

Karen Peace Support Network

Critique of Japan International
Cooperation Agency's Blueprint
for Development in **Southeastern**
Burma/Myanmar



Full Report
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Executive Summary

The Japanese International Cooperation Agency (JICA) has recently issued a blueprint that proposes industrial development in Southeast Burma/Myanmar, purportedly to aid in the return and settlement of refugees and Internally Displaced Persons (IDPs) in Karen and Mon States. However, the Karen Peace Support Network (KPSN), a network of nearly 30 ethnic Karen organizations in Burma/Myanmar, cautions JICA that its blueprint for infrastructure development such as roads and industrial estates in the war-torn southeast is premature and flawed, potentially exacerbating conflict in the region.

The KPSN (formerly KCBPSN) is the largest network of Karen civil society organizations in Burma/Myanmar (a list of member organizations is provided in Appendix 1). These organizations have been providing support for vulnerable people and communities in this conflict-torn region for decades, striving to empower local communities, build transparent and accountable institutions, and help create a sustainable peace in Burma/Myanmar. Therefore, KPSN and its member organizations are important stakeholders which must be included in any development planning process in the Karen areas of Southeast Burma/Myanmar. After all, development will directly impact the local Karen communities with which these organizations work.

The JICA blueprint is officially called the *Preparatory Survey for the Integrated Regional Development for Ethnic Minorities in the South-East Myanmar: Final Report* (October 2013).¹ It is intended to guide Japanese investment in the southeast and focuses on upgrading and expanding road networks and establishing industrial estates, urban infrastructure, and industrial agriculture such as rubber plantations.

By working primarily with the central government and its appointed state governments in planning major development projects, JICA's approach legitimizes and reinforces existing centralized government structures. The blueprint assumes that refugees and IDPs will voluntarily return when more development occurs, and it assumes that large-scale industry and infrastructure developments are appropriate for the area and will be implemented in parallel with the peace process. However, KPSN's own conflict analysis argues that these assumptions are wrong.

¹ An abbreviated document was released in February 2014 entitled, "Project for the Integrated Regional Development Plan to Support Ethnic Minorities in the South-East Myanmar in the Republic of the Union of Myanmar Inception Report". JICA's website does not contain any direct links or documents related to the Project. This link does mention development in southeast Burma/Myanmar: http://www.jica.go.jp/english/about/president/speech/130809_01.html

Our analysis shows that the exploitation of local natural resources and disrespect for land rights by central military authorities are two key causes of the more than 60 years of conflict in ethnic areas of Burma/Myanmar (see Appendix 2). This should be understood within the larger context of the state's denial of ethnic people's demands for self-determination. The current peace process has not yet led to a meaningful decentralization of constitutional powers, whereby local ethnic peoples have a voice in government development policies. We are concerned that JICA's blueprint neither sufficiently recognizes this risky context nor proposes people-centered development alternatives.²

It is indeed dangerous to ignore the underlying causes of conflict in the region, and to invest money or technical support without consulting communities or paying heed to their concerns. A development strategy lacking a strong foundation of sound information from diverse sources – including critical analysis – cannot possibly lead to sustainable development. A more likely outcome is increased conflict: if this JICA blueprint becomes a means to strengthen current centralized government structures while ignoring local ethnic participation, it will fuel the ongoing conflict rather than help support a sustainable peace.

A blueprint of this scope, concerning socio-economic development in the southeast, is the first of its kind. We welcome the efforts of the Japanese people and other international organizations to contribute to our communities, which have been struggling with oppression and dispossession for generations. However, we have serious reservations concerning JICA's blueprint, its processes, recommendations, and future consequences. Civil society organizations among the Karen and other ethnic communities have been providing support for vulnerable people in this conflict-torn region for decades, but JICA has held no meaningful consultations or public hearings with our organizations.

Despite this fact and despite our strong reservations about the process to date, KPSN is willing to engage JICA under the assumption that Japan is approaching engagement with Southeast Burma/Myanmar with good intentions. We are also approaching JICA with good intentions, which include the eight concrete recommendations listed below.

We must first strongly emphasize, however, that as a basic principle we argue for a **temporary moratorium on large-scale development projects**³ in Southeast Burma/Myanmar until a full peace agreement can be reached, democratic rights guaranteed, and a decentralized federal union achieved. Only then can local people benefit equally from development projects. We also argue for a **temporary moratorium on the emerging donor-driven pilot project process** until meaningful engagement and consultation has been conducted, including the engagement of women, refugees and internally displaced persons (see recommendation #8).⁴

² See JICA president's speech: http://www.jica.go.jp/english/about/president/speech/130924_01.html

³ KPSN uses the term **Large-scale development projects** to refer to top-down, multi-sectoral projects involving extensive social and environmental impacts and often costing millions of dollars or more; examples include the integrated plan proposed by JICA, as well as the proposed Dawei mega-port project.

⁴ When referring to consultation we refer JICA to the Shift Project's "Conducting Meaningful Stakeholder Consultation in Myanmar".

Summary of Recommendations:

1. JICA's engagement with the southeast must be informed by a deep, comprehensive, and independent **analysis of the causes of conflict in the region**;
2. JICA must make explicit guarantees that the process and implementation of development in the Southeast will at the very least honor international **humanitarian development principles**;
3. JICA must ensure that a meaningful **Strategic Environmental Assessment** be conducted, integrating environmental considerations into its policies, plans and programs;
4. JICA must reform its **consultation process** to be consistent with its own stated principles (see Appendix 3) of seeking consensus, by engaging the full partnership of civil society organizations in all levels of project planning, design, and implementation;
5. JICA should work together with KPSN on the creation of a **representative team** to lead the consultation, planning and implementation processes;
6. JICA should develop a system of **full information disclosure** of all JICA studies, agreements and recommendations;
7. JICA must explicitly ensure that any development projects connected with its blueprint **establish meaningful partnerships with local civil society organizations** in order to strengthen local capacity and ensure sustainability;
8. JICA should **engage with Karen civil society organizations**, including KPSN, women, refugees and internally displaced persons to explore practical options for pilot projects.

With these recommendations, KPSN sincerely hopes to influence Japan's process of engagement in the Karen areas of Burma/Myanmar. The world has learned many things from decades of often destructive economic development. Now industrial development seems to be coming to our land, really for the first time. In the year 2014, with all those lessons learned and new knowledge and practices to draw upon, it is illegitimate for an agency that represents the Japanese people to proceed with these outdated and discredited processes. However, if JICA can change its ways and commit to working for real people-centered, sustainable development, KPSN is willing to collaborate with the agency.

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1

Introduction

The Karen Peace Support Network (KPSN) is a network of nearly 30 Karen community organizations dedicated to:

- Raising awareness of the peace process and of human-rights issues among Karen communities;
- Building the capacity of communities to advocate for and realize their rights;
- Providing practical support for communities to create sustainable livelihoods and improve their quality of life;
- Supporting Internally Displaced Persons (IDPs) and returnees;
- Monitoring the peace process; and
- Facilitating consultation and advocacy for a sustainable and equitable peace in Burma/Myanmar

After reviewing JICA's blueprint, we here provide a community-based perspective in response to JICA's recommendations and its stated purpose:

“(a) To clarify directions of regional development in Southeastern region of Myanmar consisting of Kayin and Mon States to realize full potentials, and define the scope of works for subsequent integrated regional development master planning” (JICA Final Report page 1-3).

Any study intended to clarify the direction of development in Southeast Burma/Myanmar and define the scope of work for development planning, accompanied by the promise of funding and technical support, has the potential to have a significant impact on our community and future. KPSN and our members are important stakeholders in the future of Karen State. We welcome the engagement and assistance of the international community, but we believe our visions for the future of our community are essential. KPSN supports sustainable socioeconomic development in Karen State, but we prioritize equitable benefits for people and the empowerment of our community in the development process.

The Karen community's traditional knowledge includes how to live in the natural environment without causing substantial harm to it. We stand firmly against destructive development. We seek improvements in livelihoods along with human development and the protection of the environment. These goals are not mutually exclusive.

We want our concerns, which reflect Karen community perspectives, to help inform decision makers on the ideas contained in the JICA blueprint. We also wish to provide information to others in the Karen community who will be involved in moving development forward. Our goal is genuine, community-based socio-economic development, rather than the type of infrastructure and export-based industrial development which seem to be the focus of the JICA blueprint.

The concerns raised in this paper were collected over a five-month period from groups who participate in KPSN. These ideas were shared with all participating groups in KPSN, both before and during the drafting of this paper, in order to allow sufficient time for additional ideas, feedback, and comments. This paper therefore reflects the perspective and consensus of KPSN member organizations and the communities they represent.

2 Karen development vision and priorities

Nothing is more important to the people of Karen State than a **sustainable peace**. All long-term development prospects will fail without peace. This means that equitable peace is KPSN's top priority. The opinions in this paper reflect that laser-like focus on any effort in Karen State that impacts prospects for peace. Achieving peace requires all stakeholders to engage in working to resolve the conflict, rather than ignoring the conflict and pretending we can work around it.

Our second priority is **community involvement** and **empowerment**. This is an entwined process; while involvement and empowerment cannot be fully realized in the absence of a sustainable peace, that peace will not be achieved nor the future of our community secured without the active involvement of that community. Effort must be made at every opportunity to build an engaged and empowered community throughout the process toward peace and development. Democracy depends on an engaged civil society to function well, and during this time of transition, we want to continue to build our community's capacity.

Our work on improving livelihoods and quality of life must occur through adherence to these two priorities. Efforts which claim to work directly on livelihood and development, without addressing the conflict and issues of community empowerment, will not be successful over the long term. All too often, promises are made which fail, provide only short-term benefits, or destroy long-term prospects for improved livelihoods by degrading the land and its resources.

Instead of such short-sighted and destructive development, we advocate development that reflects the goals and challenges laid out by the World Bank in its 1991 Development Report:

The challenge of development ... is to improve the quality of life. Especially in the world's poor countries, a better quality of life generally calls for higher incomes – but it involves much more. It encompasses as ends in themselves better education, higher standards of health and nutrition, less poverty, a cleaner environment, more equality of opportunity, greater individual freedom, and a richer cultural life.⁵

⁵ World Bank Development Report, 1991, Overview – Introduction. "World Bank. 1991. World Development Report 1991: The Challenge of Development. New York: Oxford University Press". <https://openknowledge.worldbank.org/handle/10986/5974>

3

Summary of JICA's Blueprint

The *Preparatory Survey for the Integrated Regional Development for Ethnic Minorities in the South-East Myanmar* surveys the current environmental, economic, social, and infrastructure conditions in both Mon and Karen States, outlines the Burma/Myanmar government's current development policies and plans, and proposes a development plan for the region. JICA states that its focus on development in Southeast Burma/Myanmar is primarily to support the return and resettlement of refugees and IDPs.

JICA's study team worked with the Mon and Karen State governments and Burma/Myanmar's Ministry of Border Affairs, especially the Progress of Border Areas and National Races Development Department. The study team also consulted the Myanmar Peace Center, the Karen National Union (KNU)⁶, the New Mon State Party, and the Democratic Karen Benevolent Army (DKBA). The Study was based mainly on existing government data; only limited field surveys were conducted, and no public forums were held. The study team stated that it held discussions with various "stakeholders", but it met almost exclusively with Myanmar government officials at the township and sub-township levels, while also interviewing some local residents.

The blueprint seeks to promote and assist existing government structures, working primarily with the central and state governments to determine and implement development projects. The blueprint assumes that refugees and IDPs will return when more development occurs.

The JICA blueprint sees the region as strategically located for market access with plenty of natural resources. JICA seems to assume the region will attract foreign investment, particularly when refugees return and provide a cheap labor pool. The blueprint states that the four components listed below are "necessary to realize the development potential of Southeast Myanmar". These and other measures are to be implemented on a zone-by-zone basis, beginning with government-controlled zones first. These components set the parameters for medium- and long-term development prospects.

1) Economic Corridors: The upgrade and expansion of a) several roads to increase access from Thailand to Mawlamyine and to link to a new port proposed at Kyaikkhami in Mon State; and b) additional roads to create domestic market corridors and to access planned refugee resettlement sites in border areas.

⁶ <http://www.irrawaddy.org/burma/japanese-donors-govt-knu-discuss-aid-projects-rebel-areas.html>

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- 2) Free Trade Zones and Industrial Estates:** Establishment of a) free trade zones, where companies can set up factories at low cost and exploit Burma/Myanmar's cheap labor and natural resources; and b) "industrial estates" for the processing of plastics and other materials.
 - 3) Industrial Clusters:** Development of support industries to add value to agricultural products such as rubber, cashew, bamboo, wood, and herbal medicines.
 - 4) Urban development:** Building up the cities of Mawlamyine, Hpa-an, and Myawaddy as links to the regional and global economy and as centers of service provision.

The JICA blueprint proposes "to promote peace through development" and encourages development activities to be conducted "in parallel" with political dialogue. JICA proposes to support returning IDPs and refugees through an information center where refugees and IDPs can learn about conditions in proposed resettlement sites and job opportunities in the region. In addition, JICA will be considering whether to assist in the development of the four resettlement sites, and if so, in what capacity.

The blueprint acknowledges the quality and role of Karen health and education services provided by community-based organizations in border areas. It recommends close coordination between these organizations and government agencies for efficient provision of services. However, the blueprint does not identify any specific roles for community-based organizations in development planning and implementation.

A presentation made by JICA upon the release of the blueprint refers to participatory planning in each of the areas of development planning: pilot projects, regional development planning, and refugee resettlement. However, the project work flow refers largely to seminars in Naypyitaw and meetings with state government officials. There is mention of a single proposed meeting with the KNU and one with the United Nationalities Federal Council in Thailand. No detailed consultation plan is delineated, though one slide refers to "discussion with ethnic minority groups & agreement on project ideas & development scenario".

4

KPSN Concerns

KPSN members have many concerns about the JICA blueprint and its direction. Overall, Karen community members believe that JICA's approach will weaken community engagement, empowerment, and the chances of achieving a sustainable peace. These are core values for KPSN. There is no doubt that Karen State and Karen people need and want meaningful socio-economic development. The question facing all of us is when, what, and how development will occur. Meaningful engagement and empowerment of the community are essential, especially when operating in a conflict-affected context.

This section contains a brief summary of our major areas of concern. First, we discuss the link between peace and development, demonstrating the potential for industrial development to exacerbate conflict, especially with the history of land conflicts and military abuses in Karen and Mon States. Second, we express our concerns regarding JICA's flawed consultation process. Third, we critique JICA's emphasis on initiatives of the Karen and Mon State governments, sharing our concern that such an emphasis will disempower local communities. Fourth, we question JICA's claim of employing alternative economic theory. Finally, we criticize JICA's failure to account for the environmental impacts of its proposed development plans. In sum, this blueprint has fatal flaws which must be addressed in order to avoid exacerbating the situation.

4.1 Peace and Development

- a. **Conflict Analysis:** JICA has not done a full analysis of the conflict and its context as a prerequisite to any further planning or action. JICA must take responsibility for inserting itself into a politically-charged context by acknowledging that context and its role within it.

The JICA report reflects an implicit belief that development can occur before there is a comprehensive peace agreement in place. This was confirmed by JICA in a response dated 20 February 2014 to the Karen Environmental and Social Action Network (KESAN).⁷ However, at the current time, there is not even an enforceable ceasefire. Thus, the blueprint assumes that economic development will contribute to peace, but it lacks an analysis of how this development could stimulate further conflict instead.

⁷ <http://www.kesan.asia/index.php/what-we-do/advocacy-campaign/development-and-resources-extraction-monitoring/281-kesan-s-briefing-on-japanese-government-plan-for-development-of-southeast-burma-myanmar>

There appears to be an implicit belief that poverty is a key driver of conflict in the southeast, and that industrial development is therefore the solution. We acknowledge that there are complex relationships between poverty and conflict, but in this case poverty is not the underlying cause. The Karen people's central demand throughout the conflict has been protection of human rights and autonomy. These demands do not reflect a focus on economics but rather on our right to our culture and control over our own lives, natural resources and land. Refugees and Internally Displaced Persons fled attacks by the Burmese military and the burning of over 3,000 villages; they did not flee "poverty". There are migrant workers who have indeed gone to Thailand for economic reasons, but the JICA blueprint is not focused on those people. The difference between refugees and economic migrants is recognized internationally, with specific rights for refugees.⁸ Since a lack of infrastructure development is not the cause of the conflict, it cannot be the solution. Infrastructure development might create welcome opportunities for some members of the community, but it will also likely create new sources of conflict which will make sustainable peace more difficult. This is particularly true if development decisions are not made using a multi-stakeholder process leading to binding agreements.

The experience in Kachin State illustrates the potential for development to exacerbate conflict. Large scale development occurred in Kachin State throughout its 17-year ceasefire; this development included road construction, large-scale expansion of extractive industries, and the establishment of casinos. Yet the conflict reignited. Infrastructure and industrial development did not lead to peace, and some believe it helped lead to resumption of the conflict. According to the Kachin Development Networking Group,

While vast amounts of natural resources are being exploited from Kachin State and "development" projects implemented, the lives of the local people have not improved but have worsened. Precious natural resources are blessings, but seem to be a curse for the local residents. Despite the development projects during the ceasefire time, the people of Kachin State have not developed, but in reality they are losing their human rights day by day.⁹

In fact,

The systematic exploitation of natural resources has created serious social problems. Land confiscation and forced relocation has left people homeless and without income or livelihood, forcing them to migrate to squalid mining camps and to neighboring countries. Amidst this migration many young women have been trafficked to China and sold as brides or into the sex industry.¹⁰

⁸ UNHCR 2011: Convention and Protocol Relating to the Status of Refugees. <http://www.unhcr.org/3b66c2aa10.html>

⁹ Page 10, Lessons from the Kachin Development Experience, published by the Kachin Development Network. Please see Kachin Development Network Paper for more information: <http://www.kdng.org/images/stories/publication/lessons%20from%20the%20kachin%20development%20experience%20longer%20paper.2.pdf>

¹⁰ *ibid*, page 6

Thus, development can promote conflict and dislocation, as well as peace.

We do not believe it is the Japanese people's intention to worsen the situation, but we are deeply concerned that JICA's proposed projects and process could in fact increase conflict. In government-controlled areas of Karen State today, there is little opportunity for free, full and democratic engagement given the control over decisions exercised by the military. There is no process to guarantee or protect human rights. Democracy and the elimination of human rights abuses will only happen when there is a comprehensive peace agreement and the establishment of the rule of law. These are essential components of any legitimate socio-economic development plan that reflects the needs and priorities of local communities.

The blueprint discusses security threats and the lack of trust between the government and local communities in the region as real problems but otherwise appears to ignore conflict, *hoping* that infrastructure development can move forward and thereby assist in bringing peace. The JICA study team could not organize a joint meeting in Karen State with the government and ethnic minority groups because of the sensitive issues between the parties, yet it goes on to recommend development projects as if they could somehow avoid the exact same problem. We do not believe it is reasonable to assume such positive outcomes based on an incomplete study of the factors involved.

JICA's response to KESAN's Briefer on the blueprint said, "We only hope that development interventions will not undermine the on-going process of political dialogues in any way". Surely, hope is not sufficient to ensure that even the minimal goal of Do No Harm is met. The Karen people need more than hope. We need peace and real socio-economic development, not simply infrastructure development. We need a process in which we can engage and which benefits the broadest possible number of people. This development planning must be accountable to the people of Karen and Mon States, and it must contain sufficient mechanisms for due diligence at every step of the process, so that human rights abuses are lessened rather than increased, business plays a positive role in the community, and the community is empowered in the process.

b. Land Confiscation: Many KPSN members are concerned that JICA's development blueprint could cause a significant increase in land confiscation due to road construction, increased natural resource extraction and hydropower development, or the expansion of military bases that often follows road construction.¹¹ This is already a major issue that is increasing conflict across Southeastern Burma/Myanmar. Ownership of land and resources in this region is contested, and military cronies often abuse the lack of a formal system. In this context, development cannot help but increase conflict. Furthermore, the report does not adequately address:

1. the desire of refugees to return to their own lands, a factor which complicates all land issues in Karen and Mon States;
2. the lack of agreed-upon mechanisms to resolve land disputes, determine refugees' rights, recognize communal land, etc.

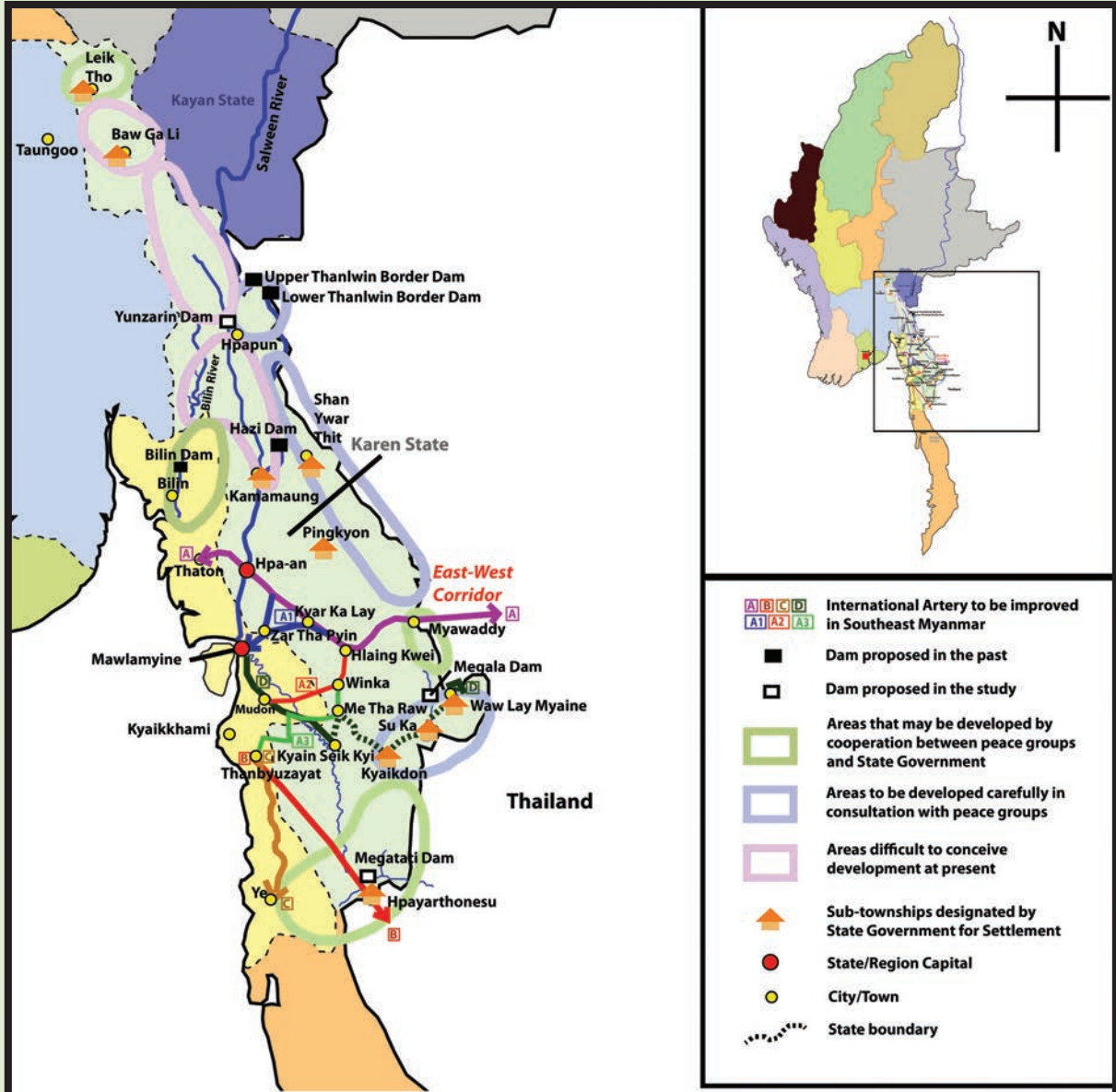
¹¹ For additional information regarding land confiscation and conflict please see: "Losing Ground: Land Conflicts and Collective Action in Eastern Myanmar" written and published by Karen Human Rights Group, 2013. Link: <http://www.khrg.org/2013/03/losing-ground-land-conflicts-and-collective-action-eastern-myanmar>

From our own extensive work in Karen communities, we know that people want socio-economic development, access to markets and infrastructure. But they do not want to lose their land and resources, nor do they want to be displaced yet again.

- c. Joint Development between Mon and Karen States:** existing conflicts involving issues of land ownership, borders and governance remain unresolved between the Mon and Karen people.¹² JICA proposes a coordinated development plan involving both Mon and Karen States. This might make sense eventually, but an agreement must first be reached on these outstanding issues. In the absence of such a resolution, JICA's regional development plan will too easily lead to increased conflict between Mon and Karen. In addition, there needs to be a secure peace with the central government, and both judicial and administrative systems must be put in place to ensure everyone's rights are honored and protected, before a coordinated regional development plan can be considered.
- d. Military Access and Insecurity:** JICA proposes upgrading and expanding road networks to increase access to markets and assumes this is a solution to a core problem. However, these roads will also allow easy access by the Burmese military to the very heart of Karen State. The people with whom KPSN members work in Karen State already have substantial fears of security threats and renewed attacks by the military, as it has increased its presence during the temporary ceasefire. Arbitrary taxation at road blocks continues to be a problem. In addition, since the ceasefire began, there has been an increase in land confiscation and environmental destruction, and therefore a decrease in villagers' ability to grow food. There are also a wide variety of continued human rights abuses by the Tatmadaw (Burmese military).¹³ Increased access for the military will undermine communities' sense of security, leading to decreased investment by fearful farmers in their own land and crops. This could cause the infrastructure development to have a net negative economic impact, or at least a more limited positive impact than expected.
- e. Refugee Information Centers:** Finally, the proposed pilot project to set up information centers for refugees may be intended as an idea free from politics or conflict, but such pilot projects risk being made tools of a government agenda. The Refugee Empowerment Centers project includes developing "promotional materials" for settlement areas and industrial estates, essentially pressuring refugees to return to these sites rather than simply providing information. Promotion is not neutral. If resettlement sites are appealing enough and the problems with them are solved, people will return. There should be no need for "promotional materials". There are many problems with the resettlement sites proposed by the Government: some would be located next to or near Burmese military posts; they could create pools of captive cheap labor in the absence of alternative livelihood sources; and they could require refugees and IDPs to give up their original land rights. Any work regarding refugee return, including provision of information, should be done in consultation with refugees. The people themselves should be able to identify what information is needed, and whether it is reliable and helpful.

¹² For example, see the following account of an ongoing land dispute in July 2014: <http://www.bnionline.net/index.php/news/imna/17238-rubber-plantation-owners-in-yethakon-area-threatened-by-karen-armed-group.html>. This particular case has since been resolved by the parties involved, and resolution of similar cases is occurring on an ongoing basis.

¹³ Truce or Transition? Trends in human rights abuse and local response in Southeast Myanmar since the 2012 ceasefire, written and published by Karen Human Rights Group, May, 2014 - See full report: <http://www.khrg.org/2014/05/truce-or-transition-trends-human-rights-abuse-and-local-response>



Source: Based on JICA Study Team's Maps

JICA's Development Plans in Southeast Myanmar/Burma

4.2 Consultation

Community-centered development is vital to our people. As a community, we have struggled for many years for democracy, human rights and self-determination. Development processes should reinforce those goals, not undermine them. There is a role and need for technical expertise which can be provided by people outside our community, but the JICA blueprint turns this principle on its head. In March, JICA issued a position paper (see Appendix 3) stating that, as a principle, an “integrated regional development plan for Southeast Myanmar will be prepared through collaborative works between the JICA Project Team and its counterpart team of Kayin and Mon States in cooperation with other stakeholders *including ethnic minority groups, local administrations and residents*” (emphasis ours). However, JICA did not, or could not, conduct much community consultation for the blueprint, so it appears to be making a development plan *for* the people of Karen and Mon states, not *with* them. While JICA has valuable technical skills, it should not be the organization making development plans for Karen and Mon States; rather, the people of these communities should be the ones to make such decisions.

There are many socio-economic issues which have not been considered. These communities do not have a democratic mechanism linked to national and state level decision-making bodies for responding to the ideas contained in JICA’s plan. They have no mechanisms to effectively impact decisions over their lives. These plans and decisions should be made by people living in Southeastern Burma/Myanmar once they have peace and a democratic structure for development planning. The people of Karen State have the right to free, prior and informed consent in order for development to occur.¹⁴

The JICA process is ignoring the recommendations of others, most recently those of the Myanmar Peace Support Initiative: their “MPSI Lessons Learned March 2014” paper calls for greater and more meaningful consultation and community engagement:

*Consultations need to be meaningful and need to be properly resourced ... Most importantly, however, meaningful consultation prior to the design and delivery of any interventions needs to take place and an explicit consent to operate should be sought in those consultations. Consultation needs to include where, how, if and what kind of interventions are assessed and agreed as needing to take place.*¹⁵

MPSI was supported by the international community, and we hope the lessons learned will be taken seriously by international actors such as JICA.

¹⁴ See the United Nations Declaration on the Rights of Indigenous Peoples, to which both Myanmar and Japan are signatories: http://www.un.org/esa/socdev/unpfi/documents/DRIPS_en.pdf

¹⁵ <http://www.peacedonorsupportgroup.com/mpsi-lessons-and-reflections.html>

The capital city, Naypyitaw, appears to be the principal site where consultations were held for the JICA blueprint – not in the southeast.¹⁶ Naypyitaw is not a place where the communities of Mon and Karen States are well represented. The blueprint was ostensibly initiated to support refugee and IDP return, yet there has to date been no consultation with refugees currently in Thailand, and no plan for such consultation is mentioned in the document. Refugees in Thailand are demanding engagement on their own return. Refugees are organized, and meetings could be held in a variety of settings in order to determine needs and perspectives. Why has JICA not met with the refugees and IDPs?

JICA's decision to meet largely with government officials and ethnic leaders specifically limits the ability for women to be engaged in controlling their own lives. Karen women have experienced some of the worst atrocities at the hands of the Tatmadaw, as study after study has shown.¹⁷ If we are to move forward as a community, it is imperative that women be equal participants; any development process must seek to engage the entire community, not just half of it. Community consultation specifically set up to engage and empower women as a constituency can be one tool to increase women's engagement. Given the historic role of women in the Karen community, there need to be opportunities for women to participate separately as well as in community-wide meetings.

Consulting with ethnic leaders and government representatives is worthwhile and should be more than cursory. Those consultations should also assist in educating and empowering leaders, but working with the KNU and/or State Governments cannot replace or preclude community engagement. JICA must work with communities and community-based organizations to establish a participatory process which can help educate and empower local communities. Such a process could create a better development plan, the benefits of which would be widely shared by the community.

4.3 Promoting State Government Initiatives

The promotion of initiatives of the state governments of Karen and Mon States is a main aim of JICA's project. This must be understood as a process to develop the capacity of one side in an ongoing conflict at the expense of the other, without even analyzing the conflict. Officials of the state governments are not recognized by the Karen community as legitimate or representative leaders. The Chief Minister and State Ministers are appointed by Naypyitaw and report to the military-controlled government structure. District and township administrators are central government officials. This one-sided approach will be seen as such by most Karen people, and it will thereby undermine the peace process.

¹⁶ JICA documents, including its inception workshop powerpoint, are available from Kesan upon request.

¹⁷ Please see latest report from the Women's League of Burma, *Same Impunity, Same Patterns*. http://womenofburma.org/wp-content/uploads/2014/01/SameImpunitySamePattern_English-final.pdf

Large portions of the JICA plan are intended to be implemented by government departments which are party to the conflict. The state governments have limited fiscal or political power. Large projects must be approved by the central government and the military-controlled General Administration Department. Strengthening that process works against peace. These are officials of a government with a long history of discrimination and oppression against the Karen people. Distrust of that government runs deep in many communities and cannot be underestimated. Additionally, the township level is controlled by the General Administration Department, which is directly controlled by Home Affairs and therefore the military. These levels of the Government of Myanmar are not neutral, representative, or legitimate in the view of many in our communities.

This emphasis on building the state governments also leaves unclear how services currently provided by non-state actors and community-based organizations will be supported and strengthened in order to ensure that the development process does not weaken and destroy these vital services. Emphasizing state government structures also further hinders the meaningful engagement of women in the process, since women are not well represented in these structures.

4.4 Economic Theory

We have several concerns about the economic theory underlying the JICA blueprint; however, we recognize it is largely in the planning phase, and there are also some ideas contained in the study which could be useful. We believe that JICA could provide an opportunity for the people of Karen State if it were to use progressive 21st-century socio-economic development principles. Some of these principles were mentioned in the blueprint, and there were also useful attempts to begin considering less environmentally damaging agriculture, such as cashew production instead of rubber. These are all useful. However, we still have serious concerns about many of the ideas and proposals.

The proposals lack an analysis of their impact on migration from other areas in Burma/Myanmar, which could increase ethnic conflict and mean that IDPs and refugees do not in fact have the opportunity to improve their livelihoods. We understand that as peace develops, there could be increased migration into Karen State. Mass migration of laborers prior to a peace agreement, however, could exacerbate land issues and tension at a time when we desperately need to be solving these problems.

None of the specific projects proposed include a cost benefit analysis or review of previous similar development attempts in Burma/Myanmar. The industrial clusters, for example, are not analyzed for local participation, ownership impact, or their effect on the conflict. The industrial zones previously attempted in Burma/Myanmar were not reviewed, even though much could be learned by doing so. There were a number of industrial zones created 20 years ago, but they did not lead to significant improvements in the lives of local people. There should be lessons learned from those experiences. JICA's own travails in the Thilawa industrial zone south of Yangon suggest trouble ahead for the southeast.¹⁸

¹⁸ <http://www.mmtimes.com/index.php/national-news/10635-jica-rejects-thilawa-allegations.html>

Furthermore, the proposed extensive development corridors are so numerous they risk losing the goal of concentrating development in order to create momentum normally intended by a corridor plan. One clear example of this is the proposed new airport between Hpa-An and Mawlamyine. There are already two under-utilized airports in the area, so it is difficult to imagine how a third would be viable.

Currently, the vast majority of development occurring in Southeastern Burma/Myanmar is based on resource extraction and hydropower installations. The JICA blueprint claims that Burma/Myanmar is in a period of transition from resource exportation to effective resource utilization. We see little evidence that this is true. Extraction and hydropower-based industries have destroyed a great deal of land but have created relatively few jobs for local people. These industries have led to increased wealth for only a few people, rather than distributing income more broadly. There has been very little other industrial development clustered around those projects. Finally, developing more roads in the absence of effective democratic governance over extraction and hydropower development will only result in the destruction of more land and resources, without benefit to local communities. This will most certainly lead to increased conflict.

While JICA talks about an alternative socio-economic development theory, the actual blueprint does not reference such a theory, nor are there benchmarks that would lead to an evaluation based on broader concepts of development rather than infrastructure-based approaches or other outdated models.

4.5 Environmental Impact

We are deeply concerned about the environmental impact of these development proposals. The blueprint fails to recognize the importance of the rich bio-diverse forests of Karen State and their importance to us as Karen people. It contains no Strategic Environmental Assessment (SEA) to guide JICA's planning. The World Bank recognizes that in all countries in Southeast Asia "environmental quality has deteriorated and natural resources have been degraded, often at alarming rates, over the past several decades". The Bank is therefore calling for "efforts to mainstream and enhance upstream environmental analysis in development processes".¹⁹ There is no evidence in the JICA blueprint that it has heeded this call for SEAs.

There is no discussion of the devastating environmental impact of the proposed dams or extraction industries. There are many problems which would need to be reviewed. For example:

- The Megathat River Basin dam would flood an area that contains a KNU-designated wildlife sanctuary.
- The Bilin River Basin dam would displace people, who would then likely resettle north into an area that should be protected. The KNU recently recognized this area as one of the few intact ecologically diverse regions left in the area, designating it as the Thoopli Wildlife Sanctuary.

¹⁹ <http://web.worldbank.org/WBSITE/EXTERNAL/COUNTRIES/EASTASIAPACIFICEXT/EXTEAPREGTOPENVIRONMENT/0,,contentMDK:20438708~menuPK:502915~pagePK:34004173~piPK:34003707~theSitePK:502886~isCURL:Y,00.html>

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- The Yunzalin River project would likely flood an area of great natural beauty and cultural significance: a traditionally protected fish pool which should be protected as a Natural and Cultural Heritage Area for the Karen Community.

These areas are either already protected by local communities and the KNU Forestry Department or should one day be designated for greater protection. There is currently no democratic mechanism to determine protection, and the quasi-civilian government has shown a distinct lack of concern about the environment in Southeastern Burma/Myanmar. These proposals will force yet new conflicts between that government and the people of the region, an outcome that works directly against the stated goals of the JICA project.

5

Recommendations

The following is a summary of KPSN's eight recommendations for JICA as it proceeds in leading the Japanese people's engagement in this complex and volatile security environment. Our common goal is to determine how international development agencies like JICA can make a meaningful and sustainable impact on peace and development in Southeast Burma/Myanmar. We have the common imperative to avoid doing harm or exacerbating conflict, something that is a real and imminent risk in the region.

It must first be said, however, that as a basic principle we argue for a **temporary moratorium on large-scale development projects** in Southeast Burma/Myanmar until a full peace agreement can be reached, democratic rights guaranteed, and a decentralized federal union achieved. Only then can local people benefit equally from development projects. We also argue for a **temporary moratorium on the emerging donor-driven pilot project process** until meaningful engagement and consultation has been conducted that includes women, refugees, and internally displaced persons (see recommendation #8).²⁰

5.1 Conflict Analysis

JICA must commission an independent, deep and comprehensive analysis of the causes of conflict in the southeast. KPSN insists that this analysis be facilitated by an independent third party, using a participatory approach developed in collaboration with community-based organizations, NGOs, and ethnic armed groups representing the Karen and Mon peoples. This facilitator should have a proven track record of work in conflict zones in other areas of the world. Such a conflict analysis is an indispensable requirement before proceeding with development in any of Burma/Myanmar's ethnic areas. It must include a risk analysis and mitigation plan for the overall project as well as for each individual proposed project, at the planning stage as well as throughout the lives of the projects. Project partners should also be assessed and validated in this context, including reports pursuant to the Responsible Investment Reporting Requirements.²¹ In all conflict analyses, impact-benefit assessments of development projects should be extended beyond supposed target populations to explore who is being contracted, which political actors are involved, and how local people are benefitting compared to those from other regions, all in relation to local conflict dynamics.

²⁰ When referring to consultation we refer JICA to the Shift Project's "Conducting Meaningful Stakeholder Consultation in Myanmar".

²¹ <http://www.humanrights.gov/2013/06/19/fact-sheet-burma-responsible-investment-reporting-requirements/>

5.2 Humanitarian Principles and Due Diligence

JICA must explicitly guarantee that development will honor international humanitarian development principles, including the Do No Harm principle.²² While these principles have proven over time to have limitations – even higher standards should be aspired to – JICA should at a minimum ensure that projects adhere to best principles and practices.

For instance, due diligence on the part of businesses engaged in the projects should be required as defined in the United Nations Guiding Principles on Business and Human Rights.²³ Project partners should also be required to sign an enforceable contract to honor specific international principles and standards. When discussing international principles, however, we must keep in mind the political context of the country. For example, some development principles which require government ownership would not be applicable in a conflict situation like Southeast Burma/Myanmar.

5.3 Strategic Environmental Assessment²⁴

JICA must ensure that a meaningful Strategic Environmental Assessment (SEA) be conducted, integrating environmental considerations into its overall blueprint. The physical transformation and conversion of the region implied in JICA's blueprint -- for example, turning wild rivers into huge reservoirs and natural forests into rubber estates -- will be profound. In addition, JICA must recognize that its blueprint will help enable the Burma/Myanmar government's plans for big dams and other major infrastructure projects in the southeast. This means a comprehensive Strategic Environmental Assessment is imperative.

5.4 Consultation process

JICA must reform its consultation process to be robust and meaningful. In a Position Paper dated March 20, 2014, JICA outlined its "Clarification of Principles for the Project Implementation".²⁵ These principles require "consensus of relevant stakeholders" and "collaborative works" in regional development planning. However, as stated, JICA has developed its blueprint without engaging Karen community-based organizations. These organizations have provided social and humanitarian development services in this region throughout the conflict, and they have substantial local knowledge and capacity to improve planning and to work as partners in implementation. Any development which is intended to improve the lives of people in the region is unlikely to succeed unless it is undertaken in partnership with these groups. Any further consultations should seek the full partnership of civil society organizations, including complete information disclosure and communication tools to facilitate understanding, discussion and debate.²⁶ In order to encourage community participation in consultation

²² "Do No Harm How Aid Can Support Peace or War", Mary Anderson, 1999 published by Lynn Reinner Publishers.

²³ United Nations Human Rights Office of the High Commissioner: www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

²⁴ World Bank: Strategic Environmental Assessment

²⁵ The principles are outlined in Appendix 3.

²⁶ Again, please see Shift Project.

processes, community-based organizations should be involved in determining consultation meetings' guiding principles, format, location, date, and attendees.

The consultation process must include formal recognition of civil society's inputs and policies. KPSN would like to work closely with JICA on carrying this out. We can assist in developing methodologies and identifying important stakeholders and partners. This process would also serve to educate and empower local communities, thereby strengthening civil society in Burma/Myanmar. This alone would be a significant contribution to the future of our communities. The process should include not only presentations, with opportunities for comments and questions, but also public hearings and open debates led by experts who can help educate participants and raise issues for community consideration.

5.5 Representative Team

JICA should work with KPSN on the creation of a representative team to lead the consultation, planning and implementation processes, at all levels of the Project. This team would include JICA, Myanmar Government officials, leaders of ethnic armed groups and ethnic political parties, and civil society representatives, including KPSN. This team must ensure accountability to the people of Burma/Myanmar, rather than just the government. It should also discuss and establish measures and benchmarks for development projects to ensure they are aligned with the peace-building process and are evaluated in relation to broader socio-economic indicators. The creation of such a team would contribute to the JICA goal of helping to build trust between parties.

5.6 Full Information Disclosure

JICA must disclose full information in accessible languages and formats. JICA should develop a system of full information disclosure of all JICA studies, agreements and recommendations which could impact Southeastern Myanmar/Burma. This disclosure should include project budget information. The information should be disseminated in accessible language and formats for the Karen and Mon communities.

5.7 Local Partnerships

JICA must explicitly ensure that any development projects connected with its blueprint establish meaningful partnerships with local civil society organizations. This would strengthen local capacity and ensure sustainability. JICA-funded projects also must commit to hiring local people – community members, not appointed government officials working at the locality – at all levels of the projects with clear benchmarks and quotas upon which the community agrees. In cases where local capacity is currently insufficient to implement a project, there must be a mechanism to ensure knowledge transfer and skills development for local people within an agreed upon time frame. This requirement is not only to build local community capacity and employment opportunities; it will also facilitate local ownership, local decision-making, and local knowledge. The world of international development is littered with examples of inappropriate projects that ignored local knowledge and local conditions.

As stated in the recommendation above regarding consultations, community-based organizations have provided social and humanitarian development services in this region throughout the conflict, gaining knowledge and capacity through their work and their own experiences as members of the community. Any development process which is intended to improve the lives of the people of the region will only succeed if it is undertaken in partnership with these groups.

5.8 Conditions for Pursuing Pilot Projects

Finally, JICA should engage with Karen civil society organizations, including KPSN, women, refugees and internally displaced persons to explore practical options for pilot projects. This is required in order to abide by JICA's own project implementation principles, which emphasize that participatory approaches and consensus are required in the planning or implementation of any pilot projects (see Appendix 3). In addition, involving community-based organizations in all stages of the pilot project process is the best way to ensure accountability and prevent further harm, human rights abuses, land grabbing, and environmental destruction. Full consent of the local community is required for any pilot project to proceed. The permission of regional leaders, while important, is not sufficient.

6

Conclusion

KPSN hopes these comments will be taken as constructive. There is no doubt that the right kinds of international aid and technical assistance are needed in our communities. In order for assistance to bring the greatest value and lead to lasting positive impact, it is essential that it be guided and shaped by stakeholders who know firsthand what the local needs are. We want assistance to help build our communities and our capacity as a people to determine our own future. We are very concerned, however, that if the JICA plan is implemented according to its current model, it could negatively impact our prospects for a peace agreement, endanger the quality of life in our communities, and disempower community-based groups already struggling to have a say in decision-making processes. This would all happen at a very sensitive time of change in our country. For the reasons stated above, we believe JICA's plans are at best premature and at worse inimical to finally achieving a sustainable peace.

We hope that, by making our concerns clear and presenting our recommendations, we can prevent the negative impacts of these projects and use the opportunity and expertise contained within JICA to support our communities' transition toward a peaceful future. We also hope that by working together with Karen communities, JICA can help create a precedent for planning and development in conflict zones which can be replicated elsewhere. We realize our recommendations, if implemented, would slow development, but we believe that the resulting process would ensure a better, more durable outcome.

Appendix 1:

Karen Peace Support Network (KPSN) Member List

	Organisation	Acronym	Website (if available)
1	Burma Issues	BI	www.burmaissues.org/
2	Back Pack Health Worker Team	BPHWT	www.backpackteam.org/
3	Burma Medical Association	BMA	www.bmahealth.org/
4	Committee for Internally Displaced Karen People	CIDKP	
5	Federal Trade Union of Kawthoolei	FTUK	
6	Karen Affairs Committee	KAC	
7	Karen Baptist Convention	KBC	http://kbcm1913.org/
8	Karen Development Committee	KDC	
9	Karen Development Network	KDN	
10	Karen Education Department	KED	www.kareducation.org/
11	Karen Environmental and Social Action Network	KESAN	http://kesan.asia/
12	Karen Human Rights Group	KHRG	http://khr.org/
13	Karen Office for Relief and Development	KORD	http://kordcentre.org/
14	Karen Refugee Committee	KRC	
15	Karen Refugee Committee Education Entity	KRCEE	www.krcee.org/
16	Karen Rivers Watch	KRW	www.karenyouthktl.org/krw.html/
17	Karen Student Network Group	KSNG	www.ksng-karen.org/
18	Karen Teacher Working Group	KTWG	http://ktwg.org/
19	Karen Women Empowerment Group	KWEG	
20	Karen Women Organization	KWO	http://karenwomen.org/
21	Karen Youth Organization	KYO	www.karenyouthktl.org/
22	Mae Tao Clinic	MTC	http://maetaoclinic.org/
23	Hsar Mu Htaw	HMH	
24	Hku Po Ka Paw	HPKP	
25	Karen Environment Network	KEN	
26	Youth Circle	YC	
27	Mutraw Community Development Committee	MCDC	
28	Taw Oo Development Committee	TODC	

Appendix 2:

Results of KPSN (KCBPSN) 2013 conflict analysis workshop

A Conflict Analysis for the Karen Community-Based Peace Support Network was held from August 28 to September 1, 2013 in Chiang Mai, Thailand. The training was organized by KPSN and attended by its network member organizations from the Thailand-Burma border and inside Burma/Myanmar. The purpose of the training was to identify and generate a common understanding of key actors and driving factors of conflict dynamics in Karen State.

Workshop attendees identified a long list of factors that have contributed to the decades of conflict in the Karen areas of Burma/Myanmar. After further reflection and discussion, they identified the following six factors as the most important Key Driving Factors (KDFs) of conflict in the region:

- 1. Discriminatory and hegemonic practices (policies and laws) of Burman rulers**
- 2. State-initiated militarisation and political domination**
- 3. Use of armed resistance to achieve self-determination and human rights**
- 4. Exploitation of natural resources and disrespect for land rights**
- 5. Legacies of mistrust**
- 6. Power struggles and splits among armed groups**

Appendix 3:

“Clarification of Principles for the Project Implementation”.

Section 5 in JICA Position Paper, March 20, 2014

We apply the following principles to planning and implementation of specific projects under the Project.

- (1) An integrated regional development plan for Southeast Myanmar will be prepared through collaborative works between the JICA Project Team and its counterpart team of Kayin and Mon States in cooperation with other stakeholders including ethnic minority groups, local administrations and residents;
- (2) No pilot project will be implemented without ensuring consensus of relevant stakeholders including ethnic minority groups as well as local residents to be affected by the project;
- (3) We will formulate any pilot project by participatory approach so that the project will meet the requirement of intended beneficiaries; and
- (4) No major project will be recommended for early implementation without ensuring consensus of all the concerned stakeholders.

