition to continued spontaneous returns in Tanintharyi, significant returns have been noted in Kayin and to a lesser extent in Kayah and Mon (editors note: 24 June 2015)
(<http://data.unhcr.org/thailand/download.php?id=619>)

¹¹ “Press Release: Updated population figures for refugee camps in Thailand,” TBC, February 3rd 2014.

¹² Sorcha O’Callaghan and Sara Pantuliano, ‘Protective Action: Incorporating Civilian Protection into Humanitarian Response’ (Humanitarian Policy Group Report, 2007)

In the Myanmar context, particularly eastern Myanmar, approaches to self-protection have been subject to unusually rich documentation, including by the L2GP, which undertook two studies in the country during 2010. The L2GP study of self-protection strategies in southeast Myanmar developed a loose typology, categorizing self-protection strategies as *containing*, *avoiding*, or *confronting* protection threats.¹³ This mirrors a common typology used by, for example, Andrew Bonwick.¹⁴ Also working in the southeastern Myanmar context, starting in the middle 2000s, the Karen Human Rights Group (KHRG) began seeking to support local self-protection approaches, through village-level workshops to develop and refine such strategies and through research and reporting.¹⁵ These local responses were also discussed in articles for scholarly journals by academics and commentators affiliated with KHRG.¹⁶

This existing documentation enables one to develop two important insights regarding community self-protection in southeast Myanmar: First, those choosing to *contain*, *avoid*, or *confront* protection threats have often moved between these categories. In some cases, it is precisely that decisions can be made about moving between avoiding, containing, or confronting threats that is crucial for self-protection. Self-protection approaches should thus be understood as existing along a spectrum of activities that entail waxing or waning degrees of contact with threats, stretching between two poles: contact and no contact. At one end are strategies that necessitate direct relationships, such as negotiating, for example, to reduce or delay demands for forced labour or taxation. Such a response would entail seeking to contain or confront the threat. At the other end are strategies that entail no contact at all – that are successful up to the degree that the threat can be avoided. For example, avoiding forced labour demands not through negotiation but by fleeing to live in hiding in remote upland areas.¹⁷

A whole host of strategies also exist in between these extremes, entailing a mixture of containment and avoidance, such as falsifying information about local population records so that demands quantified using household quotas can be mitigated. If every household has to send a labourer, a son as a soldier, or pay taxes, making some households invisible enables the village to reduce the overall demand.¹⁸ “We told them we had only over 80 households, not over 100 households,” KHRG quoted a villager from southern Kayin State in December 2006. “We took out the widows’ and orphans’ households because we thought that if they demanded taxes from us, the widows and orphans shouldn’t need to pay them.”¹⁹

¹³ Ashley South and others, ‘Conflict and Survival: Self-Protection in South-East Burma’ (Asia Programme Paper: ASP PP 2010/04, Chatham House September 2010)

¹⁴ Andrew Bonwick, ‘Who Really Protects Civilians?’ (2006) 16 DevPr 270

¹⁵ KHRG, ‘Village Agency: Rural Rights and Resistance in a Militarized Karen State’ (25 November 2008); KHRG, ‘Self-protection Under Strain: Targeting of Civilians and Local Responses in Northern Karen State’ (31 August 2010)

¹⁶ Stephen Hull, ‘The “everyday Politics” of IDP Protection in Karen State’ (2009) 28 J Curr Southeast Asian Aff; Kevin Malseed, ‘Networks of Noncompliance: Grassroots Resistance and Sovereignty in Militarised Burma’ (2009) 36 J Peasant Stud 365

¹⁷ For a broader historical discussion of flight as a strategy for evading state control in upland areas of southeast Asia, see James C Scott, *The Art of Not Being Governed: An Anarchist History of Upland Southeast Asia* (Yale University Press 2010).

¹⁸ The above examples have been documented by both L2G and KHRG. See, ‘Village Agency: Rural rights and resistance in a militarized Karen State’ (n 3); South and others (n 7).

¹⁹ KHRG, ‘Shouldering the Burden of Militarisation SPDC, DKBA and KPF Order Documents and Forced Labour Since September 2006’ (August 2007)

Second, the strategies documented to date entail a variety of forms of collective organization, which have ranged from individual and household approaches to broader modalities of organization. L2GP and KHRG in particular documented strategies undertaken by individuals or individual households, often without explicit coordination between individuals though occurring with widespread consistency. In the case of meeting demands for forced labour or provision of paddy without compensation, for example, individuals would often deliberately work slowly or ineffectually, or meet quotas by mixing rocks or other materials so that a demanded weight would be met more quickly.²⁰ More collective modalities have included village-level decision-making on topics such as when to flee or return or how to handle integration of displaced populations. Community-based organizations (CBOs) have also long operated to meet basic needs including health, education, development, and emergency relief. These CBOs have had differing degrees of affiliation to armed groups, which have themselves stated their interests in protection of the civilian population.²¹

While local self-protection approaches have often been effective, both L2GP and KHRG have emphasized two important caveats. First, that such approaches can expose community members to new and unintended risks of harm. For example, individual use of landmines to delay military patrols or provide villagers with warnings has also led to the injury or death of villagers – including those individuals who placed the landmines. Organizations seeking to oppose the use of landmines have thus roundly condemned the practice, even where some civilians have felt that mines might make them on-balance safer. Second, self-protection approaches are not a substitute for peace, good governance, or respect for rights by state and non-state actors. In many cases, the threats individuals and communities seek to protect themselves from must be addressed by other means. In the case of civilian use of landmines, for example, this would require sustainable peace and improved relationships between the Tatmadaw and civilian populations.

B. Changing strategies

However, the bulk of research on self-protection strategies in southeast Myanmar was undertaken prior to the January 2012 ceasefire. This has two implications: First, the protection concerns most salient for communities in eastern Myanmar have changed, requiring new – and potentially retiring old – strategies. To the degree that villagers hiding in upland areas have less fear of targeted military attacks, for example, they can reduce maintenance of hiding places and other preparations for flight. In other words, as threats have changed, so too have the types of responses that are necessary. Second, the dynamics within which people and communities seek to protect themselves have changed, entailing new opportunities and making previously desirable approaches less so. Civilian use of landmines was felt

²⁰American anthropologist James C. Scott has described such strategies as “everyday resistance.” See, James C Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (Yale University Press 1985).

²¹This is not to say that all armed groups in point of fact act as protection actors. A crucial point made by the earlier L2GP study however is that armed groups identifying with ethnic nationalities in south-eastern Myanmar seek to position themselves as – and are often perceived to be – protectors.

to be desirable to some in spite of known risks, but these risks may now outweigh perceived benefits given reduced need for protection. In other words, where threats persist, new options for responding to them have become available.

In an example of an old strategy becoming less viable, seeking refuge in Thailand is becoming increasingly unsustainable, regardless of whether it has ceased to be the most appropriate method for protecting the current camp population. Interviews with camp residents, members of local organizations, and international informants all indicated that discussions of life beyond camp, or the prospect of camp closure, have become common; direct and indirect pressures to leave are increasing while options for third-country resettlement are increasingly less viable. But all of these informantsexpressed the view that return to Myanmar is not always (or often) seen as an option for life ‘after camp.’‘Integration,’ with or without formal legal sanction, into Thailand among rural ‘hilltribe’ communities or the larger migrant worker population, as well as ‘escape’ to locations further afield such as Malaysia were also noted by interviewees. A number of interviewees indicated that many people in camps are still not prepared psychologically to accept or even consider return to Myanmar. Others pointed to the unstable position of the ceasefire process, continued protection concerns in eastern Myanmar, and lack of services and livelihood options as obstacles to effective return to Myanmar.

In an example of the availability of new strategies, on the other hand, improved freedom of movement is opening potential for communication and alliances between communities and groups that had previously remained unconnected. While there has not been large-scale spontaneous return of refugees, the amount of “back and forth” cross-border movement by people in the refugee camps has increased. This may be because individuals from households are returning ahead of others, to minimize risks, to ascertain the desirability of return, and to prepare for return that is coerced through force or reduction of in-camp support.

Improved freedom of movement and communication is also making it possible for linkages and alliances that facilitate new forms of community self-protection. CBOs with offices along Thailand’s border have begun regularly joining meetings, events, and collective actions organized by civil society actors in government-controlled areas, including Yangon. Communities impacted by new investment, meanwhile, have sought advice and support from lawyers and civil society groups based in larger towns and cities. Examples include village networks in northern Kayin State and northern Mon State engaging with lawyers and civil society groups in Yangon; village committees and a network along the road link through KNU areas in Dawei coordinating with civil society activists in the city of Dawei; and civil society and community-based organizations from government and ethnic armed group controlled areas along the Salween River coordinating responses to proposed hydroelectric dams, including with Thailand-based CBOs and Thai civil society. Communication nonetheless still remains limited, though this appears poised to change radically with the scale-up of mobile-phone networks over the next few years.

Similarly, new protection concerns such as the negative impacts of investment are not addressable through ‘everyday’ or individual and household-scale responses.²² New collective action is already apparent, including complaint letters, signature campaigns and petitions, demonstrations, and even ambitious instances of direct action. In August and September 2013, for example, a Karen CBO in remote areas of Tanintharyi blocked the roadlink to Thailand and seized, without use of weapons, trucks belonging to the Ital-Thai Development (ITD) company. The CBO announced that it would not allow ITD trucks to use the road until full compensation had been paid to villagers who lost land and fruit trees as a result of ITD investments. They were successful in winning the redress they sought, including compensation for fruit trees damaged by the road project. Notably, this success was made possible because of the sustained and collective nature of the activity, the group’s ability to win recognition from Tanintharyi Region authorities, and its ability to calibrate its actions appropriately based upon advice and coordination with activists in Dawei city.

The above are indicative of the variety of new responses that have become possible, entailing increasingly collectivized action as well as more and more nuanced uses of strategies on the ‘engagement’ end of the spectrum. At the same time, however, groups and communities continue to employ strategies on the other end of the spectrum, seeking to retain an ability to keep the state, or ethnic armed actors, at a distance. This was highlighted by groups active in areas under ethnic armed group or mixed control, which emphasized that areas of eastern Myanmar have never, at any point in history, been administered by a central state government. A similar concern was noted in Yangon at a presentation on donor support for good governance in southeast Myanmar during May 2014. “The state is not a long lost friend that is returning. It has never been there,” one of the presenters said. “When we say ‘strengthening good local governance,’ we are really talking about state building,” added another attendee. “Instead we should be discussing how you strengthen communities to withstand the state when they meet it.”

While this issue is a political one related to perceptions of which actors have a legitimate ‘right to rule’ a given population and geographic area, it is also a *protection* issue. Groups discussing refugee return highlighted past experiences with violence by the government and a resulting preference for return to KNU-administered areas; that is, continued avoidance of state control. This can be read at face value, with respect accorded to the threat perception of local people. Or it may be interpreted as a function of reluctance to abandon a protection strategy established over decades in response to immediate risks such as from armed clashes and long-term policies used by the state to establish control over new territories.

External interventions seeking to promote ends including development, good governance, and refugee repatriation must therefore take care to consider the degree to which they restrict individuals’ and communities’ abilities to pursue self-protection through avoidance. This is an important consideration for two reasons: First, because it helps highlight an underlying rationale that may explain why some

²²Erik Martinez Kuhonta, ‘Development and Its Discontents: The Case of the Pak Mun Dam in Northeastern Thailand’ in *Agrarian Angst and Rural Resistance in Southeast Asia* (2008)

external interventions are unpopular or meet with resistance from local communities and civil society organizations.²³ Second, because it highlights how interventions that foreclose future self-protection through avoidance may expose people to new risks should the ceasefire process give way to renewed fighting. This is relevant for both refugee populations and inside Myanmar for communities continuing to contend with violence associated with militarization of remote areas, as well as for those actors risking potential violence as a result of their opposition to investment projects, both those backed by state actors and/ or those implemented under ethnic armed group authority. In these cases, local actors continue to avoid oversight and control of at least some activities keeping some strategies, such as the degree of their connections with different conflict actors, ‘underground.’ International actors are likely to find it impossible or inappropriate to maintain such fluidity in relationships with the state because their operations must first and foremost be authorized. They should nonetheless be careful of imposing similar constraints on communities and local civil society organizations.

IV. Recommendations

A. Research

There is an urgent need for a clear research-based understanding of 1) changing protection concerns, 2) local capacities and changing strategies, and 3) the relationship between strategies previously relied upon and those currently in use. This information needs to be accessible and in the public domain so that it may be leveraged by local actors. However, a key target for the information needs to be foreign governments, donors and non-state actors interested in peace, development, and human rights in southeast Myanmar on the assumption that they present both an important source of potential support and risk of harm. It is equally important that information is available and designed to be relevant for use by local actors.²⁴

This research is needed for **six primary reasons**.

Existing capacities need to be acknowledged, particularly by international funders and implementing agencies. There is significant existing capacity to address protection concerns in southeast Myanmar; one of the key lessons learned identified by the MPSI, for example, is the importance of recognizing such capacity.²⁵ Existing local capacities are not alone sufficient, and additional mobilization, strength, and connection between groups and communities is necessary. If existing capacities are not recognized, however, this increases the likelihood that they will be disrupted, harmed or supplanted by external

²³This point tracks closely to MPSI findings regarding the importance of community perceptions of peace and security. See MPSI lessons learned, p17.

²⁴Finally, it is important to consider that, in most ways, the actors with the greatest ability to influence the protection context for refugees and communities in southeast Myanmar are the governments of Myanmar and Thailand, and ethnic armed groups. The important question is how L2GP and others can support local communities and civil society in their engagement – or avoidance – of such actors.

²⁵“Lessons Learned from MPSI’s work supporting the peace process in Myanmar,” Myanmar Peace Support Initiative, March 2014.

interventions. This applies to both household and village level strategies, which may be unintentionally disrupted by the activities of external agencies, and larger-scale collective activity by CBOs. Recognizing this risk, health and education CBOs with offices in Thailand have issued a number of public calls for international agencies and state actors to work with their existing initiatives rather than replace them with new ones.²⁶ Importantly, ‘capacity’ as a context must also be defined carefully, to include capacities beyond those traditionally understood as capacities to function as a non-governmental organization. In the context of self-protection, capacities to mobilize communities and relationships with power holders may be more important than the ability to manage large pots of funding or satisfactorily partner with international agencies.

Specific strategies that have been effective should be identified so that they may inform further actions. Specific local strategies for addressing protection concerns have been effective in various contexts. While it is not possible to “replicate” successful strategies because local contexts are too diverse and fluid, if presented in an accessible manner success stories can serve as important learning and inspiration that informs further action by other local actors. Better understanding examples of such strategies is also necessary for international actors to develop interventions that are supportive – and take care not to unintentionally disrupt or damage local efforts. Previous documentation is no longer sufficient to inform such actions given the changing context.

The full spectrum of local strategies should be recognized, particularly by those international agencies that risk undermining community efforts. Previous evidence gathered by L2GP and others indicates that local actors move along a spectrum of relationships with state and non-state authorities, and use their ability to do this to address protection concerns. International agencies, however, operate within Myanmar based exclusively upon permissions from state authorities. Because of this, they are limited to supporting strategies at one end of the spectrum and present an inherent risk of disrupting strategies at the avoidance end of the spectrum. A corollary to this is the importance of better understanding the full range of capacities that contribute to effective self-protection; an agency that poorly understands, for example, the importance of local decision-making processes may unwittingly disrupt them by encouraging other forms of ‘organizational development.’

Strategies need to be situated in their historical context. Reliance on particular strategies – or lack of reliance on other strategies – needs to be understood in light of the context. Perceptions of risk and choices of response are influenced by prior experiences. Without understanding this, international donors and other agencies may select or prefer responses that appear appropriate in a vacuum – but which will not be perceived as appropriate by local actors including IDPs, refugees, and civil society organizations. This does not mean that strategies that have long been effective should be *prima facie* understood as appropriate. But it does mean that such strategies and their histories cannot be ignored, and current practices or desired future practices must be understood in light of their antecedents.

²⁶See for example, “Building Trust and Peace by Working through Ethnic Health Networks towards a Federal Union,” Statement by the Health Convergence Core Group (HCCG), March 11th 2013 (HCCG includes 8 health CBOs); “Views and Recommendations of CBOs from Kayah State over the EU’s planned development projects in Kayah State,” March 8th 2013 (signed by 18 CBOs)

Citable research is needed. Local actors in Myanmar are already seeking to engage with and influence international donor and development agencies to ensure that they support existing capacities. There is however limited easily-citable evidence that local actors can point to establishing the existence of local capacity. Examples from proposal-drafting processes by local organizations with activities in southeast Myanmar indicated that this made their resource mobilization efforts more difficult. At the same time, large funding sources have recently characterized civil society in Myanmar as *lacking* capacity, countrywide and in particular for traditionally marginalized populations in Myanmar.²⁷ Lack of competing evidence undermines the ability of civil society to challenge such claims. It also encourages international agencies to devise strategies for “building” new capacity, rather than investing in strengthening what exists. Similarly, lack of research demonstrating the importance of the full spectrum of self-protection strategies also undermines groups and communities as they seek to maintain the ability to move along this spectrum.

Existing initiatives will not satisfy the above. There are a number of research, scoping, and documentation initiatives under way or recently completed. Profiling and scoping research is occurring, but it is not focused on protection concerns. For example, UNHCR’s village profiling exercise explicitly has not included information on protection concerns, and does not include information on self-protection strategies. This exercise has been replaced by a community-level ‘return assessment’ process, which includes some questions on vulnerability but does not address protection concerns, or local responses, in detail. UNHCR has released research on coping mechanisms and self-protection capacities in the refugee camps, and this is an important early step but it will not be sufficient. SDC has conducted a local governance assessment, but is exclusively focused on those strategies that entail engagement with state actors; it represents an example of those approaches that could constrain local actors that might otherwise seek to maintain a fluid relationship with the state in eastern Myanmar. Research on displacement and humanitarian/development needs is also under way, including by UNHCR and the Thai-Border Consortium. More open-ended research on local priorities is being done by Centre for Peace and Conflict Studies, using the CDA ‘listening project’ methodology.²⁸ A number of international actors have undertaken research and trainings on conflict-sensitivity. The Karen Human Rights Group (KHRG) is undertaking research into local concerns and strategies, but often faces attacks on its legitimacy as an ‘exile’ group.

Each of these research, scoping, profiling, etc., exercising are valuable and important in their own way. However, none of them, alone or in aggregate will satisfy the above requirements. In the absence of the above research, some existing research initiatives may be inadvertently problematic if taken in isolation. Research that asks questions about ‘needs,’ for example, may encourage the idea that the issues people in southeast Myanmar face are primarily basic humanitarian services. Research that seeks to understand concerns or the causes of these needs, on the other hand, is more likely to identify

²⁷ USAID, ‘Accountable to All (A2A): Strengthening Civil Society and Media in Burma Program’ (USAID 14 March 2014) 5

²⁸ CDA used to stand for the Collaborative for Development Action but has since changed its name, keeping the acronym (<http://www.cdacollaborative.org/about-us/>).

protection issues. Failure to recognize the full spectrum of self-protection strategies used and/or in use, meanwhile, means that extant research and planning is likely to privilege those interventions that require engagement with the state, even where they may constrain communities and individuals that may require continued flexibility in the nature of their engagement. The above analysis could thus serve as a framework for assessing the degree to which existing research fills necessary gaps: does it seek to identify existing capacities and the full spectrum of specific local strategies that are or may be employed, and situate them in their local historical context?

B. Resourcing

Existing community capacities for self-protection need support. Flexible grants for a broad array of activities linked to self- or local- protection identified by local actors may be a desirable approach.

Self-protection strategies are effective. Local actors often have the best understanding of the context, risks, and relevant power dynamics, and are the only local actors that can employ strategies along the full spectrum of relationships with state and non-state actors. International agencies are limited to supporting those strategies that entail relationships with the state. This is why communities are first-responders, and why international agencies continue to have limited access to communities long affected by conflict in eastern Myanmar. While this access has improved significantly within the last two years, agencies interviewed for this research nonetheless acknowledged limitations. Even UNHCR, which has a clear protection mandate, noted that it currently (and unwillingly) has had to de-emphasize protection.

Local self-protection initiatives are under-resourced. While increased funding has become available for actors working within Myanmar, groups in southeastern Myanmar – and other conflict and/ or ceasefire areas – remain under-resourced, particularly those that are nascent or emerging, or which are not organized as non-government organizations. Residents of the refugee camps, meanwhile, have seen a marked decline in material assistance. As a result, both in camp and in long conflict-affected areas, if one is a part of or seeks to organize collective action, village-level development, or other independent community-based action, there are an extremely limited number of sources of support that may be approached. Members of CBOs working in IDP areas interviewed for this study noted that their only option for accessing funding for small-scale initiatives would be to petition central leadership within their own CBO structures, or make appeals to leadership within ethnic armed group administration. Finally, self-protection has long entailed – and will continue to entail – crossing international borders, to access sanctioned or unsanctioned asylum, to go-and-see farms and former homes, and to protect assets; such strategies are under-resourced, save for those donors willing to allow ‘cross-border’ initiatives or those with ‘a foot in both camps.’

Cash grant models have been demonstrated a high degree of effectiveness in Myanmar. The effective role that cash grants can play in strengthening community and civil society capacities has been identified in Myanmar, including by external evaluations of AusAID and DFID support to the Paung Ku consortium

(now a registered local NGO) and lessons-learned research on Myanmar Peace Support Initiative (MPSI). In the initial years of Myanmar's political opening, Paung Ku grants enabled civil society and communities to undertake actions that lack of resources would otherwise have prevented and that traditional donor project support had not yet identified as possible, necessary, or viable. Activities supported by the consortium enabled local actors to establish both important relationships and new political spaces, well before any other forms of support could have contributed similarly. There are clear analogies to supporting expansion of community self-protection strategies in southeastern Myanmar.

Development and innovation needs nourishment. As the context changes, this is also changing the opportunities and space available within which people and communities seek to protect themselves, both in the refugee camps and in southeastern Myanmar. This is already entailing new responses such as collective approaches as diverse as moving towards convergence of health and education systems; collectively influencing investment projects; and influencing the ceasefire process between government and armed groups. For individual approaches, this includes moving within and to new areas and developing new relationships with actors long considered as threats. Where these take time, resources, and new learning, this should be supported, with the recognition that local actors will be best equipped to identify and develop new approaches. "If you speak to communities in the right way, they will say: this is what we could do, if you give us the support we need," noted one informant. The crucial matter, in other words, is supporting community actors so that they may act when and how most appropriate, *not* pre-identifying those strategies donors and international agencies believe to be most effective.

Collective action should be supported. New protection concerns that are emerging have already begun to prompt collective responses among communities long affected by conflict in southeastern Myanmar, and this mobilization should be supported. External actors seeking to support self-protection should be aware that privileging small-scale interventions, may divide or re-divert community efforts away from collective responses, including existing structures of self-organization. At the same time, external support – including offers of funding, partnership, and training – should be cautious in pushing for formal management or implementation structures or centralization where it is not desired or locally driven, or where it would replace existing structures, including village development and leadership committees and CBOs.

*Support should be understood in terms of **capacities** for self-protection, not just **strategies**.* If there is a recognition that individuals, local communities, and civil society organizations in eastern Myanmar have capacities for self-protection and can be strengthened, the corollary is that this capacity should be supported. This is distinct from seeking to identify specific strategies and then 'roll-out' their replication. Latency is a useful concept in this regard; latent capacity may be strengthened, such that individuals, communities, and civil society are better able to respond when necessary. For this reason, collective community response to issues that are not necessarily immediate or obvious protection concerns may be desirable, insofar as it contributes to developing capacities that can also be turned towards addressing protection concerns. For example, the network of villages in northern Mon State cited above originated as cooperation for basic social services. They then used their capacity for organisation and

implementation to coordinating and mobilizing area villages to engage state, non-state, and private sector actors to address harmful gold-mining.

C. Synergies

Research and resourcing could be pursued individually. There are, however, two potential strong synergies between a cash-grant scheme and further research that seeks to understand approaches to self-protection.

First, flexible cash grants over a certain size and scale are frighteningly uncertain for international funding partners. The openness that is required to back evolution of capacities and strategies, particularly when it comes to strengthening latent capacity, does not always fit within funding parameters. Linking cash grants to a prescribed set of project outputs and outcomes risks funnelling potentially dynamic community capacity towards externally defined actions that constrain innovation, replicating contract-for-services or implementing-partner arrangements. The emphasis must instead be on outcomes connected to the capacities of grant recipients; success should be understood as strengthened capacity, rather than completion of a project. Dedicated research into community capacity and self-protection strategies that operates alongside a cash granting scheme may raise the comfort threshold for international funders sufficient to enable a program with the appropriate flexibility.

Second, sharing information on effective strategies and ‘success stories’ may help to inspire other communities, particularly as populations long affected by conflict – both refugees and people living inside Myanmar – seek to determine what is possible within the new environment. Other groups in Myanmar have made particularly effective use of sharing and cross-fertilization of ideas between groups. A recent visit to the Dawei area in Tanintharyi Region by farmers and land rights activists from Shan State, for example, has helped to disseminate lessons and successes from community attempts to influence large investment projects in the area, which the visitors have now taken back to their home areas. The groups in Shan State, meanwhile, will need resources when they seek to turn these lessons into action. Media coverage of successful actions by community groups has also been noted as particularly effective for informing and inspiring others to mobilize similarly. Thus facilitating learning exchanges – or sharing information where logistics, cost and time make such exchanges impossible – could be highly valuable. This would need to take into account the different information environment in eastern Myanmar, where print media is slow to arrive – but such obstacles are likely to be reduced as telecoms networks develop.

V. Final notes on risk

Interviews for this paper identified **two core risks** associated with actions such as the above:

Risks associated with research initiatives. A number of interviewees raised concerns about research, noting that: camp and IDP populations have been over studied, and that research on self-protection

strategies and capacities may raise expectations of support, particularly if group discussions on self-protection were to be convened. Research in the refugee camps was also described as highly fraught, because of other recently controversial surveys and the general risk that any questions will be understood in light of camp resident's overwhelming sense of fear about the future. These could at least in part be addressed through careful and ethical research practices. Pairing research with making resources available could also address some of these concerns.

Additional concerns were raised regarding community ownership, particularly of 'action research' initiatives that, while carried out by members of affected communities, are usually developed into English-language written outputs without local control. In this regard, a distinction was apparent between *local participation* and *local control*. Some criticized research reports – including L2GP – for not ensuring that communities had control over the characterizations and recommendations made about them, using information that had nonetheless been gathered through their labour.

Two interviewees (respected ethnic women civil society leaders) made particularly persuasive arguments in favour of research initiatives that entail collaboration between local and international actors, whilst maintaining local control. "Communities need to gather and control the information. If not, other people will decide what they want for them," one of the women noted, while also emphasizing that more information gathered and then used by external actors for their own agendas would not be helpful.

Two related but distinct strands of collaboration can be highlighted: 1) Community control should begin early, including involvement in designing research methodology, questions, and source groups, and should extend throughout the information gathering process, 2) Community control should continue through analysis and development of findings, recommendations, and dissemination. In both cases, it is important to critically engage what is meant by 'community,' and maintain awareness of two inter-related risks: 1) that elites and civil society leaders capture processes and arrogate authority to represent communities; and 2) that attempts to avoid such 'elite capture' and engage directly with individual or 'ordinary' villagers functions, both intentionally and unintentionally, to circumvent and harm attempts at collective organizing. As a final note, there is a clear ancillary value for local groups undertaking joint research, in that participation in the full research process is a learning opportunity, and in that inclusion in the final research output can boost profile and credibility.

Actions are possible as never before, but complexities and restrictions exist nonetheless. Research in and on southeastern Myanmar has long been defined by starting points; research conducted by moving eastward from Yangon has often come to different conclusions than research moving westward from across the Thailand border. Freedom of movement is making it possible to access areas previously off-limits, and this opens possibilities for research unlike ever before. At the same time, however, starting points will continue to exert significant influence, and researchers (or those designing projects or programs) should reflect carefully on how their findings and designs are being shaped.

Annex 1. What a potential Resourcing & Research initiative might look like

Designing anytwo-pronged Resourcing & Research (R&R) initiative would need to begin by considering three core questions, and related sub-questions:

What would core activities look like?

Resourcing community self-protectionwould need to be designed to enable local actors to design their own approaches.Development of a cash granting system would need to be judged ontwo criteria. First, **accessibility**: can a wide variety of forms of community organizingbeyond those traditionally associated with receiving donor funds access support, including CBOs, networks, committees, and local coalitions?Southeast Myanmar is home to a variety of forms of organizing, which should not be *prima facie* excluded. Key choke points that often disrupt local actors' ability to access funding include the application process (funding windows, the nature of proposals and applications) and quick decision-making timeframes. A key aspect of accessibility and quick funding in turn relates to the process for deciding on awarding funding support. Ensuring accessibility would require a multi-lingual process and a willingness to work with and without standardized proposal processes, particularly for those actors otherwise unfamiliar with traditional application processes.Paung Ku and MPSI both have important lessons in this regard.²⁹

Second, **impact focus**: can groups use the funds for activities that strengthen their ability to address protection concerns, even where the activities are not obviously about 'protection'? This would require a process that recognizes that those activities that contribute to self-protection may not, first and foremost, be about self-protection. That is, a cash grant may be used for *other* activities not obviously tied to self-protection, but the result may be an increased self-protection capacity. The emphasis placed on the importance of supporting capacities rather than identifying strategies is important in this regard, as is the previous example from Mon State. Impact, then, is a matter of increased *capacity* for future self-protection activities, not necessarily the immediate implementation of such activities.

Any initiative would need to move beyond customarylinear models in which research identifies an approach and then investments are made for scale-up.A variety of individual and collective strategies for self-protection have already been identified, as discussed above. However, the context is changing rapidly and so are these strategies. Seeking to identify specific approaches first, and then resource them, is likely to introduce delays, resulting in support becoming available for strategies that are no longer relevant, though they may have been appropriate at the time of research. There is also an element of hubris in any assumption that an external actor, even cooperating with local partners, can effectively identify the most appropriate strategies and then, as a technical matter, facilitate their scale-up.

²⁹See for example MPSI lessons learned, at p8 and at p21."Lessons Learned from MPSI's work supporting the peace process in Myanmar," Myanmar Peace Support Initiative, March 2014.

Research would thus need to be incorporated in parallel to the resourcing, as a mechanism for facilitating learning between community actors and donors or international agencies. Development of a research component would need to be judged on two criteria. First, **audience**: is it generating learning that is useful for community actors? To be effective in this regard, learning would need to be available in accessible formats. Research compiled into reports for external stakeholders can be valuable, but should be understood as a separate process not likely to inform community actors. Second, **agility**: is research able to remain relevant in a dynamic environment? To be effective, research would need to generate insights that are valuable in real-time.

Potential modalities:

- 1) A cash granting scheme that leaves issue focus and activity design open to community actors, with minimum restriction. No calls for proposals, no restricted funding windows; sufficient staff to ensure the process is navigable for those groups without prior familiarity in accessing outside resources. Small funds made available for community-led actions that are sufficient for significant activities but do not overburden actors that do not have prior familiarity with management of donor funds. Such funds would need to be available on a scale of USD 100-1000s, rather than USD 10,000s.
- 2) A research process that accompanies groups and shares updates on progress, lessons, changing concerns. Research focusing on *how*, rather than *what*. That is, *how* are self-protection strategies possible? What are the *capacities* that support community self-protection? To be accessible and useful for local actors this would not be a single report, but a research output understood as the aggregate of individual updates and facilitated sharing opportunities. Exchange trips, broadcast via radio, and updates on social media could make lessons and success stories available for local audiences – both civil society actors and communities – than typical reporting. At the same time, to be citable and useful as leverage for local actors, discrete reporting outputs would also be necessary.

Where to focus?

Any R&R initiative would need to make difficult decisions about geographic scope and focus. In particular, there would be pressures to make decisions about whether the focus would be on camp-based populations or those communities living in areas long impacted by armed conflict ‘inside’ Myanmar. There is extreme need in both areas, including threats to protection.

Rather than accept this separation, an R&R initiative could emphasize the need for simultaneous support to both populations, in particular recognizing that the distinctions break down in practice. Indeed, all of the local actors interviewed for this research made mention, directly or indirectly, of activities that occur in both Thailand and in Myanmar; most local actors (not just those understood already as ‘cross-border’) move across international borders with a fluidity belied by boundaries as drawn upon paper maps.

As a practical matter, an R&R initiative should make support available to populations in camp and inside Myanmar, as well as those activities linking the two. This would enable the initiative to match the

dynamism of the context, and would maximize the probability that actions resourced by the initiative facilitate new linkages and collaboration between community actors.

Who to involve, and where to be based?

The most important question determining success will be the make-up of any initiative. A large number of CBOs and other civil society organizations are well established in eastern Myanmar, in both government-controlled and ethnic armed group areas and with bases both in Thailand and inside Myanmar. All these actors are enmeshed in a highly political context, with varying degrees of connection to, and permission to operate from, ethnic armed groups or state actors. In previous years a stark divide separated those ‘inside’ actors and those operating ‘cross-border,’ and while this distinction was always less stark than believed and is breaking down further, it is still important to consider. Complete exclusion of actors from either ‘side’ would fail to leverage existing capacities, and is likely to generate backlash that would undermine any initiative. Significant cooperation between groups in ethnic armed group controlled areas (and, often, offices in Thailand) and those in government controlled areas (and, often, offices in Yangon and/or regional capitals) is already occurring, though it can be fraught. Local organizations, like international agencies, have their own priorities and limited abilities to absorb new initiatives, and it should not be presumed that all would be interested, willing, or able to participate. It is nonetheless important to engage them as both potential constituent members of an R&R initiative and as potential recipients of funding.

In conceptualizing a potential R&R initiative, the early years of the Paung Ku Consortium may be instructive. The Consortium brought together approximately a dozen local and international agencies, with a small core group of staff responsible for managing cash grants to civil society partners. The Consortium was thus able to ‘pool’ the MOUs of the agencies, resulting in permission to operate across an unusually wide swathe of Myanmar. When first formed, ‘Paung Ku’ as such had minimal connections with community actors, and thus staff members of Consortium agencies were instrumental in connecting the initiative to local communities and organisations that were in need of support. The pooled nature of the MOUs functioned to create a degree of administrative opacity, enabling the Consortium to support a diversity of civil society action, including activities that might otherwise have been too controversial for a single agency to engage. MPSI lessons learned have also highlighted the benefits of locally-owned CBO consortiums.³⁰

A consortium of local and international agencies that are based in both or either Thailand and Myanmar could similarly benefit from the ambiguity and flexibility associated with a large umbrella. This could function to ‘unlock’ areas in which it might otherwise be difficult to provide support. A consortium of agencies – newly formed or drawing on existing relationships – could cooperate to publicize the availability of support and connect community actors to such support, while a core group could be tasked with the practical responsibilities (and associated accountabilities) of supplying resources to local actors. Similarly, a consortium that includes local and international agencies could also more effectively

³⁰MPSI lessons learned, Ibid, p21.

support local activities that entail the full spectrum of self-protection approaches. Maintaining a diverse consortium entails its own difficulties, particularly in a context in which local and international actors may not trust each other, and/ or feel opposition to international agencies such as UNHCR or others tasked with managing any potential repatriation process.