INFORMING AND ENGAGING THE PUBLIC

Improving local governance & empowering communities in Kayin State and Tanintharyi Region

another development

Another Development (AD) is a local Myanmar think-tank and a non-profit organization. AD's work focuses on five main thematic areas: Human Rights; Multiculturalism; Decentralization and Federalism; Rural Economic Development and Social Enterprises; and, E-government and E-citizen.

AD was set up in 2015 to be part of the solution to the problems and conflicts prevailing in Myanmar by advocating for effective public policy change. AD has four functional departments: Strategic Communication; Policy and Research; Consulting and Professional Services; and, Operation Support Department.

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ACRONYMS

AD	-	Another Development
ASF	-	Avocats Sans Frontiere
BIGS	-	Bandung Institute of Governance Studies
CLLs	-	Community Legal Liaisons
CSC	-	Community Score Card
CSOs	-	Civil Society Organizations
DAO	-	Development Affairs Organization
DDA	-	Dawei Development Association
GAD	-	General Administration Department
ICT	-	Information and Communication Technology
ICT-DEV	-	Information and Communications Technology Development Program
INGOs	-	International Non-governmental Organizations
KNU	-	Karen National Union
KSCN	-	Kayin State Civil Society Network
LDFs	-	Local Development Funds
LSD	-	Land Service Department
MPs	-	Members of Parliament
NGOs	-	Non-governmental Organizations
NLD	-	National League for Democracy
SEZ	-	Special Economic Zone
SYDO	-	Southern Youth Development Organization
TDAC	-	Township Development Affairs Committee
UNDP	-	United Nations Development Program
VDP	-	Village Development Plan
WAs/VTAs	-	Ward/Village Tract Administrators

EXECUTIVE SUMMARY

This handbook is the result of Another Development's project working in Kayin State and Tanintharyi Region, to assist government staff, MPs and CSOs in addressing their self-identified capacity needs and issues.

The handbook is based on the findings of workshops that we delivered in Kayin and Tanintharyi, in which government staff, MPs and CSOs came together to share ideas and identify their needs, as well as issues they were facing. Combining the workshop findings with desk research and feedback from additional read-out sessions we conducted with key stakeholders, we developed this handbook. The aim of the handbook is to provide research on and examples of positive initiatives that: respond to the issues and needs raised in the workshops; can be adapted and applied locally; and, delivered collaboratively by state and regional governments, MPs and CSOs.

WORKSHOP FINDINGS

From the workshops we learnt that some of the most common issues being faced by key actors in Kayin and Tanintharyi were public legal awareness and participation, land issues, stakeholder engagement, natural resources, rule of law, education, and women's rights.

After analyzing the findings, it was apparent that two common and cross-cutting themes persisted throughout the workshops. These themes were **1) Communicating to the public and 2) Public participation in government.** These themes were raised repeatedly, in relation to almost every issue. When people

discussed land rights, or natural disasters, or the rule of law, or natural resources, they focused on a lack of awareness of laws and government process amongst the public, and of laws and processes that didn't make sense to the public because they had no say in their design. It was identified that a general lack of access to information - about things like laws and government process, as well as high-impact natural resource projects, or life-saving information about natural disasters - was contributing to a number of local governance problems.

Building on the workshops findings, we present here the theory (importance, benefits, challenges) along with some local context for Kayin and Tanintharyi, as they relate to the two cross-cutting themes. Best-practice case studies addressing the themes are also provided. Finally, each theme is concluded with an analysis of the case studies and their potential to be applied in the local contexts of Kayin and Tanintharyi.

THEME 1 – COMMUNICATING TO THE PUBLIC

It is widely accepted that communication in its central role generates good principles of governance. Effective communication can improve the relationship between government and the public and significantly contributes to three main characteristics of governance – state capability, responsiveness, and accountability.

If communication is not effectively used, governance reform is believed to have more adverse effects and challenges. It generally causes less political will, resistance or opposition by different interest groups or stakeholders, and hostile public opinions. Thus, it is considerably important for the government to employ public communication through engagement, dialogue, consultation, negotiation and debates, to achieve public consensus and build public confidence.

Access to information in Tanintharyi Region

In Tanintharyi, similar to many parts of Myanmar, access to information remains a challenge. Village Tract Administrators (VTAs) and 10 Household leaders play an important role in the dissemination of information which comes from the General Administration Department (GAD). Information sharing, in terms of government infrastructure projects (such as schools, clinics, village roads) through VTAs and 10 Household leaders is reported to be somewhat satisfactory in parts of Tanintharyi.

Information about the process of planning and budgeting by the GAD and the functions and roles of the GAD is reported to be inadequate, with low circulation amongst communities. However, there is some suggestion that access to information may have improved in Tanintharyi Region recently as a result of efforts to strengthen public participation in budget planning.

Access to information in Kayin State

Similar to Tanintharyi Region, access to information is still a challenge in Kayin State. The flow of information in Kayin State is mainly through 10/100 Household Heads. Traditional information channels such as village elders, respected people, friends, family and VTAs/Ward Administrators (WAs) are reported as the most accessible, while radio and television also play a role for VTAs in receiving information about new laws.

Information provision has been reported as not effective at times as people have limit-

ed knowledge of the current affairs at the township level, which may be because of the traditional one-way channel – from Township administration to Village administration, then to community members – without information flowing in the other direction. As with Tanintharyi, access to information may have improved recently as a result of government departments conducting more meetings with communities, and increased information channels being made available for public access, particularly through MPs, CSOs and NGOs, and online media.

Case studies

The below case studies are of projects that have been effective in addressing public communication and understanding. They are relevant not just for the theme, but also for issues that were discussed in the workshops. The case studies for Theme 1 are:

- **Providing Access to Justice and Legal Awareness, Timor-Leste** – a project to increase understanding of human rights and to strengthen the rule of law and democratic culture in Timor-Leste

- **Improving Budget Transparency in Bandung, Indonesia** – a project to empower civil society and government staff to hold government accountable, and remove the budget information imbalance between government decision-makers and the public

- **I-Governance in Naga City, Philippines** – a project to produce a more accountable and responsive government and encourage city officials to develop more innovative approaches in city management, and

- **Fire and Flood Awareness Campaign, South Africa** – a project to raise awareness of flood and fire prevention in communities that were vulnerable and had low levels of literacy and access to information.

Analysis and Conclusion

The Theme 1 case studies are primarily based in developing countries which share some similarities and some differences with Kayin and Tanintharyi in terms of local context. They cover different geographical settings - some rural, some urban and some mixed. They are also based on some of the issues that arose in the workshops. The strategies that have been used in these projects may be applicable for use in Kayin and Tanintharyi. For example, both Kayin and Tanintharyi had devastating floods before the workshops were held. Lack of preparation, public awareness and access to information were identified in the workshop findings as significant challenges with regard to the floods. The case study of the Fire and Flood Awareness Campaign in South Africa provides a practical example that government, MPs and/or CSOs may be able to adapt and use to raise awareness of floods and disasters.

The case studies utilize a variety of communication strategies including community forums and meetings, print media, radio, mobile SMS and internet. Given the majority of Kayin and Tanintharyi populations live in rural areas, tools such as community meetings, print media and radio appear to be the most applicable to reach a dispersed rural public, but this does not necessarily mean that the other tools could not be applied.

Technology and media access remains a challenge in both Kayin and Tanintharyi. Although access to mobile phones and telecom-

munication has increased in recent years, very few people are familiar with accessing websites. As elsewhere in Myanmar, Facebook is dominant and remains one of the main communication channels used by both governments and the public. In addition to using Facebook to communicate with the public, both regions also have their own websites in which regional profiles, government structures, news, and contacts are available. Using the example of the Philippines case study, there may be benefit in amending the current Kayin and Tanintharyi government websites with more information on simplified laws and rules, a directory of officials with their contact details and availability, statistics on finances and details of the annual budget, and available services and how to use them.

Many of the tools and activities in the case studies are not new to Kayin and Tanintharyi and could be implemented through existing platforms and infrastructure. As with any public initiative or project, financial and human capital are persistent challenges. This could be overcome initially with dedicated government investment to pilot such projects. Alternatively, collaboration may be a more realistic route. The case studies show that financial challenges can be overcome through collaboration between government, MPs, CSOs, and at times INGOs.

THEME 2 – PUBLIC PARTICIPATION IN GOVERNMENT

Public participation is viewed as an essential component of a successful democracy. It does not only make government decisions more responsive to public needs, it also helps to resolve conflict, build trust and improve public knowledge on important issues.

Lack of public participation and consultation in government initiatives often leads to public opposition, suspicions, and protests against development projects due to the fear of socio-economic impacts that might negatively affect them. Thus, it is beneficial for governments to allow the public to be involved in all stages of the law-making process from the beginning to the end – including preparation, drafting, adoption, implementation and evaluation.

Public participation in Tanintharyi Region

The 2012 Ward or Village Tract Administration Law has enabled both direct and indirect public participation through having WAs/VTAs as local representatives. In Tanintharyi, VTAs seem to act as a bridge between the public and the GAD for their interaction and participation in local projects, despite local people feeling that their involvement in decision making about loca projects is limited.

In urban areas, public participation can be observed in township municipalities – known as Development Affairs Organizations (DAOs). Having community members represented in DAOs through the Township Development Affairs Committee (TDAC) is believed to improve engagement with the public, promote higher public participation and better ensure that public needs are met. However, it is reported that there is no mechanism for regular public meetings and that most urban residents have rarely engaged with the TDAC. Recent information suggests that public participation may have improved somewhat as a result of the 2019-2020 budget planning process in Tanintharyi Region.

Public participation in Kayin State

In Kayin State, a direct form of public participation in government decision making can be seen in development projects funded by Local Development Funds (LDFs). LDFs in their procedures promote bottom-up community participation in project planning and decision making. Under the previous government, VTAs in Kayin State were mainly responsible for LDF project identification through community consultations and meetings. According to recent information, the project identification and implementation process in Kayin State now goes through community-initiated groups which are primarily formed for village development affairs.

UNDP research from 2014 suggested that public participation in Kayin State's development projects was improving, but there were complaints regarding inadequate representation of all community members, consultations being focused on "informing", and lack of interest from community members to participate in meetings. Women's participation was also found to be very low in planning meetings and consultations.

Case studies

The below case studies are of projects that have been effective in addressing public participation in government. They too are relevant not just for the theme, but also for issues that were discussed in the workshops. The case studies for Theme 2 are:

- **Land Tenure and Peace-building, Madagascar** – a project to build the capacity of land services staff, increasing the population's use of government land services, and improve the quality of the services through participatory community evaluations

- **Porto Alegre Participatory Budget, Brazil** – a project to empower citizens, including the poorest and most marginalized groups, to be able to take part in the decision making process for budget allocation, so it would reflect their needs

- **Women's land rights in a changing climate, Niger** – a project to tackle the emerging trend of excluding women from agricultural land in Southern Niger, and

- **Citizen Participation through Community Forums, Macedonia** – a project to empower citizen participants to contribute to decision-making.

Analysis and Conclusion

The Theme 2 case studies are from countries that have shared similar political struggles with Myanmar such as military coups and democratic struggles, civil wars and peace deals, and constitutional disputes and political uprisings. The projects include a variety of participatory strategies including participatory evaluations, public meetings and forums, community representative election, voting on projects, empowerment, training, and stakeholder engagement. Some of these tools already exist in Kayin and Tanintharyi.

The issues addressed in the case studies are again rooted in the workshop findings. For example, the land tenure in Madagascar project provides tools to address land registration and legal awareness. This is very similar to issues such as farm land registration, lack of public awareness, and community engagement, that were discussed in the workshops.

The case studies also incorporated not only government and community leaders, but also priests, journalists and CSOs. In the context of Kayin and Tanintharyi, monks and oth-

er religious leaders are influential in many villages. Taking the experience from the case studies, it could also be beneficial to incorporate monks or religious leaders in land issues to disseminate information, to mobilize community members, and to raise public awareness.

The applicability of these projects in Kayin and Tanintharyi is significant. The similarities of local contexts, traditional institutions, and existing platforms are examples of this. The case studies may also be used as the inspiration or foundation for creating similar projects that promote public participation in government. One of the main challenges in delivering these kinds of projects is that they require a high level of collaboration between stakeholders. It may be that strategic trust building amongst stakeholders is required prior to any project creation and delivery. While stakeholder engagement in both Kayin and Tanintharyi would be challenging, the actual process of delivering the projects stands to create positive relationships amongst stakeholders, and further opportunities for cooperation.

WAY FORWARD

As part of the development of this handbook, the workshops across Kayin State and Tanintharyi Region were not just part of the research, but rather served as a platform where a variety of stakeholders came together, shared ideas, challenged each other, and raised awareness of the diversity of needs and issues amongst them.

This handbook provides a variety of public communication and engagement initiatives and tools which should provide inspiration to our project stakeholders to adapt projects like these for their local contexts, integrating their own ideas and resources, to address the issues they raised in the workshops.

In both Kayin and Tanintharyi there are limited financial and human resources, and the building of trust and collaboration required to achieve sustainable results will require a significant investment of time. By design, this handbook is limited to the extent that it can address these issues, but suggests that the development and trialing of projects like those in the case studies may help begin addressing these issues.

The passion and enthusiasm displayed by participants in the workshops to make change, share ideas, challenge and collaborate, was very encouraging. Similarly, the existing capital – be it human, social, institutional, or infrastructure – shows great potential for improvement in public communication, understanding, and participation, in Kayin and Tanintharyi. We call on MPs, government staff and CSOs working in Kayin and Tanintharyi, to adapt, develop, pilot and deliver projects like those in this handbook, to bring positive change to their communities.

1. INTRODUCTION

After six decades of ethnic armed conflict and being closed off to the rest of the world, Myanmar is currently undergoing a critical pathway to democratization. Accompanying democratization, Myanmar has taken historic steps towards a more decentralized government. Myanmar's current 2008 Constitution includes some decentralized features – transferring limited executive, legislative and judiciary power from the federal to the subnational governments. The government's move towards decentralization is notable in the structural reform of: Development Affairs Organizations (DAO); Ward/Village Tract Administrators; and, people-centered development initiatives. Despite this progress, Myanmar remains a highly centralized nation – the power of subnational governments is limited due in part to important administrative roles belonging to the federal government.

Another Development (AD) is currently working at the subnational level in Myanmar to promote decentralized local governance. With funding from Norwegian People's Aid, AD is delivering a project in Kayin State and Tanintharyi Region, to build the capacity of government, members of parliament (MPs) and civil society organizations (CSOs) in local governance. To deliver the project, AD engaged local partners in both regions to support engagement with key stakeholders. In Tanintharyi Region, AD collaborated with Dawei Development Association and Southern Youth Development Organization, and in Kayin State, with Kayin State Civil Society Network. Kayin State and Tanintharyi Region were selected for a number of reasons: a desire expressed to AD by prominent local stakeholders to improve decentralized local
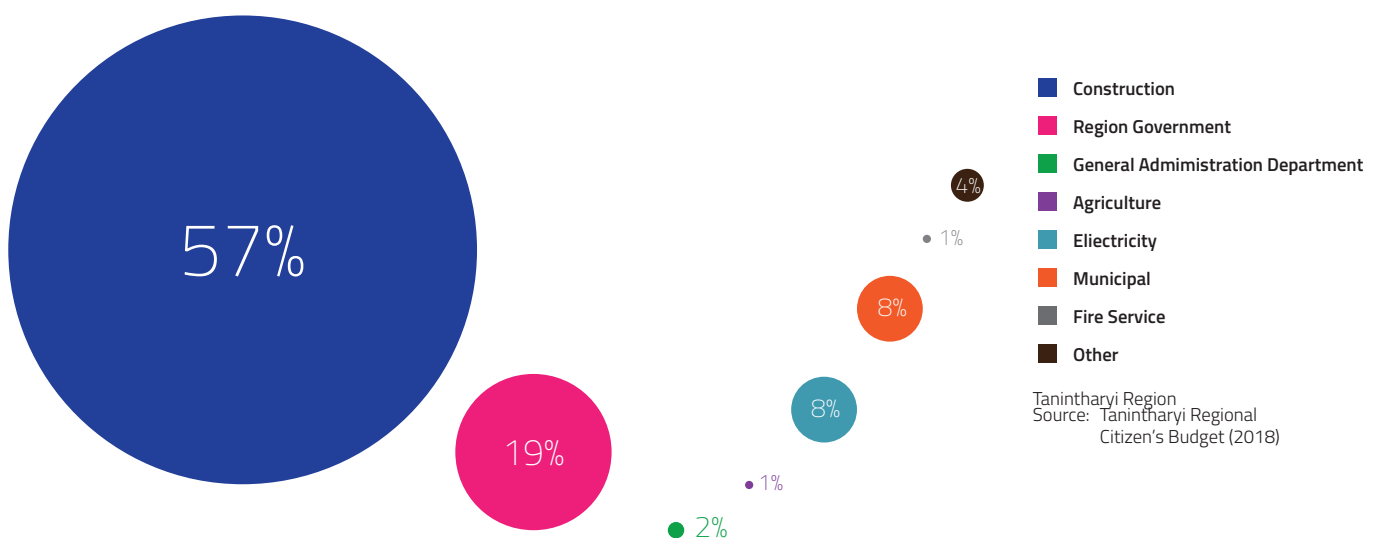
governance; AD's pre-existing networks that would allow for effective project delivery; common conflict-affected issues; and, a clear need for development based on socioeconomic indicators.

Tanintharyi Region has been affected by decades-long ethnic armed conflict. Displacement and external migration are some of the highest in the country[1]. Besides armed clashes and military counter-insurgency practices, land confiscation and investment projects have also been suggested as causes of displacement[2]. On the other hand, Tanintharyi Region is rich in natural resources including coal, gas and tin. The Myeik Archipelago, a cluster of more than 800 islands, also offers high potential for tourism growth. Fishery exports is one of the major sources for the region's economic growth and plays an important role in border trade for foreign exchange earnings[3]. However, many economic activities operated in the Region have often included exploitative extraction of

natural resources. This has caused negative social and environmental impacts on local communities, increased mistrust in the government, and raised concerns over further planned development projects[4]. Tanintharyi Region's public expenditure is focused on roads and electricity, accounting for more than half of total expenditure[5].

Kayin State is also one of the most affected areas in Myanmar as a result of conflict between ethnic armed organizations since 1949. Conflict has had a significant impact on migration and displacement, infrastructure and social services, land confiscation and environmental degradation[6]. Kayin State experiences significant environmental impact through mining and hydropower projects[7]. Despite remaining one of the poorest states in Myanmar, Kayin State possesses many potential economic opportunities. The State's economy is primarily driven by agriculture, trade, mining and tourism, and its GDP has increased steadily since 2013[8]. Similar to Tanintharyi, infra-

Share of total, 2017/2018 Budget Estimate
Tanintharyi Region

57%

19%

8%

8%

4%

1%

1%

2%

Construction
Region Government
General Admimistration Department
Agriculture
Eliectricity
Municipal
Fire Service
Other

Tanintharyi Region
Source: Tanintharyi Regional
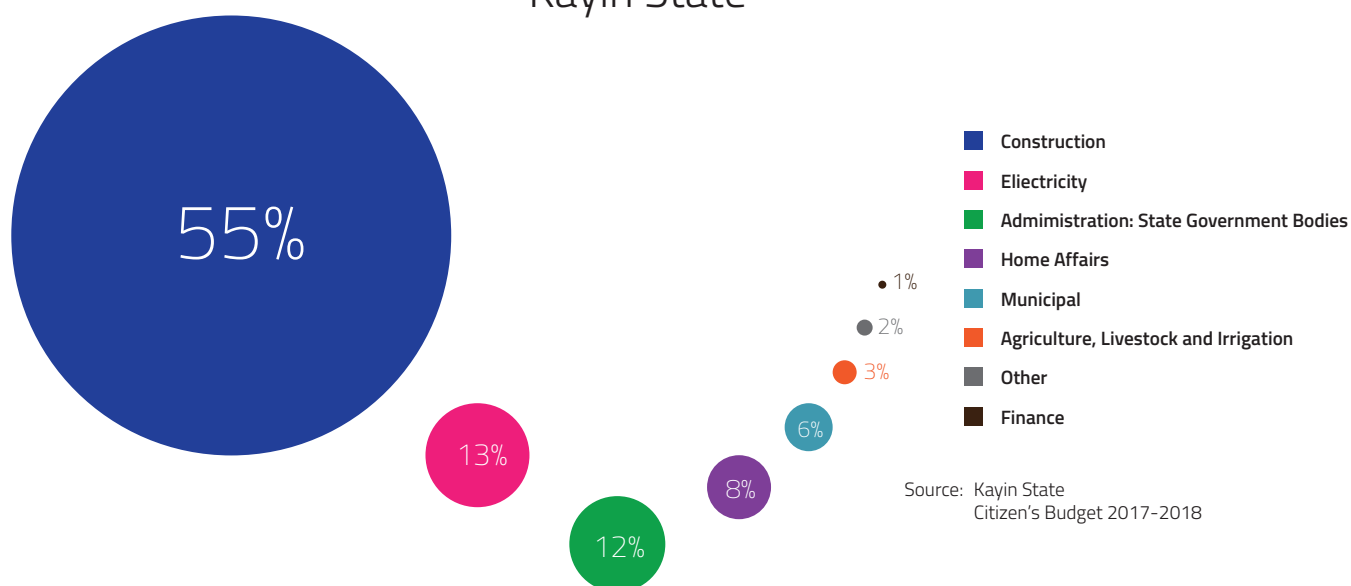Citizen's Budget (2018)

structure has also improved due to large public expenditure on construction and electricity[9]. The government's collaboration with external organizations to produce a simple and visual summary of the state budget is a recent example of a step towards good governance.

As part of our project working in Kayin State and Tanintharyi Region, AD aimed to develop a handbook to assist government staff, MPs and CSOs in addressing their self-identified capacity needs and issues. To do this, we conducted initial desk research in Yangon, followed by the delivery of workshops in Kayin State and Tanintharyi Region with MPs, government and CSOs, to learn about their issues and capacity needs. The workshops involved identifying issues and needs individually, and then bringing these into group discussions. Based on the analysis and findings of the workshops, we conducted additional research to further understand their needs and issues, and find examples of possible solutions. We then conducted read-out

sessions of our draft research with a mix of MPs, government staff, and CSOs from Kayin and Tanintharyi, to receive their feedback and ensure the research was accurate and relevant.

Combining the findings of our research and the workshops, as well as feedback from the read-out sessions, we developed this handbook. Following in the handbook, you will find the Workshop Findings which outlines the variety of issues and needs that were raised and discussed. From the findings of the workshops, two cross-cutting themes were identified that are suitable to be addressed in this handbook, and they are discussed in the sections Theme 1 and Theme 2. These sections include evidence of projects that have effectively addressed these themes, and analysis on how they may be applicable in the Myanmar context. Finally, in the Way Forward, we outline the next steps and call on governments, MPs and CSOs to use the findings of the handbook to bring positive change to their communities.

Share of total, 2017/2018 Budget Estimate
Kayin State

55%

13%

12%

8%

6%

3%

● 2%

● 1%

- Construction
- Eliectricity
- Admimistration: State Government Bodies
- Home Affairs
- Municipal
- Agriculture, Livestock and Irrigation
- Other
- Finance

Source: Kayin State
Citizen's Budget 2017-2018

2. WORKSHOP FINDINGS

AD conducted workshops in Kayin State and Tanintharyi Region with government staff, MPs and CSOs. The workshops aimed to explore the capacity needs and issues being faced by the participants. Additionally, the workshops aimed to: promote sharing of ideas; expose stakeholders to inclusive policy making processes; and, raise awareness of the diversity of needs and issues amongst their counterparts. Workshops were comprised of two main activities: format form completion in which stakeholders identified at least two needs and two issues they were addressing in their area of work; and, group

Participant attendance in Taninthary Region Workshops

MPs
9
32
CSO staff
95
Civil servants
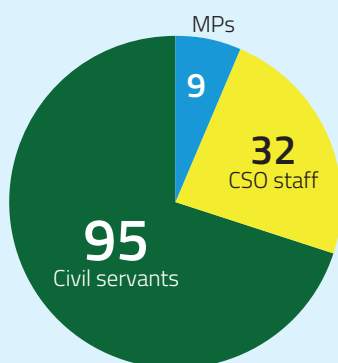
Participant attendance in Kayin State Workshops

MPs
6
30
Civil servants
45
CSO staff

16
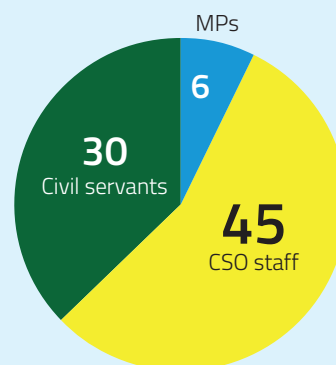
Identified Issues in Format Forms

Figure 1 Issues identified in five workshops in Tanintharyi Region and Kayin State

discussions where they shared their issues and needs with other participants and presented it to the room. Figure.1 presents a combination of findings from all workshops in Tanintharyi Region and Kayin State.

In Tanintharyi Region, workshops were run across three days with different stakeholders – the first day with MPs, the second day with CSOs, and the third day with government and civil servants. All together in Tanintharyi Region workshops, there were 136 participants – nine MPs, 32 CSO staff from 26 organizations, and 95 civil servants from different departments.

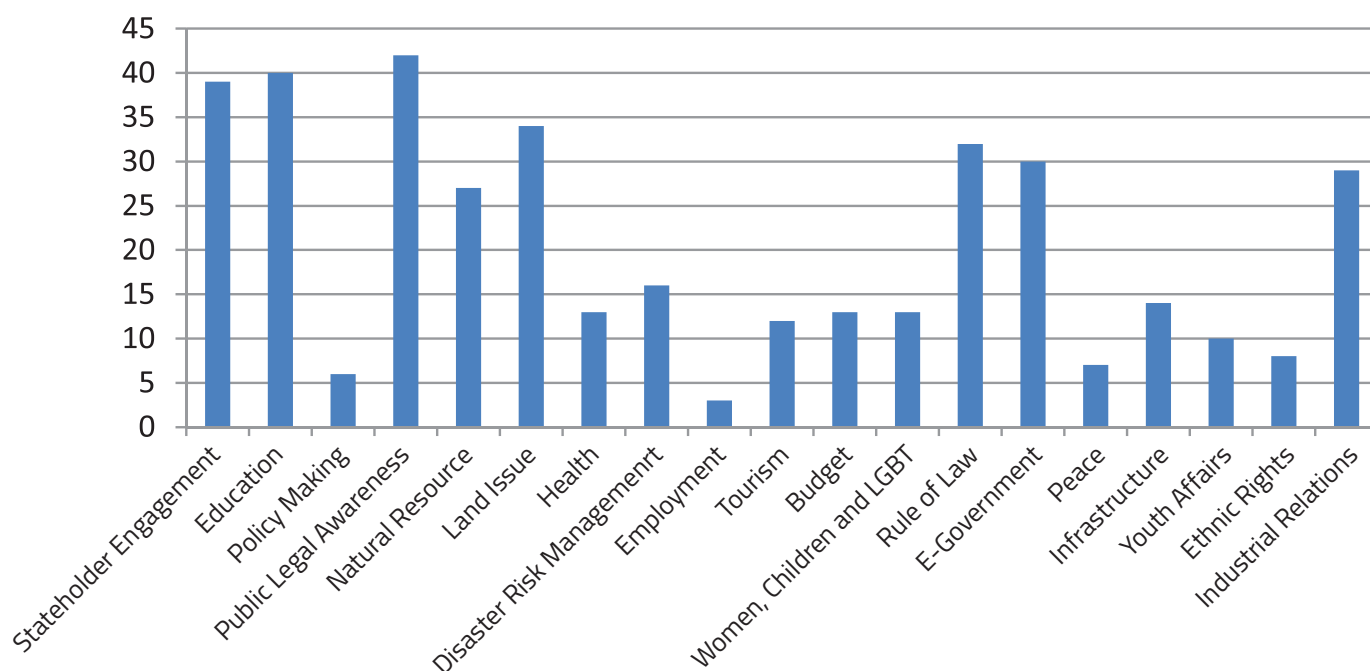In Kayin State, workshops were run across two days – the first day with MPs and government staff, and the second day with CSOs. In total there were 81 participants – six MPs, 30 government staff, and 45 CSO staff from 27 organizations.

The coming sections 3.1 and 3.2 will look at the most common issues that were discussed across all workshops. When reading these sections, it should be noted that two caveats apply:

- not all issues identified in the format forms were covered in group discussions, and a number of issues were only briefly discussed in groups. This section does not include every issue discussed, and is simply of summary of the most commonly discussed issues

- the findings are solely the opinions of workshop participants and do not necessarily reflect the collective views of all stakeholders. These opinions may conflict and contradict one another.

2.1. Findings from Tanintharyi Region Workshops

Several issues and needs were identified and discussed regularly across the three Tanintharyi workshops.

Public Legal Awareness and Participation

In the Hluttaw workshop, MPs discussed the need for government departments to better understand their respective laws and highlighted weaknesses in implementation. MPs also highlighted the lack of explanation of government procedures and laws to the public.

Government staff, similarly, raised the issue of a lack of public understanding about law and government department procedures. For instance, a participant from Department of Forestry raised the issue of illegal farming in reserved forest areas as a result of lack of public awareness on land law and different types of land use. Department of Fisheries also highlighted the lack of public obedience on fishing and marine conservation rules because awareness-raising programs are not adequate.

CSOs stressed the lack of community participation in law making which causes conflict between customary legal practices and national law. Laws written with technical language were stated as a barrier for local communities in understanding them. CSOs highlighted the need for public understanding of laws such as land, farmland and land acquisition laws and acts, investment laws and Free, Prior and Informed Consent. In order to facilitate legal awareness to the public, CSOs identified the need for: improvement in legal knowledge amongst CSOs and government staff; laws to be understandable for the public by avoiding complex technical terms as much as possible; consultation between MPs and the community before laws are approved; and, allowing enough time for checking laws and providing feedback before they are approved.

"Communities may not understand legal terms, but they have their own rules and regulations which are quite similar to the official laws. Based on their rules and regulations, laws should be modified. It will be simple and also help to utilize their hidden local knowledge. [...]Therefore, the CSOs role is very important to facilitate.

Secondly, public participation in legislation means the customary law exercised in communities should become a law. For example, in a community, there is a rule for buying and selling cattle. MPs should be aware of it. Based on this rule, if they drafted the law, it would be familiar with local people and thus easier to exercise and implement. [...]

Next, the regional government drafted a law using legal technical terms. Then they invited CSOs, communities and showed us. It was really for us to support what they drafted. They said we can change it or suggest changes, but they will consider whether or not to accept, so it is ridiculous. The participants had to spare time to attend it. They listened and suggested. Also before they attended, they had to prepare for it. So we don't feel like the law belongs to us, but rather we are obliged to follow someone else's law. So, every step forward, every law should be our law. People should participate and initiate it."

~ Tanintharyi Region CSO Workshop

Land Issues

Land was the most discussed issue in the Hluttaw workshop. Besides the need for public awareness on land issues, MPs criticized land departments in taking bribes when administering land documents. The need for capacity improvement and accountability of land department staff was also raised.

In the government workshop, Department of Agriculture Land Management and Statistics focused on the weakness of information sharing about laws to the rural population. Legal actions and land conflicts were thought to be the result of a lack of public understanding about laws and restrictions, and also a lack of access to information at the village level despite laws being available online.

CSOs discussed the weakness of the 2012 Land Acquisition Act, corruption, and lack of public awareness on land laws. One CSO spoke about the need to amend the Act as it does not protect the rights of the people, but rather disadvantages them. They also stated that Land Investigation Commissions are not capable of solving land issues. CSOs asserted the need for: MPs to listen more to people's voices; government to hold public consultations to explain land laws, land types and land documenting procedures; and, government to do more field visits to understand the on-the-ground situation.

"Some lands are not specifically demarcated. People don't understand clearly. Some residential lands are certainly farm lands. There is no proper action from the Land Record Department for a particular possession of residential land or farm land. If the owner wants specific acknowledgement of his/her land possession, bribery is needed."

~ Tanintharyi Region Hluttaw Workshop

"In fact, it is a must that farmers and villagers widely understand land laws in a country where 70% of total population lives in rural areas. As I mentioned earlier, it is not just enough that they understand laws, but they must follow and also they must apply for a farm operation permit.

Besides, they must know activities that are prohibited by the laws. Many issues such as lawsuit and legal actions are because they do not follow the instructions."

~ Tanintharyi Region Government Workshop

Stakeholder Engagement

MPs perceived stakeholder engagement with CSOs, NGOs and INGOs as an important element in their performance. An MP shared that they have gained much knowledge through the assistance of external organizations on laws, land issues and administration within the two years of their political term.

Some government staff raised the need for improvement in cooperation amongst departments, and engagement with the public to access community information.

CSOs identified stakeholder engagement in three parts – between CSOs and community, between CSOs and government, and between CSOs themselves. CSOs stated their challenges when entering communities for empowerment programs including lack of local contact persons, community expectation

for money, aid and materials rather than train-ing, and complicated procedures for getting permission such as through village elders, monks and in some cases, administrators. In terms of engagement with government, CSOs reflected on their role as activists rather than negotiators which causes some misunder-standings between CSOs and government. For engagement between CSOs, they raised a weakness in cooperation between different sectors and stated the need for a strategic plan to achieve common goals.

> "Some communities don't accept us when we consider empowering them for rural development. We only do awareness raising programs. They said we only talk, but other organizations give training and give solar panels too. We can't afford it."

> "We are weak in cooperation with government. If we act like we are better, government does not like us. They also perceive themselves as professionals, and if they feel like we are trying to influence their work, they can misunderstand us."

> "The CSOs mindset is that we see ourselves to be the best. We only rush to finish our project. We are very weak to cooperate with other groups. CSOs need to have a strategic plan to reach a common goal."
> ~Tanintharyi Region CSO Workshop

Natural Resources

Fishing was raised as a natural resource issue in the Hluttaw workshop. MPs highlight-ed the need for amending weaknesses in off-shore and in-shore laws to help enforce the rule of law in fishing and fish conservation by considering local livelihood struggles and ca-reers. Poor public understanding on the differ-ence between fishing licenses was raised as an issue affecting the rule of law and MPs as-serted the need of broader awareness-raising.

In the CSO workshop, mining and invest-ment in Tanintharyi's natural resources were regarded as having a negative impact on local and indigenous people's livelihoods and eco-nomic opportunities. Coal mining, pearl farm-ing, oil drilling and timber smuggling issues were identified in the workshop focusing on: socio-economic and health impacts, lack of lo-cal economic benefits; lack of transparency in licensing by Karen National Union (KNU) and Union government for mining projects; and, the limitation of the regional government's decentralized power.

> "Other people will see natural resources as a golden well. But for our people, it is a curse. Why do we say that? In our community, there is coal mining – a joint venture company of Thailand and Myanmar. We tried many ways to kick out the company. Before, there was six fields, and now only one is left. The company got permission from KNU and government. [...] After five years of operation, when we have discussed with villagers, many have already had diseases and symptoms caused by coal mining activities."
> ~ Tanintharyi Region CSO Workshop

Rule of Law

Tanintharyi Region MPs discussed the involvement of government staff in corruption in sectors such as land and fishing, and the involvement of some police and authorities in drug issues. On drugs, MPs outlined their challenges in arresting drug suspects through community informing, as drug suspects have connections with police and receive prior information before authorities arrive.

Drugs and corruption were also discussed in the CSOs workshop. Corruption was identified as a cross-cutting issue in many sectors including land, natural resource investment and drugs. Some CSOs raised involvement by authorities in drug deals and the silencing of communities who are reluctant to share information for fear of being victimized. They also raised the lack of cooperation by some police with CSOs to address drug issues.

> "When arresting drug users, if they are found with one or two pills (of Yaba), we give them a lecture and release them. If they are found with a vast amount, we proceed according to the law. The problem is that when they are in prison, they are still using it. They said the police give it to them."
> ~ Tanintharyi Region Hluttaw Workshop

Education

Education was broadly discussed in both the Hluttaw and government workshops. MPs focused on policy issues in recruiting teachers through centralized procedures, on language issues between local students and Burmese speaking teachers, and road inaccessibility in remote areas for teachers to travel.

In the government workshop, university and college staff raised the issue of capacity needs – both teaching and administration skills for teachers, and challenges in teaching due to a staff transference system which occurs once a year or once every two years.

> "Our township faces more issues in teacher shortages. But, the issue is that education is managed at the Union level. So when we go to the Township, District or Region Education Offices to report the issue, they cannot give us exact answers. They will just give us vague answers and say they will report it when they have a meeting. [...] In terms of regional level, the Region Education Officer said they will collect data in my township, then combine the data from 10 townships and submit it to Nay Pyi Taw. So the final destination is in Nay Pyi Taw and it causes the delay. This is a policy challenge we are facing."
> ~ Tanintharyi Region Hluttaw Workshop

> "There are no adequate staff. Teachers also have to transfer once a year or once every two years. So the issue is that they have to transfer before they are getting familiar with the local context."
> ~ Tanintharyi Region Government Workshop

2.2. Findings from Kayin State Workshops

Several issues and needs similar to Tanin-tharyi - as well as some that are different - were identified and regularly discussed in the Kayin State workshops.

Public Legal Awareness and Participation

Public legal awareness was widely discussed amongst different departments and MPs as it is a cross-cutting issue in most sectors. Issues included understanding of laws, rules and procedures of different sectors, and also government announcements. The workshop identified public legal awareness to be very low, a lack of public accessibility to laws and procedures, and weak public obedience of law. Additionally, inadequate legal expertise and knowledge amongst government staff was identified as a cause for errors and delay in handling issues.

CSOs offered a slightly different perspective. CSOs focused on a lack of public participation in legislation and law making which leads to laws underrepresenting public voices and being incompatible on-the-ground. CSOs also highlighted the lack of a government mechanism to share laws and rules to the public and to make them accessible.

"We have fishery laws and regulations. Fishing is forbidden from Tagu's new moon first day to Kason, Nayon and Waso (from June through August), totally 3 months. Why do we ban fishing? A fish can produce eggs which can give birth to millions of fish. We forbid fishermen in the season when fish lay eggs and fertilize. If they break the rules, they are sentenced to jail for two years and fined around two or three lakhs. When we take this action, some people are sentenced to jail with only around four pounds of fish which is worth around 2000 or 3000 kyats. Some have to pay fines and their boats are taken away. We do not want to take action for cases like this. We want them to obey the laws. We want them to follow rules of respective departments."

~ Kayin State Hluttaw and Government Workshop

Land Issues

In Kayin, land was again widely discussed in group discussions. MPs raised challenges in communicating land issues between the public and government departments. The weaknesses of government cooperation in handling complaints, the lack of transparency, and communication channels were identified as issues that weaken public trust in government departments and MPs.

A lack of public cooperation in following complaint procedures and fraud complaints were raised as burdens for government in addressing land issues.

The issue of poor public understanding on land laws and procedures came up at the CSO workshop. The complexity of government procedures and unclear explanations were identified as the main obstacles for the public. Public understanding on the procedure of Land Form (7), for instance, was identified as weak and apparently many people still do not possess Land Form (7). Lack of government engagement with communities and their reluctance to go to villages to check land was also

identified by some CSOs.

> "If government departments and administrators are involved in land issues, our Hluttaw handles it. Hluttaw is just like a court. We investigate and record what the people say. In our committee, we have lawyers and legal experts, experts from Hluttaw office and also land experts. We seek the best and rightful solution. After that, we analyze the report. Then we have to go into the field to check if all the data and information is valid. After we have gone through these steps, we send our recommendations and report to the government department. But the problem is that they do not reply to us. I cannot tell how delayed their work is. When this kind of delay occurs, the public loses their trust and respect to our pillar. The government departments need to be accountable and responsible."
>
> ~ Kayin State Hluttaw and Government Workshop

Natural Disasters

It is no surprise that natural disasters came up as one of the top issues in Kayin State. A month before the workshop was conducted, Kayin State suffered from one of the worst floods in history. The flood displaced more than 16,000 people across five townships[10]. Some workshop participants were unable to attend as a result of the flood.

The workshops identified the need to improve disaster management planning including prevention and rehabilitation. The need for cooperation between CSOs and government

was also highlighted with regard to the rehabilitation process. Access to information with regard to natural disasters was also raised. Access to reliable information from Village/Ward Tract Administrators, and villagers about the on-the-ground situation, was identified as an important area requiring cooperation between community and government departments to provide support in a timely manner.

CSOs highlighted the lack of a government disaster preparation and emergency plan. Lack of public accessibility on weather forecasting news was also stated as an issue in some villages. A mixed-administration under the control of KNU was also identified as an obstacle in providing aid to communities where travel access is restricted.

> "There is lack of access to timely updated information. Although there are warnings announced on newspapers, some villages have no access to newspapers and journals. Radio and television are also not available as there is no electricity. If the emergency happens, they do not know whom to contact. Also people do not care much about natural disaster preparation as they are struggling with their livelihoods. The only way to predict weather is through a traditional way."
>
> ~ Kayin State CSO Workshop

Rule of Law

Government staff and MPs identified rule of law as one of the top priority issues when filling out format forms. Under rule of law, drugs, corruption and lack of accountability were identified. While weak action from police

on handling drug issues was identified, it was also raised that budget insufficiency and lack of facilities for the police was a constraint in managing cases.

CSOs raised the involvement of some police and authorities in drugs and gambling as the main obstacle in addressing drug issues. Corruption, the involvement of armed groups, lack of rehabilitation camps in Kayin State and lack of cooperation between authorities and communities were also some of the identified issues.

> "We need support from the government because there is budget insufficiency for handling drug issues. For example, the funds provided to handle one drug case is only 10,000 kyats. To check if the drug issue is valid, we have to go to a laboratory because the police department has no lab. To ensure the rule of law, it is not enough that only the police work. We want the public to cooperate with us."
>
> ~ Kayin State Hluttaw and
> Government Workshop

Stakeholder Engagement

Stakeholder engagement was raised as an issue in different departments. Government staff have an issue in communicating with the community and sometimes with their clients. The main issue was identified as lack of cooperation by business owners in following the department's procedures.

CSOs tended to focus more on the weakness of government engagement with communities, similar to concerns that raised with regard to public participation.

> "Even when we check a small food shop and a pharmacy, the owners do not show their respect even though we explain that it is for the goodness of both. Some owners are afraid that their products would be taken away if we find out, so they do not like us."

> "We are just staff. Those who come to our department are rich people who do business here. They have to write a report monthly. But when we say it is the due date and they should give us a report, they do not respect us and say "it is our business and our money, so we do not need to report everything". But we have to tell them that we have to cooperate together. They don't usually give us reports. I think it is annoying for them as it seems like we are forcing them."
>
> ~ Kayin State Hluttaw and
> Government Workshop

Women's Rights

Women's rights came up as an issue in the Kayin CSO workshop. CSOs raised the challenge of delivering women's rights training as the principles are not applicable in villages where male dominance is high. They also raised the difficulty of providing training on women's rights that results in sustainable implementation by participants.

E-Government

One of the most identified issues by government staff and MPs was related to e-government. Access to information and IT skills were identified most. This highlights the trend of government departments to transform

their governance and service provision into an IT friendly environment, while lacking the proper IT skills to do so.

2.3. Conclusion

The workshops in Tanintharyi Region and Kayin State explored several different issues and capacity needs identified by MPs, government staff and CSOs. The different experiences, knowledge and viewpoints of each group helped participants better understand the multiple dimensions of each issue, its constraints, and the on-the-ground reality. The workshops included a wide variety of participants which made the workshop findings diverse. Active participation and enthusiasm from participants was a key success of the workshops.

As is evident from the above findings, a variety of issues were identified – ranging from infrastructure to awareness, from budgets to education, and women's rights. Each issue and need raised in the workshops was important, however, many were issues that are not suited to being addressed through this handbook. Infrastructure, budgets, human resources, industrial relations, education reform and a land rights governance framework are just some examples of issues that require extensive policy work or the commitment of significant re-

sources, both of which fall outside the scope of this handbook. The aim of this handbook is to provide research on and examples of positive initiatives that have responded to some of the issues and needs raised in the workshops, that can be adapted and applied locally, and delivered collaboratively by state and regional governments, MPs and CSOs.

It is within this context that we identified two cross-cutting themes from the workshops that were frequently mentioned, touched on almost every issue raised, and could be addressed in this handbook. These themes were 1) Communicating to the public, and 2) Public participation in government. The varied issues discussed in the workshops such as land rights, legal awareness, natural disasters, rule of law, and natural resources, were often discussed in the context of these two themes.

In the following sections, each theme will be discussed with regard to its theory, importance, benefits, challenges, along with some local context for Kayin and Tanintharyi. Best-practice case studies addressing the theme will then be presented. Finally, each thematic section will be concluded with an analysis of the case studies and their potential to be applied in the local contexts of Kayin and Tanintharyi.

Public communication theory

Access to information in Tanintharyi Region

Access to information in Kayin State

Case Studies

3. THEME 1: COMMUNICATING TO THE PUBLIC

Communication plays an important role in promoting good governance and public service provision. Effective communication can improve the relationship between government and the public and can strengthen the responsiveness and accountability of the government. A two-way interactive communication between government and the public facilitates meaningful participation by providing a continuous flow of information, opening space for public feedback and promoting interaction between government and the public[11]. A use of strategic communication mechanisms can promote the accountability of government bureaucrats, thus, helping with corruption reduction and improving the effectiveness and efficiency of government programs.

Achieving Good Governance through Communication

Communication is the backbone of participatory governance[12]. It is a fundamental component of democratic public participation. An effective use of communication by the government enables the public to be informed, involved, and influencing the government's programs and priorities. Public-oriented governance can be achieved through public access to government information[13]. A good flow of information will enable the public to be aware of a government's existing and future programs, to understand their rights and obligations, to be enthusiastic about expressing their needs and views, and to know how to access services.

It is widely accepted that communication in its central role generates good principles of governance. What is good governance? Ac-

[G]ood governance can be summarized as a public-oriented governance mechanism in which: public participation and consensus are central to the government's decision making; the government is responsive and accountable to the needs of the public; and, the government is capable of providing equitable and inclusive services by using resources effectively.

cording to the United Nations Economic and Social Commission for Asia and the Pacific (UNESCAP)'s eight good governance principles[a], good governance can be summarized as a public-oriented governance mechanism in which: public participation and consensus are central to the government's decision making; the government is responsive and accountable to the needs of the public; and, the government is capable of providing equitable and inclusive services by using resources effectively[14].

According to the United Kingdom Department for International Development, communication significantly contributes to three main characteristics of governance – state capability, responsiveness, and accountability.

a. **State capability** – A belief that communication allows the government to make sure that their services and policies meet people's needs, and that they are able to deliver these services.

Benefits of Communication	Adverse effects of lack of communication	Communication challenges
Allows the government to make sure that their services and policies meet people's needs, and that they are able to deliver these services. Helps facilitate the government to respond to the needs of citizens by providing a platform for people to speak out on what they think and need. Citizens are allowed to oversee the procedures of government programs and to monitor the government to hold them to account	Causes less political will (the willingness of the public to be involved in politics and government process) Resistance or opposition by different interest groups or stakeholders Hostile public opinions (such as through protests and riots)	Public service deliverers may not be aware of their obligation to engage the public and deliver information Budget, infrastructure, information management capacity and lack of strategic communication as a policy The public's unfamiliarity with demanding information because of a political and structural culture which has blocked public opinions

a   UNESCAP's 8 major characteristics of good governance: participatory, consensus-oriented, accountable, transparent, responsive, effective and efficient, equitable and inclusive, and the rule of law.

b. **Responsiveness** – Communication helps facilitate the government to respond to the needs of citizens by providing a platform for people to speak out on what they think and need.

c. **Accountability** – Through communication, citizens are provided the opportunities to check government data, budget allocations and government's plans, to oversee the procedures of government programs and to monitor the government to hold them to account[15].

The effectiveness of communication can be determined by the willingness of government to be transparent and provide access to information, and also the level of empowerment and ability of citizens to demand and use information[16]. Box.1 illustrates an approach for access to information and Box. 2 illustrates empowerment.

Box 1: Access to Information in Indonesia

Kelompok Informasi Masyarakat (KIM) was formed by the Indonesian government to improve public communications infrastructure as well as a communication bridge between the government and the public. It is based in Kim Surabaya, Indonesia.

Top-Down Communication Approach

KIM Jambangan provides information about the problems that exist in the environment – such as informing about fallen trees and other issues so that the public can be alert.

KIM Mojo is active in spreading the latest information from the government. All the information can be accessed on the website www.kimmojo.com and all social media accounts. KIM Mojo also produces conventional media by making pamphlets, flyers, and newsletters.

KIM Swaraguna in Gunung Anyar takes place 70% online, sharing about the main Government programs that can be used by residents and young people.

KIM Medokan Semampir uses online and social media to disseminate information about government programs.

KIM Surabaya helps to send the right messages to the relevant public group. KIM filters messages, chooses the appropriate information, and reproduces the messages according to the ability of citizens.

Bottom-Up Communication Approach

KIM Klampis Ngasem reports public complaints and evaluations through the village and forwards to the Department of Communications and Information Technology Surabaya.

KIM Bahari reports public complaints to the municipal government on physical infrastructure and construction.

Source: G G Aji et al. (2018)[17]

Box 2. Using Communication to Empower Local Community in Ecuador

Radio Alfaro Initiative in Manabi, Ecuador is led by UPOCAM in partnership with PROLOCAL and community based organizations[b].

Manabi suffers from poor integration to local and regional markets, lack of access to credit, and deficient provision of basic services. The communication strategy seeks to stimulate project staff, government agencies, and communities to discuss, reflect, and act on these and other pressing local development issues.

The communication strategy focuses on two main components:

1. An institutional communication component that strives to build a supportive political environment by stimulating dialogues on development among local and national stakeholders.
2. A participatory communication component that seeks to empower communities to form collective identities, articulate their needs, participate in the implementation of local development schemes and provide feedback to the project's implementation units at the local and national level.

Radio Alfaro – presents an opportunity to further dialogue on local problems, build cohesion among stakeholders and empower community-based organizations to become better service providers. Community radio provides the poor an opportunity to "control the message". It speaks to communities in a familiar language that they can identify with and empowers community members by providing them an opportunity to voice their views.

Training program – learning center where research, reporting, and production skills are taught. The local communicators are also beginning to fulfill their duties by producing radio programs. The participants were required to produce a weekly radio bulletin which voices community members' perspectives on local issues of interest including cultural, environmental, and health concerns.

Retrieved from: en_breve@worldbank.org[18]

Communicating Law to the Public

Access to justice is fundamental to the establishment and maintenance of the rule of law[19]. Lack of justice, on the other hand, limits the effectiveness of democratic governance by limiting participation, transparency and accountability[20]. In democratic societies, it is important that public voices are heard in law making processes and they have access to laws and understand their legal rights. However, research shows that there are various obstacles preventing the public from access to justice. Access to information is one of them.

Lack of public access to basic information

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b   PROLOCAL - the Poverty Reduction and Local Rural Development Project; UPOCAM - the Union Provincial de Organizaciones Campesinas de Manabi, an association of rural cooperatives, which is an active provider of health and educational services in the region

about laws, procedures, legal rights and how justice institutions work is an issue in many countrie[21]. Limited public awareness of laws and legal processes is also another obstacle. Literature shows that language barriers to receive information and lack of access to media have a bigger impact on minority groups and people living in rural areas in accessing legal information.

In order to address these issues, it is widely accepted that improved public legal awareness through effective information dissemination needs to be considered in government communication mechanisms. Many government and non-government institutions use legal awareness as a means to develop a public with knowledge of their legal rights and legal obligations that they must follow.

Communication Challenges

In some countries, political and administrative structures can limit the government's ability to deliver information and the public to receive it. Some of the limitations can be –

1. **Government Capability** – Public service deliverers may not be aware of their obligation to engage the public and deliver informatio[22]. Lack of budget and human resources for communication may also be limitations. Infrastructure, information management capacity and lack of strategic communication as a policy can also restrict government capability in information provision.

2. **Public Capability** – Lack of awareness or no accessible platform to receive information. For example, rural populations may find printed media and online media as barriers in receiving information. Another reason can be fear amongst the public or

unfamiliarity with demanding information because of a political and structural culture which has blocked public opinions[23].

If communication is not effectively used, governance reform is believed to have more adverse effects and challenges. It generally causes less political will (the willingness of the public to be involved in politics and government process)[24], resistance or opposition by different interest groups or stakeholders and hostile public opinions (such as through protests and riots)[25]. Public hostile response against the government and its programs is higher, especially in countries where the distrust of authorities, political and ethnic grievances and irrational fears are high[26]. Thus, it is considerably important for the government to employ public communication through engagement, dialogue, consultation, negotiation and debates, to achieve public consensus and build public confidence.

Channels for Communicating Information and Laws to the Public

Different communication channels have been used to raise public understanding and legal awareness. Most of them are carried out through campaigns and free multimedia programs in different formats accessible to varied target groups. Many initiatives have now integrated mobile and ICT in their programs – including SMS, radio, television, mobile apps and online sources – to disseminate information. The following non-exhaustive list provides examples of communication channels.

1. Radio – is the most accessible media for a country where the majority of the population lives in remote areas; and where poverty, illiteracy and inaccessibility to television, printed media and electricity exist[27].

Search for Common Ground Timor-Leste used a radio program "HerStory" as national public media awareness to provide Timorese women, youth and men with information and examples in addressing justice challenges. It produced 15 episodes covering major legal issues – land dispute, domestic violence, divorce, prostitution and women and children's labor rights. The results of the radio program were reported effective and increased public trust in the formal justice system. The project also helped created positive attitudes towards women.

Source: Search for Common Ground
Timor-Leste (2014)[28]

2. Mobile SMS – is a simple, but effective technique to improve service delivery and legal awareness within different governing institutions, often via two-way communication.

In Georgia, Transparency International has helped establish a system for sending SMS updates to citizens on recent parliamentary activities to help hold governing officials accountable, including summaries of significant meetings.

Kenya's Budget Tracking Tool publishes data on constituency-based budget

allocations in basic services such as health, education, water and infrastructure, and disseminates the information via its website and over SMS. It receives back around 4,500 SMS and 5,700 suggestions on its website demanding better services.

Source: UNDP (2012)[29]

3. Online and Mobile Apps – are now widely used and provide rapid information, at low-cost, and with convenient access.

Accessing government information through mobile and web portal in Bahrain
Bahrain's web and mobile portal, run by the government of the Kingdom of Bahrain, enables citizens to access information and services provided by government departments. The initial phase of the portal started with 11 government services and has expanded to over 45 services. The services include: (1) Information Services, such

Bahrain e-Government website
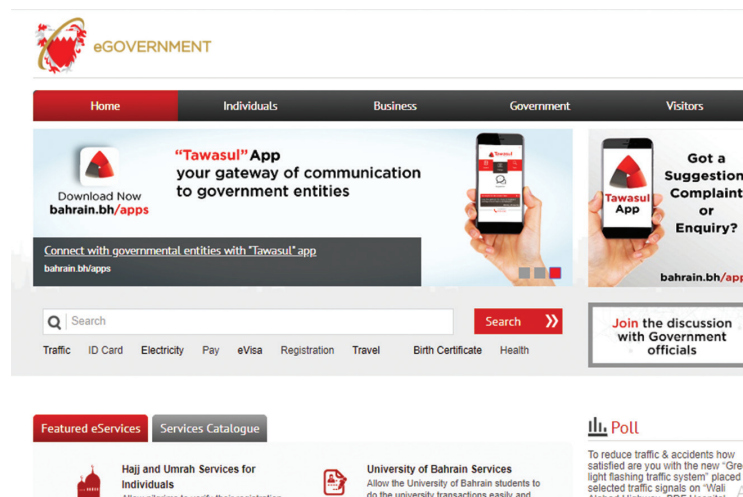
as e-weather, government contacts, travel and destinations, investment and banking, and report of government services evaluation; (2) Interactive Services, such as mobile polls, and suggestions or complaints about services including electricity outrage, traffic signal, road, and sanitary; and (3) Transaction and Registration Services, such as paying electricity and water bills or traffic contraventions, postal services, and land registration.

Source: Bahrain e-Government website (www.bahrain.bh)

Cover page of "Seeds of Gold" magazine which is published by the Saturday Nation newspaper of Kenya. (Photo : Daily Nation, Kenya)

4. Print Media – includes newspapers and magazines and is a traditional way of communicating information where technology is a limitation.

Print media for agricultural information in Kenya

Newspaper and magazines are often used to disseminate agricultural information to Kenyan farmers, especially literate farmers. The Kenyan newspaper the Saturday Nation in collaboration with an agricultural university regularly publishes a pull-out agricultural magazine called "Seeds of Gold" to educate farmers on the best farming practices. Farmers are also given contact information of experts and magazine contributors to mail their problems and questions. Kenya uses different monthly and bi-monthly magazines – including The Organic Farmer, Farmers Voice, the Smartfarmer and Top Farmer magazines to inform, educate and provide farmers with a variety of information such as on organic farming methods and increasing yields using simple sustainable methods.

Source: Ogola (2015)[30]

5. Television – is one of the most effective media which can use creativity to inform a wide audience. Raising awareness through television helps the audience to better experience, understand and absorb the information.

TV series to promote gender equality – South Africa

A television talk show series, Engender, on Cape town TV aims to educate South Africans about feminism and gender equality. It is jointly run by Accidental Films and TV and the Heinrich Boell Foundation South Africa. In 2015, it produced three episodes of TV series – focusing on feminism, the media presentation of gender stereotypes and effects of prejudice against race, class, sex and age.

Source: Accidental Films website (http://accidentalfilms.co.za)

6. Traditional Institutions – Traditional institutions or community groups are often used to function as the main source of communicating information. Integrating public service information sharing in traditional institutions helps to reach a wide range of rural populations.

Using cultural institutions for public communication - Bulgaria

Chitalishta is Bulgaria's unique cultural and education institution. UNDP and a national NGO called Chitalishta Development Foundation jointly implemented a program to develop the capacity of Chitalishta to function as information intermediaries between small communities and public institutions. Chitalishta teams were trained on organization of information and survey techniques to conduct information needs in the villages and available services in local government. This helped local communities to access a range of information on administrative services easily.

Source: UNDP (2009)[31]

7. Street Theatre and Road Show – is an approach which can reach a wide audience to raise awareness using any accessible public space. The benefit of this approach is that it does not rely on people to self-dedicate a particular time to listen or watch[32].

Legal Awareness through Street Theatre, India

Jananeethi, a non-political voluntary organization, provides legal aid and assistance in India. Legal awareness is one of its projects to create general awareness on legal rights and duties. One of the communication platforms it uses is Street Theatre and Road Show. It includes theatrical presentations on streets and public areas, stills and visuals presenting a legal theme or a problem or a call for action. It is highly appreciated by the audience for its easy access.

Source: Human Rights Education in Asia Pacific (2010)[33]

8. Mixed Channels – Usually awareness campaigns can be implemented using mixed approaches by considering the advantages and disadvantages of each channel.

Disaster Awareness in Fiji

Fiji has experienced several cyclones which have resulted in huge damages to people, infrastructure and crops. Considering the need to have comprehensive public disaster preparedness, the Fiji Red Cross and other organizations join together to organize "Disaster Awareness Week", before the beginning of every cyclone season. Awareness messages include health, personal safety, preservation of food, construction of shelters and utilization of available resources. During the "Disaster Awareness Week", disaster preparedness messages are broadcast by radio stations and the effects of previous disasters are written in newspapers. Schools also organize writing contests on "How to Reduce the Impact of Disasters". Meanwhile, NGOs help with the distribution of information materials.

Source: International Federation of Red Cross and Red Crescent Societies (2000)[34]

3.1. Access to Information in Tanintharyi Region

Access to information for citizens about government programs, budgets and procedures, supports the accountability and responsibility of the government. In Myanmar, Village Tract Administrators (VTAs) and 10 Household leaders play an important role in the dissemination of information which comes from the General Administration Department (GAD). However, in Tanintharyi, similar to many parts of the country, access to information remains a challenge.

Due to a lack of recent research on access to information in Tanintharyi Region, accurately describing the current situation is a challenge. To that end, the information presented here is based on the most recent available data, as well as information about recent developments provided to AD by project stakeholders.

According to UNDP (2015), in Tanintharyi, information is usually disseminated through the 10 Household leaders who receive information from VTAs at village meetings[35]. This is reported to address geographical issues such as remote distance, transport difficulty, and poor communication infrastructure in some Tanintharyi villages[36]. The information is also sometimes announced through notice boards and pamphlets, particularly information about Ward Administrator (WA)/VTA election[37]. Information sharing, in terms of government infrastructure projects (such as schools, clinics, village roads) through VTAs and 10 Household leaders is reported to be somewhat satisfactory in some parts of Tanintharyi[38]. However, information about the process of planning and budgeting by the GAD, the functions and roles of the GAD and the procedures of local development funds spending are reported to be inadequate and have low circulation amongst communitie[39]. Recent information from the Tanintharyi Information and Public Relations Department suggests this is still largely the case[c]. Feedback from GAD suggests that access to information may have improved in Tanintharyi Region recently as a result of efforts to strengthen public participation in budget planning, particularly for the 2019-2020 budget which reportedly includes more engagement with the public through activities like field meetings, compared to previous planning[d].

In terms of investment projects, access to information remains a serious concern in Tanintharyi. In the case of land confiscation and displacement issues related to the Union Government's Special Economic Zone (SEZ) Project, it is reported that the public had little access to information about the project and its displacement effects[40]. Inadequate information dissemination, use of inaccessible information materials, lack of meaningful consultation and lack of prior information and unclear explanation about the process were identified as the main issues[41]. The latest report of Earthrights International also detailed the lack of formal distribution of information by the government and the company about the SEZ project since the suspension of the project[42]. Also in the case of Heinda mine, one of the oldest tin mines in Myanmar, lack of access to information and communication mechanism between community members and the responsible Thai company has been identified[43]. These projects have had a significant impact on local livelihoods, both environmental and socio-economic, as well as created a tension

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c   Read-out feedback from Tanintharyi Region's Information and Public Relations Department
d   Read-out feedback from Tanintharyi Region GAD

between affected community members and investors.

3.2. Access to Information in Kayin State

Similar to Tanintharyi Region, access to information is still a challenge in Kayin State. However, there is no up-to-date data analyzing trends of access to information since the National League for Democracy has taken office. Thus, the information presented here is be based on available secondary data as well as information provided to AD by project stakeholders about recent developments. According to the UNDP (2014), the flow of information in Kayin State is mainly through 10/100 Household Heads[44]. Traditional information provision channels such as village elders, respected people, friends, family and VTAs/Was, were reported as the most accessible while radio and television also play a slight role for VTAs in receiving information about new laws[45]. For VTAs, their access to information is either directly from the Township Administrator or through a Village and Township sharing meeting[e]. However, information provision was reported as ineffective as very few people are aware of newly formed project committees – their existence, roles and functions – and have limited knowledge of current affairs at the township level[46]. The ineffectiveness of information may be because of a traditional one-way channel – from Township administration to Village administration, then to community members – but the information flow in turn from community members to

township administrations is limited, and in some cases top-down information itself is reported as not reaching all community members[47]. According to recent information from GAD, access to information is reported as improved (even though challenges remain) as a result of government departments conducting more meetings with communities, and increased information channels being made available for public access, particularly through MPs, CSOs and NGOs, and online media[f]. However, in-line with previous research and confirmed by feedback provided by GAD, public access to government information still needs to be improved in Kayin State.

3.3. Case Studies

3.3.1. PROVIDING ACCESS TO JUSTICE AND LEGAL AWARENESS, TIMOR-LESTE[48]

Background
Timor-Leste has a tradition of violent reactions to political issues. Since independence from Indonesia, the country has encountered problems such as high rates of employment, internally displaced persons, and weak law and order infrastructure.

Project Summary
The 'Avocats Sans Frontieres' (ASF) project commenced in January 2005 and ended in 2007. The general objectives of the project were – to contribute towards the emergence of a protective legal system in Timor-Leste

e   VTAs/WTAs are not staff of General Administration Department (GAD), but they are accountable to GAD. They are indirectly elected by the people under the 2012 Ward or Village Tract Administration law – the heads of households elect 10 household leaders through a "secret ball"; 10 household leaders then elect VTAs or WTAs also through a "secret ball".

f   Read-out feedback from Kayin State GAD

ASF's project in Timor-Leste and Community Legal Liaisons
(Photo : Avocats Sans Frontieres)

especially for vulnerable groups within the population, to increase understanding of the fundamental human rights of the population and finally, to strengthen the rule of law and democratic culture in Timor-Leste.

ASF partnered with three NGOs to implement the project. Each NGO was responsible for one district. One district and two Field Researchers were nominated by the respective NGO to work throughout the project. The nominated positions were maintained until the end of the project although some of the partnerships were terminated halfway. From ASF, there were two Assistant Program Coordinators and one Program Coordinator with the ASF Head of Mission contributing in the project as well, providing finance and administration support. The Program Coordinator, who was an expatriate, trained a Timorese replacement until early 2006 to take over the role.

Objectives of the project were –

1) to select community representative and develop a paralegal-like network amongst them in rural communities
2) to provide the selected community leaders with the basic knowledge of laws and its procedures; information on mechanisms of protection offered under the law; skills to provide legal information, education and

guidance to rural communities
3) to inform the rural communities of the justice system in Timor-Leste with the purpose of increasing their knowledge of rights and responsibilities as citizens under the rule of law in a democratic society
4) to improve access to the formal justice system in regions by delivering information about the system of government and creating a connection between the different legal and social services offered by the government
5) to increase access to justice for women by providing information to community leaders on women's issues and gender sensitivity.

Activities

Activities were organized into two Components. **Component one** consisted of selection and training of Community Leaders and **Component two** consisted of a legal education and awareness campaign for the population of the targeted communities.

Under component one, representatives from communities were selected and called Community Legal Liaisons (CLLs) after training. Staff of ASF and the partner NGOs also received training to enable them to train CLLs. The CLLs were involved in delivering community education under component two, participating in skills workshops to learn about the topic of each upcoming round of community education.

Component two activities included District Workshops, Community Dialogues and Village Workshops. There were six major topics covered: Access to Justice and the Formal Justice Sector; Mediation and Conflict Resolution; Gender and Women's rights; Domestic Violence; Citizenship; and Child Rights. Information pamphlets were distributed throughout

the three community level activities.

(1) Community Dialogues

During Community Dialogues, local resource people from government departments, NGOs and elsewhere presented and shared information on topics such as child rights, citizenship and domestic violence to the large group of 250-300 (sometimes up to 500) people from more than one village. Sixty-one community dialogues were held during 2005 and 2006 and discontinued in 2007.

(2) District Workshops

District Workshops gathered all CLLs in the district as well as interested community members and allowed them to discuss topics from the community dialogues as their discussions were recorded for radio broadcast and later used to assist in the design of Village and Community Workshops. They usually lasted a day with 40-50 attendees. Six district workshops were conducted in 2005 and early 2006 and discontinued later.

(3) The Village Workshops

After CLL skills training, the CLLs facilitated a workshop in their own village on the topics and materials they had learned from the training, with technical assistance (where necessary) from the ASF and its partners. 234 village workshops were conducted by 2007.

(4) Media Exposure

Twelve Radio programs were developed during 2005 and 2006 along with the activities under the two components. Six topics from component two were aired repeatedly over two months and discontinued due to non-functioning community radio stations, and low access to radios within the project community. The project team also produced a film, "The Road to Justice" in 2007 which was incorporated into Village Workshops during the second half of 2007.

Impact

Evaluations and reviews indicated an increase understanding among CLLs of the formal justice system, its institutions and procedures. There was a strong understanding of the difference between civil and criminal cases. This has contributed to more appropriate reporting of some criminal cases such as sexual violence. Surveys on CLLs indicated the increased understanding of CLLs on domestic violence as a crime, as well as reporting and referring cases to the police. For conflict resolution and mediation, as the data shows that CLLs used mediation more, rather than arbitration to solve cases, it can be concluded that the project had considerable impact on how conflicts are dealt with by CLL community leaders. According to the interviews and surveys conducted by ASF, the project also improved confidence on dispute resolution amongst village and hamlet chiefs.

3.3.2. IMPROVING BUDGET TRANSPARENCY IN BANDUNG, INDONESIA[49]

Background

Bandung city is the capital of West Java province. In Bandung, back in 2000, citizens were mostly unaware of proposed laws and local governments were also not willing to provide information voluntarily. Access to government information could only be gained through personal relationships. In fact, direct public participation in budget planning took place at Development Planning Meetings at both local and district levels, but they focused on considering local leaders' priorities rather

than the interests of community. Lack of public information on budgets limited citizen pressure on government decision-making.

Project Summary

The project was carried out by the Bandung Institute of Governance Studies (BIGS), an independent non-governmental organization. The project was undertaken between 2002 and 2005.

The general objectives of the project were –

(1) to promote good governance, and to empower civil society and government staff to hold government accountable

(2) to analyze the budget on how much money is allocated directly to programs and services that help the poor

(3) to remove the budget information imbalance between government decision-makers and the public, between the legislative and executive bodies, and between managers and staff within government bodies themselves

(4) to provide education and training on the budget planning process, and how to use budgetary information.

_____

View of Bandung City
(Photo : sabung.hamster)

Activities

No detailed budget breakdown was available to the public before BIGS undertook the project. The city executive branch (headed by the mayor's office) also had provided only a budget summary to Dewan Perwakilan Rakyat Daerah (DPRD), city parliament composed of locally elected representatives,for review and legalization. BIGS was successful in obtaining and disseminating detailed city budget information. Some of the activities were –

(1) **Information dissemination**: BIGS disseminated budget information in multiple simplified formats to general public audiences. One of the formats was an annual poster which included the lists of city government departments together with their contacts and budget allocations. 3,000 posters were produced between 2003 and 2005, and some of them were posted outdoors while some were distributed to activists, local leaders, officials and those who wished to display the information.

(2) **Publication:** BIGS published a seminal publication called "the DPRD Expenditures" which analyzed the budget data of city parliament from 1997 to 2002. This publication helped to uncover major corruption in the 2002 DPRD budget by DPRD members. In 2003, BIGS also published the first annual book known as "APBD Document" (meaning local government budget document) with the complete city budget. "APBD Document" was published annually and around 1,000 copies were distributed mainly to government officials, academics and NGOs.

(3) **Bimonthly magazine:** BIGS's bimonthly magazines provided budget analysis and details of the budget. The target groups

were more educated and activist audiences. The magazines also included discussions of issues related to the planning and public consultation process. 1,000 copies of the magazine were distributed to government officials, DPRD (city parliament), NGOs and universities every other month.

(4) **Radio:** BIGS used radio to discuss issues on budget transparency. In 2001 and 2002, it created a ten-session talk show on budget transparency by using a local radio station. Using radio enabled BIGS to disseminate budget information in a simple and understandable format to reach wider regular citizens throughout the province.

(5) **Training and workshops:** BIGS provided training on budget analysis, budget planning process and the composition of local government budget document. Trainings were provided to politicians, NGO staff, journalists and students to understand how to analyze and use budget information in their advocacy activities. BIGS also conducted seminars and workshops in which DPRD members, government officials, military representatives and the general public often attended to discuss budget transparency and to establish informal networks to strengthen their budget transparency activities.

(6) **Press release:** BIGS used press releases to point out irregularities in the budget. In 2002, BIGS found out in their analysis that parliament's budget area labeled "miscellaneous" had exceeded the maximum amount. BIGS issued a press release on the issue which captured citizens' attention and was published and broadcasted by several local newspapers and radio.

Impact

(1) **Strengthened check and balance:** Budget information empowered the DPRD's role to check on the executive branch's budget proposals. Post-2003, after obtaining detailed budget information from BIGS, the city parliament was able to question the executive branch and to debate with the executive branch based on detailed budgets rather than on budget summaries. City parliament also presented questionable budget line items to the media in order to bring budget discussions to the public.

(2) **Reduced budgetary fraud and waste:** The government used information provided by BIGS to reduce budgetary fraud. On budget analysis and public criticism, the government cut or decreased its allocation to items that were unclear and susceptible to corruption. In 2005, several executive departments made several changes to their budgets to reduce fraud and waste.

(3) **Increased citizen awareness:** The public became more aware of budgetary issues, the importance of budget and need for budget transparency. People became curious about how budget allocation could affect them and how the government responds to the infrastructure needs in their area. For example, people sent short messages to radio shows asking how they can monitor the budget.

3.3.3. I-GOVERNANCE IN NAGA CITY, PHILIPPINES[50]

Background

In 1980s, the Philippines was experiencing high rates of unemployment, risks against business investment, and declines in tax revenues resulting in a deficit of one million Philippines Peso. Naga City, a city in Bicol Region,

was suffocated with overcrowding and traffic. One in four citizens of the city was homeless and the crime rate was increasing.

Project Summary

Naga City practiced a system of partnership between city government and the Naga City People's Council, a local coalition of non-government and people's organizations, through which the NGOs could observe, vote and participate indirectly in government projects.

The following initiatives were conducted with the purpose of producing a more accountable and responsive government and encouraging city officials to develop more innovative approaches in city management:

1) **Productivity Improvement Program** – the program aimed to increase efficiency of Naga City workers by giving them incentives or awards to work more productively

2) **Information and Communications Technology Development (ICT-DEV) Program** – the program's first action was computerization of city government operations. The program also contributed to including local opinions in the decision-making process.

Activities

The i-Governance program was introduced as a part of the ICT-DEV Program aiming to encourage greater participation from individuals within the community in the local decision-making process. i-Governance aimed to strengthen -

1) *inclusive governance:* include individuals and various sectors in running government

2) *information openness:* provide access to information as an important factor in good and

reliable governance

3) *interactive engagement:* concerns the vitality of hearing and informing between the decision-makers and the citizens, and

4) *innovative management:* lead the city to a culture of excellence sustained by creativity and innovation.

The following online and offline projects of the city government were organized under the operational activities of i-Governance –

(1) **Naga.gov** (www.naga.gov.ph), the city government's website was modified with advanced and innovative technology to provide information about the City that were understandable and useful to residents. This included essential information about the city, an extensive city profile, urban indicators and statistics, tourism assets, investment opportunities, and downloadable maps and tables.

(2) **NetServe**, one of the sections of the website Naga.gov, provided a list of services available from the city government. Some of the information included – procedures, response time and responsible individuals for different types of services, statistics of the city finances and details of annual city budget, the announcement of biddings and public aids, city laws and rules, and a directory of city officials which included their contacts. NetServe included the "Performance Pledges" section of the website which allowed citizens to indicate if they were receiving equal services and report which officials were corrupted or unable to handle the issues.

Naga City's Citizens Charter and
SMS TextServe (Photo : www.naga.gov.ph)

(3) **TextServe** was another service of i-Governance using a simple SMS text platform. It was launched in 2003 in collaboration with a private telecom company. TextServe allowed citizens to request information and give comments to the city government by sending a SMS message which cost PhP2.50 (around 30 Myanmar Kyats). These messages were connected and registered in the city's email box. Messages were responded to within a day and then follow-up actions were directed to the responsible department. Citizens used TextServe to express their views on government programs and policies, and to complain about services such as drainage systems and collection of fees.

(4) **Naga City Citizens Charter** was a guidebook which was created intentionally for areas with no access to internet or telephone reception. It informed about the main services provided by the city government with a detailed description of each service. It included a step-by-step guide for how to use the service, the response time of its delivery, responsible officials to contact and the maps for the location of the department.

Impact

(1) **Reduced costs:** The contribution of all programs combined resulted in significant benefits. Local revenues increased from $13 million Philippines Peso in 1988 to $132 million in 2002 through reducing the use of manpower and improving personal productivity. Procurement costs were also reduced through the transparency mechanisms introduced by the program.

(2) **Better service delivery:** Restructuring processes and computerization improved service delivery times. For instance, issuance of birth certificate which formerly lasted one week reduced to 30 minutes, and calculation of taxes reduced from four hours to one minute. For its service delivery reform, it was chosen as the "Most Business-Friendly City" in the Philippines in 2002.

3.3.4. THE FIRE AND FLOOD AWARENESS CAMPAIGN, SOUTH AFRICA[51]

Background

The Fire and Flood Awareness Campaign was conducted to raise awareness of flood and fire prevention in Western Cape, one of the nine provinces in South Africa. The Province experienced flooding incidents which led to damages amounting to an estimated $2.5 billion Rupees during a period extending from 2003 to 2008. A hazard assessment performed for the Western Cape in 2002 concluded that 78% of all serious disasters that happened in the province were flooding, fires or transport related accidents.

Posters that were used in fire and flood awareness campaigns
(Photo : Western Cape Government)
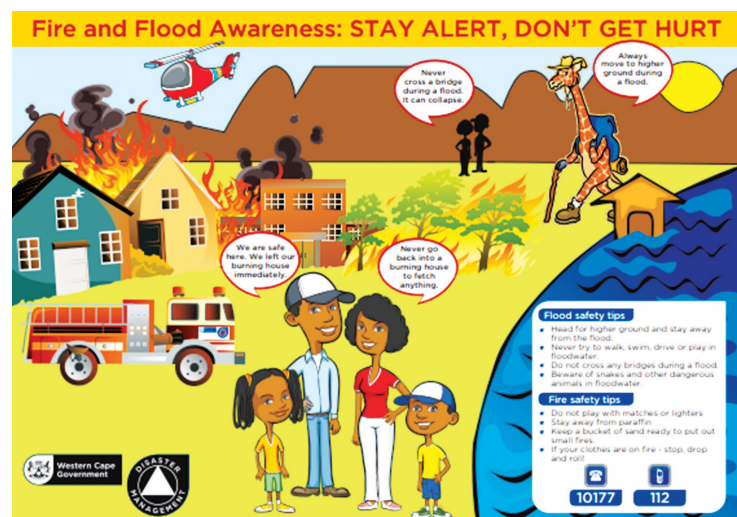
The Project was accomplished through the cooperation of the representatives from the Department of Local Government's Disaster Management and Fire Brigade Services' Disaster Mitigation Sub Directorate, the Communications Sub-Directorate, as well as the Paraffin Safety Association of Southern Africa, CapeNature and the five District Municipalities of the Western Cape as well as the City of Cape Town Metropole.

Project Summary

The project started in 2009 and aimed to mitigate fire and flood disasters mostly in informal settlement areas by delivering natural hazards and safety messages in a way that embedded facts and information in entertainment sessions.

A theatre group was employed along with a communication team, and a disaster management team. Multiple stakeholders and funding resources all contributed to the respective activities. The initial target audiences of the project were primary students from Grade 4 to Grade 7 in four of the five districts in the province. Nevertheless, the project was continued with a broader audience, expanding it to students from Grade 1 to 7, as well as people from informal settlements in 2010.

Activities included –

(1) The theatre group performed a play which represented various demographics in the Western Cape using three different dialogues (Afrikaans, English and isiXhosa). The play was comprised of four actors and performed several times throughout the project in different places.

(2) Alongside the stage performance, a mascot named Gerry the Giraffe was used to improve the confidence of the audience to communicate with the actors and to better deliver messages to the audiences. The audiences, especially the children, were allowed to touch the mascot which established better relationship between the audience and the performers, improving the ability to absorb messages.

(3) Educational materials such as flyers, pamphlets containing various messages, rugby and soccer balls, and T-shirts, were distributed to the audience before every performance session. Those materials contained emergency numbers and the explanation of the types of fire and flood, the causes and reasons, places where they frequently take place and tips to avoid the disasters and stay safe. Moreover, a list of Do's and Don'ts and other tips such as what to do when on fire or how to use a candle safely were included among them.

(4) Media exposure of the campaign via radio, online news and multiple print newspapers also played a critical role. News featured in papers informed about the objectives of the campaign, sometimes including safety messages for fire and flood disasters and emergency numbers. Arts and poetry competitions were featured in many newspapers. The radio program was used to reach a broad audience.

(5) Arts and poetry competitions for school children were used to assess the level of understanding of the issues before and after the campaign. The artwork entries were judged accordingly to how the artists (the children) illustrated the safety messages which reflected the level of the understanding of the messages, and how creative and grammatically the artists drew/wrote. Pencils, caps, shirts, rugby and soccer balls and water bottles that were designed with disaster awareness messages

were awarded and distributed after the competition to reiterate the messages to the audience.

Impact

The results were measured in terms of number of radio broadcasts, newspaper articles, school and community performances and competition entries received in addition to the various data capturing forms using observational methods. According to the data collected during the performance, it indicated that fire and flood hazard knowledge of the learners was increased as well as the teachers. Distribution of news about the campaign, with newspaper articles in 15 local newspapers, online newspaper articles and 12 radio interviews, are evidence that the messages were communicated to a broad community. Pamphlets and other educational items were also delivered and presumed to help remind of messages. All the activities combined facilitated the learning of safety messages and increased hazard knowledge and risk perception, fostering risk avoidance behavior.

The Fire and Flood Awareness Campaign was conducted in accordance with various legislative requirements: The National Disaster Management Act and Framework and the Western Cape Provincial Disaster Management Framework, which allowed for monitoring and evaluation procedures to measure the effectiveness of the campaign.

3.4. Theme 1: Analysis and Conclusion

Effective communication plays an important role in enhancing good governance. Common elements of the theory suggest that a two-way interactive communication between

government and the public is necessary to provide the public with need-to-know information, and in return for the government to receive feedback. Research states that effective communication and access to information are essential elements in addressing a lack of public legal awareness. Importantly, communication is proposed to be an essential element in increasing good governance characteristics – state capability, responsiveness and accountability. As we can see from the aforementioned case studies, common elements of initiatives addressing public understanding of laws and government information include:

- using multiple communication channels as a means to increase public awareness including radio, print media (magazines, handbook and flyers), websites, creative performance, and SMS
- promoting government's responsiveness and accountability by allowing public feedback and complaints via communication channels
- empowering community participation through community dialogues, village workshops, and training-of-trainers for community representatives, and
- encouraging stakeholder collaboration between implementers, and between implementers and the community.

The case studies are primarily based in developing countries which share some similarities and some differences with Myanmar in terms of local context, issues they have addressed, and socio-economic situations. The case studies cover different geographical settings - some ru

ral, some urban and some mixed. The project countries have undergone similar sociopolitical changes as Myanmar – post-colonial civil wars and inter-communal conflicts, high levels of poverty and inequality, democratic struggles, and weak infrastructure development. The pathway to governance reform and decentralization is also notable in these countries – with their prioritization on budget transparency, community-led development and public participation at the local level.

The case studies are based on some of the issues that arose in the workshops – legal awareness, budgets, e-government, and natural disasters. The strategies that have been used in these projects may be applicable for use in Kayin and Tanintharyi. For example, both Kayin and Tanintharyi had devastating floods before the workshops were held. Lack of preparation, public awareness and access to information were identified in the workshop findings as significant challenges with regard to the floods. The case study of the Fire and Flood Awareness Campaign in South Africa provides a practical example that government, MPs and/or CSOs may be able to adapt and use to raise awareness of floods and disasters.

The case study projects utilize a variety of communication strategies including community forums and meetings, print media, radio, mobile SMS and online. Given the majority of Kayin and Tanintharyi populations live in rural areas, tools such as community meetings, print media and radio appear to be the most applicable to reach a dispersed rural public, but this does not necessarily mean that the other tools could not be applied. Some of the tools that are used in these projects are very simple and indeed some already exist in Kayin and Tanintharyi. For example, village work-

shops and meetings are happening in communities on a regular basis. As was done in the Timor-Leste case study, integrating components of legal awareness and related topics in these village workshops could be a culturally appropriate and effective means of communicating legal awareness to the public.

Based on the current development landscape, print media is still a popular form of communication in Kayin and Tanintharyi, even with the challenge of wide-spread distribution. Citizen budgets have already been published in both regions and there may be benefit in government, MPs and CSOs exploring the use of multiple simplified formats - posters, public displays, magazines or other creative formats - to ensure the information reaches both urban and rural audiences. Government could also create a guidebook as was done in the Philippines, to inform the public about their available services, how to use them, and who to contact. In both Kayin and Tanintharyi, education materials are widely used in sectors such as health and natural disasters, and the public is quite familiar with these tools.

As can be seen in the case studies, radio is one of the most common tools used in reaching rural communities. Community radio is one such example of this, however, currently there is a lack of community radio stations in both Kayin and Tanintharyi. Gaining an understanding of how much people in these rural areas rely on radio compared to other media sources may be beneficial. Based on the case studies, radio has a significant impact on communicating information to the public. Local radio stations may help with transmitting information in a timely manner and with overcoming language and literacy issues that arise with print media.

Technology and media access remains a challenge in both Kayin and Tanintharyi. Although access to mobile phones and telecommunication has increased in recent years, very few people are familiar with accessing websites. As elsewhere in Myanmar, Facebook is dominant and remains one of the main communication channels used by both governments and the public. Both Kayin and Tanintharyi governments are enthusiastic about promoting e-governance. In addition to using Facebook to communicate with the public, both regions also have their own websites in which regional profiles, government structures, news, and contacts are available. Using the example of the Philippines case study, there may be benefit in amending the current Kayin and Tanintharyi government websites with more information on simplified laws and rules, a directory of officials with their contact details and availability, statistics on finances and details of the annual budget, and available services and how to use them. Of course there may be limitations for online media, such as access being most effective for those in urban areas and with high IT literacy.

SMS text may be a suitable complement to online media, given SIM cards are mostly cheap and accessible, and many people have cellular phones. This requires limited IT literacy for the user as is needed for the use of Facebook and websites. As with the example of TextServe, the Kayin and Tanintharyi governments could explore collaborating with a telecom company or other potential partner, to initiate an SMS based communication system where short messages of laws, government programs, disaster warnings and other messages could be sent. At the federal level, the Union Ministry of Transport and Communications and Department of Meteorology and Hydrology have already initiated an SMS Disaster Alerts System which sends short messages about multi-hazard early warnings and alerts. This could be used as an inspiration for an SMS service in Kayin and Tanintharyi that could also extend to including information on government services. According to information from GAD, this may require the Kayin and Tanintharyi governments to work with government at the Union level, given that contracts with operators tend to be managed by the Union Government[g]. If this and other challenges could be overcome, the government could also use this platform to collect public opinions through surveys, to request local information, and to receive public feedback and complaints. This could work as a one-way or two-way system depending on the capacity of government to manage receiving SMS and responding to public queries and complaints.

Many of the tools and activities in the case studies are not new to Kayin and Tanintharyi and could be implemented through existing platforms and infrastructure. As the case studies are from countries with similar political backgrounds and issues to Myanmar, they hold promise for being adapted and applied to the local contexts of Kayin and Tanintharyi, through the efforts of government staff, MPs and CSOs. It should be noted that language is a significant issue in Kayin and Tanintharyi because of the diverse range of ethnic languages. To maximize the effectiveness of communication using any type of tool, incorporating multiple languages relevant to local contexts should be considered as very important.

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g   Read-out feedback from Kayin State GAD

As with any public initiative or project, financial and human capital are persistent challenges. This could be overcome initially with dedicated government investment to pilot such projects. Alternatively, collaboration may be a more realistic route. As we can see in the case studies, whilst some are run entirely by the government, others are implemented and funded by CSOs/INGOs in collaboration with government. The Fire and Flood Awareness Campaign in South Africa is example of this in which CSOs, government departments, and municipalities, collaborated together to deliver the project. Financial challenges were overcome by sharing the funding of resources amongst respective activities. This case study and others shows that financial challenges can be overcome through collaboration between government, MPs, CSOs, and at times INGOs, for projects that are based on best-practice and developed to address the needs of all parties involved.

Public participation theory

Public participation in Tanintharyi Region

Public participation in Kayin State

Case Studies

3. THEME 2: PUBLIC PARTICIPATION IN GOVERNMENT

Public participation is viewed as an essential component of a successful democracy. Public participation comes from the idea that those who are affected and/or potentially affected by a decision are involved in decision-making[52]. It is argued that participation enables the public to connect themselves with decision makers and influence the policies adopted by the government to meet their needs and concerns. Thus, the outcome of effective public participation is believed to produce more efficient, equitable, and sustainable planning, policies and decisions[53].

Why Public Participation?

Public participation does not only make government decisions more responsive to public needs, it also helps to resolve conflict,

Benefits of Public Participation	Adverse effects of lack of Public Participation	Challenges
Makes government decisions more responsive to public needs Builds trust Improves public knowledge on important issues	public opposition, suspicions, protests Public fear of policies/projects with socio-economic impacts that might negatively affect them	Takes time and sometimes causes delays for decision-making and it indeed costs money Public inaccessibility due to time, lack of assets such as transport, and language barrier Lack of access to information

*[P]ublic particiation comes from the idea that those
who are affected and/or potentially affected
by a decision are involved in decision-making.*

build trust and improve public knowledge about issues[54]. There are many advantages of public participation in law making that have been observed. Firstly, the involvement of the public in decision making ensures greater possibility of public acceptance of eventual policy[55]. Secondly, including the public in law making can improve the quality of the decision as it allows the public to incorporate local knowledge in the process[56]. Thirdly, it strengthens democracy by preventing conflict between the public and government and increases confidence in public institutions[57].

According to the International Peacebuilding Advisory Team, the importance of public participation can be explained through eight reasons.

Challenges

Public participation, however, has many constraints. Generally, it takes time and sometimes causes delays for decision-making and

Better Sense of People's Priorities
What the government thinks people want and what people actually need might be contrary in some cases. Public participation in this sense can help articulate their actual needs and priorities.

Better Understanding of the Problem
The solution to a problem can be sought only if the problem is clearly understood. Different perceptions of the problem could help better understanding of the problem.

More Ideas in Addressing the Problem
Those who are affected by the problem understand more about their experiences and what should be addressed for them.

Reduced Risk of "Elite Interests"
Through public participation, it ensures that elites or special groups' interests are reduced in terms of making public policies.

Public Support for Implementation
Involving the public in identifying problems and finding solutions enables them to be more enthusiastic in implementation for their benefit.

Sense of Citizenship
Public participation can help develop a sense of citizenship by increasing awareness of legal rights, rights to participate as a citizen, and feeling obligated to participate.

Build trust in the Authorities
Lack of information, transparency and responsiveness causes public distrust in authorities. Making sure that the public is involved and their concerns are responded to helps build trust in authorities.

Responsive and Accountable State
Public participation helps to enforce characteristics of good governance through public debates and negotiations on different views[58].

More public participation – Increasing impact on the decision

INFORM	CONSULT	INVOLVE	COLLABORATE	EMPOWER
Provide the public with balanced and objective information to assist them in understanding the problems, alternatives and/or solutions.	Obtain public feedback on analysis, alternatives and/or decision.	Work directly with the public throughout the process to ensure that public issues and concerns are consistently understood and considered.	Partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.	Place final decision-making in the hands of the public.

Table.1. Five Levels of Public Participation (Source: IAP2)

it indeed costs money[59]. One constraint can be public inaccessibility to be involved in consultations and forums due to: time; lack of assets such as transport; language barrier; lack of knowledge on the issues; and, no access to information[60]. Another constraint can be lack of public trust in government due to lack of budget transparency, weak responsiveness of the government to public feedback and lack of transparency and accountability about process. Public distrust can also emerge from the notion that their participation is not worthy if public input is not taken into consideration[61]. Lack of public participation and consultation in government initiatives often leads to public opposition, suspicion, and protests against development projects due to the fear of socio-economic impacts that might negatively affect them[62].

Public Participation in Law Making

Public participation in government law making is a continuum of interaction between the government and public in all stages of the decision-making process to ensure better laws[63].

Public participation in this context, besides the citizens, involves the participation of civil society, other non-governmental groups and media in advocating for better laws and policies[64]. Public participation in law making also involves the representation of public interests in legislative process in a way that can increase public acceptance of new laws or policies[65].

Good public participation in law making is determined by how much right the public has to be involved throughout the process. In other words, good public participation must allow the public to be involved in all stages of the law-making process from the beginning to the end – including preparation, drafting, adoption, implementation and evaluation[66].

According to the International Association for Public Participation (IAP2), as illustrated in table 1, five levels of public participation can be identified – from the least participation "Inform" to the most participation "Empower". The table shows that the more public participation in the decision-making process (to the right), the more impact on the decision it will have[67]. Box 3 and Box 4 provide case studies

Box 3. Public Participation through Consultation –
Case Study of South Africa

After the democratic transition in 1994, various structures of South Africa government were created to allow the public to participate in socio-economic issues. Public participation is a fundamental obligation in South Africa's constitution. A White Paper was also formulated to articulate government's intent for public consultation and participation. The principles of the White Paper guide the government's public services on how they should engage with the public and provide platforms for the public to participate.

Some public participation initiatives implemented by the South Africa government since 1994 are -

- *Izimbizo:* Public meetings held by National Executive Heads, including the President and cabinets, to engage with communities on issues of government policies and service delivery.
- **EXCO (Executive Council) meets the people:** Heads of the Provinces engage with communities on issues of government policies and service delivery.
- **Public hearings:** Public hearings are organized by different organizations of the state, including Parliament and National Council of Provinces, to engage with the general public.
- **Citizen Satisfaction Surveys:** Citizen Satisfaction Survey is used to engage with citizens and to establish their views and expectations on service delivery. It collects feedback on the quality and adequacy of public services.
- **Citizens Forums:** The purpose of Citizens Forums is to evaluate the delivery of particular services throughout the country, and to enable active involvement of people affected by government programs.

Source: The Public Service Commission (2008)[68]

Box 4. Public Participation through Collaboration –
Case Study of Kenya

Public participation is one of the key principles and values of governance expressed in Kenya's Constitution. Different laws provide for public participation in different aspects of devolution.

Every year, all 47 counties are required by law to engage their respective citizens to contribute to and validate various developmental policies, including the budget preparation and validation process.

Mombasa County's 2016/2017 budget preparation and validation process was challenged on the basis of inadequate participation. Various CSOs mobilized citizens' to be part of this endeavor. Their aim was to ensure that the budget was not validated without fulfilling the necessary requirement of public participation.

This shaped the process of 2017/2018 budget formulation process. Before discussing and passing the estimates as required by the law, the county assembly reached out to CSOs to seek collaboration towards a more harmonious working relationship overall. Several meetings were held and working modalities agreed on.

As a result of the consultations and agreement on a structured engagement, the assembly presented the budget estimates to the CSOs two weeks before the validation meeting. CSOs were able to scrutinize the estimates during this time and to present feedback collectively to the assembly. It was the first time that CSOs were given adequate time to collectively scrutinize the budget estimates. Previously, all documentation relating to the budget would be shared on the day of validation, making it virtually impossible for stakeholders to scrutinize them and give useful feedback.

CSOs used the two weeks not only to scrutinize the budget estimates but also to disseminate the document to almost all the 30 wards in the county. They also mobilized citizens for the final validation meeting that took place in 2017. The assembly acknowledged the role played by the CSOs in this instance of effective collaboration.

Source: International Committee for the Development of Peoples (2017) [69]

of public participation within two of these levels.

4.1. Public Participation in Tanintharyi Region

Looking at public participation nation-wide in Myanmar, initiatives working well can be seen at the ward or village level. The *2012 Ward or Village Tract Administration Law* has enabled both direct and indirect public participation through having WAs/VTAs as local representatives[70]. In Tanintharyi, VTAs seem to act as a bridge between the public and the GAD for their interaction and participation in local projects, despite local people feeling that their involvement in decision making about local projects is limited[71]. The range of public participation varies across villages, depending on the procedures and willingness of WAs/VTAs. In some townships, public participation in local projects funded by Local Development Funds seems to be relatively good. Participation through attending village meetings, involvement in project implementation as laborers for construction of roads and bridges, and nomination of budget committee members to oversight and implement funds are identified in some villages[72].

In urban areas, public participation can be observed in township municipalities – known as Development Affairs Organizations (DAOs). DAOs are composed of two entities: a Township DAO Office and a Township Development Affairs Committee (TDAC). They are the only government entities not accountable to the federal government, but to the subnational governments and have the most decentralized power[73]. A TDAC is made up of seven members – four are elected community representatives. It is stated that having community members in the TDAC is believed to improve engagement

with the public, promote higher public participation and better ensure that public needs are met[74]. In Tanintharyi, according to VNG International's 2017 report, consultations and meetings for local projects and budget prioritization are reported as only happening between TDAC and WAs, lacking wider public participation[75]. It is also reported that there is no mechanism for regular public meetings and that most urban residents have rarely engaged with the TDAC and have never been invited to meetings[76]. According to recent information from GAD, public participation in budget prioritization is said to have improved as a result of the previously mentioned 2019-2020 budget planning process in Tanintharyi Region[h].

4.2. Public Participation in Kayin State

Despite public participation in government law making and decision making still being quite low nation-wide, public participation has been officially used in community-led projects funded by government departments. In Kayin State, a direct form of public participation in government decision making can be seen in development projects funded by Local Development Funds (LDFs)[77]. LDFs in their procedures promote bottom-up community participation in project planning and decision making. For instance, the Village Development Plan (VDP) - launched in 2015 under the Department of Rural Development - gives significant power to the village from the planning process to implementation. The participatory process includes presenting about the

VDP to the community through village-wide meetings, conducting an assessment on local development needs, consultation meetings with the community on project approval based on the assessment, and public election of a Village Development Committee which is responsible for fund management and project implementation[78].

In Kayin State, six LDFs included in the VDP have been funded for projects in different townships gradually starting from the 2013/2014 fiscal year[i]. VTAs in Kayin State are mainly responsible for project identification through community consultations and meetings. In the identification process, there is no systematic procedure for how community members can participate but it depends on the VTA. In the previous government, it was reported that VTAs organized consultations to give the public an opportunity to provide ideas in some villages, but in some cases, the process went indirectly through a Village Tract/Ward Development Support Committee, a committee which was formed under U Thein Sein's administration, and dissolved later under the NLD government[79]. According to recent information from GAD, the project identification and implementation process in Kayin State goes through community-initiated groups which are primarily formed for village development affairs[j]. According to UNDP's workshop findings, public participation in Kayin State's development projects is recognized as being improved, but there were complaints regarding inadequate representation of all community members, consultations being focused on "informing", and lack of interest

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h   Read-out feedback from Tanintharyi Region GAD
i   LDFs in Kayin State are Constituency Development Fund; Poverty Reduction Fund; Rural Development Fund; Border Affairs Development Fund; Community Driven Development Fund; and Village Development Plan
j   Read-out feedback from Kayin State GAD

from community members to participate in meetings. Women's participation was also found to be very low in planning meetings and consultations[80].

4.3. Case Studies

4.3.1. LAND TENURE AND PEACE-BUILDING IN MADAGASCAR, AFRICA[81]

Background

Madagascar is an island country, off the coast of East Africa. The majority of Madagascar's population lives in rural areas and relies on agriculture which contributes to almost 80 percent of the country's export. However, agricultural lands that rural populations depend on are directly inherited from their family through traditional land systems and are lack of formal land ownership.

To improve land tenure security and provide opportunities for rural populations to receive formal land ownership, the government of Madagascar introduced new measures in 2005. Under the new measures, the government set up new land tenure offices at the community level with the aim of decentralizing land services to be managed by the community. However, the new system was faced with three main problems: the Government Land Services Department (LSD) was hesitant to adopt the new process; the lack of sufficient finance and financing capacity for community to run the office; and the conflict of interest between community and LSD in managing land certification. Through improving capacity and communication, the Lamina project was undertaken to tackle these problems.

Project Summary

The Lamina Land Tenure and Peace-building project is part of Catholic Relief Services (CRS)'s Justice and Peace Initiative. The project was implemented in five communes in South-Eastern Madagascar. It was started in January 2013 and concluded in March 2015.
The objectives of the project were –
(1) Building the capacity of land service agents by applying principles of good governance
(2) Increasing the population's use of government land services, and
(3) Improving the quality of services through participatory community evaluations of services provided by key institutions in the region.

Activities

The Lamina project employed two main strategies. The first strategy promoted the principles of good governance in the land registry process. The second strategy reinforced the engagement of citizens and registry staff in monitoring the land tenure services.

Women farmers in a village in Madagascar
(Photo : Global Forum on Agricultural Research)

The key activities were –

(1) **Improving communication:** Community leaders and local priests recruited and trained key persons from each commune to act as liaisons between central offices and local communities. The aims were to improve the flow of information, to mobilize local people to take part in awareness-raising activities and to submit the grievances to the judicial system.

(2) **Conducting participatory evaluations:** Lamina organized and conducted community evaluations through the Community Score Card (CSC) to receive community perceptions and to provide specific recommendations to land service agencies. The CSC allowed rural populations to rate and comment on the services and efficiency of service delivering officials in land tenure process accordingly to their criteria which came up through series of community meetings. Considering the sensitivity of land issues, the CSC was used as a confidential tool.

(3) **Improving stakeholders' capacity:** Lamina organized workshops on advocacy, transparency, good governance and citizen participation to improve the capacity of over 250 key leaders, including civil society leaders, government staff, priests, village chiefs, traditional leaders, church leaders and teachers. This contributed to the increase of communication between key land tenure staff and local populations.

(4) **Applying evaluation tools:** Lamina trained LSD responsible staff on the CSC and encouraged them to use it for measuring the quality of land services they provided to local communities. LSD staff were included in the development of CSC which likely increased the willingness of LSD to apply it. The Lamina also organized community gatherings in each commune in which communities were provided the opportunities to voice what they wanted from land services.

(5) **Sharing evaluation results:** The results of the CSC were shared with LSD key persons. Then Lamina organized a second round of community gatherings to share CSC results with local communities. Land tenure staff hesitated to apply the CSC at first, but additional trainings were able to overcome this by increasing understanding on its value. LSD's acceptance of the CSC was a key element in the success of the project.

(6) **Establishing action plan by LSD:** LSD established an action plan which included a set of workshops, broadcasts and meetings to improve public understanding on government services on land rights and land title acquisition. LSD collaborated with Lamina on training activities.

(7) **Creating a center for legal advice:** LSD opened a center for services and legal advice in March 2013. The center allowed the local community to access information on land issues and judicial procedures. It also provided advice and information on citizen participation. In 2013 and 2014, more than 600 people were supported.

(8) **Engagement with stakeholders:** Lamina collaborated with responsible stakeholders from different institutions including government, civil society and community representatives, key public figures,

grassroots authorities, religious figures and journalists:

a. Throughout the project, Lamina employed shared learning. They supported the government's land registry system with regular communication and participation. In return, they also received technical input from government on land tenure and legal frameworks. The incorporation of government officials increased the willingness of government staff to contribute to the project

b. Church plays a major role in Madagascar's communes. The Lamina engaged Church officials for community outreach and awareness-raising related to the land rights and land registration

c. CSOs were integrated in the project in the reflection on and realization of project activities. CSOs coordinated their efforts to address land rights issues

d. Lamina also included journalists in the transmission of advocacy messages which highly increased acceptance of the project.

Impact

(1) **Improved public awareness:** At the individual level, public were better aware of their rights, the availability of land registry services and the need to receive formal land documentation. At the community level, the project improved the accountability of land registry staff and the communication between government officials and community.

(2) **Increased women's participation:** The project positively affected women's participation. Women were empowered to use land services by participating in training and awareness-raising activi-

(3) **Improved public confidence in land services:** Throughout the CSC process, local communities became aware that they were able to comment openly on the qualities of government services for the first time in their lives. The CSC showed that the satisfaction amongst the local community of the quality of land registry services was increased throughout the

(4) **Increased land certificates:** In number, 876 title deeds were delivered, issues of land certificates were increased by 400 percent, and more than 5,000 people were trained on land rights issues, procedures to acquire title deeds, and securing title deeds.

4.3.2. PORTO ALEGRE PARTICIPATORY BUDGET[82]

Background

The Brazilian Workers Party initially introduced the process of participatory budgeting in Porto Alegre, the capital of Brazil's southernmost state, Rio Grande do Sul, in 1989. The Workers Party was founded in 1981 membered with a coalition of intellectuals, liberation theologians, militant trade unions and landless and urban movements that opposed the military junta. The gap of the income and quality of life between the rich and the poor posed a challenge to the agenda of the ruling government. A number of people in the cities of Brazil encountered

near-homelessness and hunger every day. A third of the population in the Porto Alegre city lived in slums at the outskirts of the city without access to clean water, sanitation, education and health care despite high life expectancy and literacy. Participatory budgeting emerged as the center of innovative programs to tackle the situation in 1989.

The practice of participatory budgeting in Porto Alegre is grounded in five principles –
1) the right to participation for every citizen
2) city-wide process
3) open and transparent framework for negotiations
4) supported by government but independent
5) monitoring and evaluation of the implementation of the budget.

The local government jurisdiction is divided into 16 sub-areas known as regions, and further subdivided into a number of micro-regions which lead the process deeper to the grassroots level of the community and allow the poorest and most marginalized people to participate. There are also five thematic budget groups city-wide: transportation; education, leisure and culture; health and social welfare; economic development and taxation; and, city organization and urban development.

The participatory budgeting experiment in Porto Alegre has been an important example and has spread across the world – firstly across South America, then Europe and currently in some of Asian countries.

Objectives

Participatory budgeting has been considered an effective means for empowering citizens, including the poorest and most marginalized people, to be able to –
(1) take part in decision making process for budget allocation.
(2) reflect and meet the needs and preferences of the local communities in delivering public services, providing greater transparency and accountability.

Activities

(1) Preparatory Meetings in micro regions – this happens in March/April with the purpose of introducing the basic knowledge needed for the citizens to participate in the voting for resources allocation process. The activities include reviewing implementation of previous year's budget, an Investment and Services Plan, reviewing and discussing participatory budgeting guidelines and regulations, reviewing technical and general criteria for assessment of needs, presentation of the State Budget to the community, and discussion of thematic priorities. Pamphlets explaining the rules and regulations and steps in the participatory budgeting cycle are prepared and distributed by the local government to citizens during the preparatory meetings.

(2) Regional and Thematic Plenaries– this happens between April and June: one plenary for each of the themes to better organize the demands voted in the micro-region meetings. Citizens vote on thematic priorities, and list projects for funding under various development programs, or public works and services, in the upcoming year's budget. Activities also include electing representatives for the City Participatory Budgeting Council and Delegates for Forum of Delegates. The elected representatives and delegates will make final selection for the priorities through harmonization and

prioritization depending on the importance and heaviness of the issues in the later steps.

These two steps of the popular assemblies are crucial as resource allocation will be in accordance with the votes that comes from the ground. The most demanded three topics become the thematic priorities for the whole jurisdiction.

(3)   Forum of Delegates – this happens in June when delegates from different regions gather and review projects, and prioritize works and services selected by the popular assemblies. For the result to be transparent, some quantitative indicators are used to describe the highest to lowest scores. And the scores are accessible for the citizens through the delegates. The delegates are also responsible for monitoring the implementation process and informing citizens. The delegates also visit sites for needs assessment.

(4)   City Participatory Budget Council – the councilors with support from or together with the City Administration, harmonize the regional spending priorities to fit the budget based on the level of need and deprivation and the size of the population demanding. Then they prepare budget plans and Investment and Services Plan. After that, the budget plan and Investment and Services Plan are submitted to the Mayor and City Council. The final work of the City Participatory Budget Council is to discuss improving the process of participatory budgeting. Councilors here have a right to reasonably argue for lower ranked priorities against the most demanded ones which may be ranked higher due to corruption and flaws in information disclosure.

Impact [83]

The process of participatory budgeting has brought considerable changes in Porto Alegre. Evaluations show that there has been much more investment in poorer communities especially in terms of public housing units, sanitation and water, education, and health. New public housing units which accommodated 1700 new residents in 1986 housed an extra 27,000 residents in 1989. Sewer and water connections went up to 98 percent of the total households in 1997 while only 75 percent were reached in 1988. The budget for the health and education sector increased 13 percent in 1985 and up to 40 percent by 1996. Another indicator of the Porto Alegre success is the increased level of participation. The number of participants increased from less than 1,000 in 1990 to more than 16,000 in 1998 and to nearly 40,000 in 1999.

4.3.3. WOMEN'S LAND RIGHTS IN A CHANGING CLIMATE: A CASE STUDY FROM MARADI, NIGER [84]

Background

The Republic of Niger is a landlocked country located in the west of Africa. 85 percent of the population that live in rural areas rely on agriculture. Many years of frequent food crises forced households to rely on women. Maradi is a more vulnerable area compared to other parts of the country as a certain percent of women here lack access to land. Without land, women cannot grow food, earn and control assets, and provide a healthy diet for their children. Not only droughts and high levels of poverty but also other factors such as overgrazing, deforestation, soil erosion, lack of access to markets and lack of effective strategies for risk

reduction have contributed to food and nutrition insecurity.

Cultural practices and increasing land scarcity also limit women participating in farming. Because of their exclusion from some or all farming activities, many women are unable to make enough money to access technology and other inputs to increase their land's production.

Key Stakeholders

The National Land Commission, local authorities and traditional or religious leaders are key stakeholders in land rights. The National Land Commission is responsible for issuing land titles and establishing user and management agreements for communal lands. Their implementations are enhanced by Niger's 'rural code' which was enacted for the purpose of providing land tenure security for rural stakeholders, organizing the rural world, promoting sustainable management of natural resources, and land-use management and planning. Judgements on land conflicts is the responsibility of local authorities. Traditional and religious leaders sometimes play a key role through their supportive understanding of women's rights.

Project Summary

CARE Niger introduced the 'Women and Land Initiative' in 2010 to secure land rights for women through increasing their involvement in agriculture and reducing household vulnerability. 3,000 women in 30 communities have been collaborating in the project within six municipalities. Most of the women in those communities lack access to land and have encountered food insecurity. Saving and loans associations, all of which are led by women, organizes them by providing support and job opportunities. Those associ-

ations also help them engage with key stakeholders in the community.

The project commenced with the purpose of promoting the right to inclusion of women in agricultural land in Southern Niger. The rights-based approach is based on the following principles:
(i) inclusion of vulnerable women
(ii) participation of marginalized women in community discussions and decision-making processes, and
(iii) gender equality and equity for access and control over resources such as land.

Activities

The project is composed of two components (i) raising awareness of the benefits of women's land ownership and (ii) securing support from local leaders, including traditional, religious and state authorities.

Advocacy through campaigns: Awareness-raising campaigns are organized in all communities where there is a district-level land commission. Dramas reflecting women's inheritance rights to land are performed during 'edutainment' sessions, followed by discussion, questions and answers.

Media: Frequent radio broadcasts are used. Content is usually sermons by religious leaders, and debates between lawyers, rural women and other local stakeholders. This can be considered inclusive and participative as stakeholders – local state authorities and leaders, and also women's and men's leaders, contribute respectively.

Meetings: For support from the local leaders, meetings are conducted where religious leaders, state officials, and other stakehold-

ers express their assurance to support women's access to land in their areas. The importance of supporting women in attaining land ownership or access to land - as food security is dependent on women's ability to produce food - is communicated through the meetings and awareness raising programs.

Impact

(1) Women's access to land: Women gained access to land and increased their livelihood as a result of the initiative. The rights-based approach benefited the women in leasing community land for a period of three to ten years. Local land leases also enabled women from some villages to receive farm land with high nutrition value. Different channels are now available to secure land for women such as buying or leasing or inheriting land from an ancestor though the culture did not allow the practice for women in the past. Women's representation in local land committees doubled from 10 to 20 percent. Knowledge was shared among women benefiting one another, improving food and nutrition security, and increasing their ability to adapt against climate change.

(2) Food security for women: Food security was improved by giving women a chance to participate in the decision-making process. Local land committees have paved the way for women to lead in establishing local conventions (agreements concerning land use) which were allowed and promoted under the Niger's 'rural code'. Women therefore have more opportunities to have a voice and influence negotiations on the communal land use management providing themselves with income-generating activities. Conse-

quently, women could change or improve the agenda of the local government councilors by highlighting issues of hunger, nutrition and the impacts of climate change.

(3) Women's participation: The initiatives increased participation and promoted inclusion at all levels in the decision-making process for stakeholders including: local government; technical services and rights experts; traditional leaders; youth representatives who are key actors for change at the lowest community level; and, women.

4.3.4. CITIZEN PARTICIPATION THROUGH COMMUNITY FORUMS, MACEDONIA[85]

Background

The Constitution of the Republic of Macedonia guarantees the rights of citizen to participate – both directly and indirectly – in the decision-making of local issues. The law on local self-government also requires municipalities to create mechanisms to promote the involvement of citizens in the decision-making process. Many municipalities have employed Community Forums as a mechanism to consider the concerns of citizens. Community forums were first initiated in 2006 by very few municipalities but have since been expanded to more than 50 municipalities out of 85 in Macedonia.

Summary of Community Forums

Community Forums are considered the bridges for citizens, municipalities, civil society organizations and representatives of private sectors and institutions to come together and discuss problems and propose solutions. Community Forums are one of the

cooperation projects implemented by the Swiss Agency for Development and Cooperation and its strategic partner, the Units of the Local Self-government of the Republic of Macedonia. For the implementation of forums, implementing organizations are mainly responsible throughout the program and a Forum Coordination Unit is responsible for the coordination of the activities.

Objectives of Community Forums

Community Forums aim to empower participants to contribute to decision-making. Forums bring different groups to meet and have mutual communication to establish public debates and discussion. Forums are aimed to provide citizens with the opportunity to evaluate the performance of municipalities. Two core objectives are –

(1) To define priorities within the municipality and develop strategies for planning and financing

(2) To resolve issues affecting different groups of interest through constructive, transparent and inclusive participation.

Activities

Four types of Community Forums are organized – Project Forum, Topic Forum, Inter-municipality Forum and Budget Forum. Each forum consists of six sessions.

Project Forum: In the Project Forum, the priorities of development projects related to infrastructure such as school buildings, parks and constructions are discussed.

Topic Forum: A Topic Forum is based on a specific issue and problem that exists in the community. In the Topic Forum, problem affected groups are allowed to propose possible solutions.

A community forum in Macedonia
(Photo : UNDP Macedonia)

Inter-municipality Forum: The Inter-municipality Forum happens if two or more municipalities share common interests on similar topics or issues to discuss. It is mainly for cooperation between municipalities for more economical and efficient work.

Budget Forum: The Budget Forum allows the municipalities to present their activities and budget to be transparent to the citizens. Through the forum, the municipalities are able to adapt the budget in consultation with the citizens, in accordance with their needs.

Each forum employs multiple steps in implementation. It includes –

(1) Forum initiation: The municipalities in their own initiatives organize community forums. Forums are also sometimes initiated by interested groups such as NGOs and public institutions if they will provide financial and material support to the projects of the municipalities.

(2) Topic of the forum: The topics of the

forum are based on municipality needs and issues which have significant impact on citizens. The criteria for topics includes – the importance for the whole community, can it be resolved at local level, include different opinions for solutions, and based on participative decisions.

(3) Funds: The forum process is usually financed by the municipality. It includes a variety of expenses throughout the implementation. It can also be financed by other interest groups and donors or in partnership.

(4) Creating operational group: They are responsible for implementation such as mobilizing attendance, leading forum sessions, facilitating discussions and reporting forum results. It includes a moderator (an external certified expert) together with a co-moderator (a community representative). Their roles are to direct the discussion, coordinate with working groups, conduct individual meetings with different groups before the forum and submit reports to the municipal after each session of the forum.

The operational group is composed of six to seven persons representing key stakeholders including – coordinator and representative of municipalities, a representative of the media and representatives of key stakeholders (such as NGOs, CSOs and business sector).

(5) Mobilizing communities:

(a) Local and national media: A person in charge of public relations (who is also a media representative) is responsible for coordinating with local and national media to disseminate information to attain higher citizen participation.

(b) Posters: Posters are prepared and placed in the most crowded places in the community. Posters include the place and time of community forums and their purposes.

(c) Leaflets: The purpose of the forum, the topics, the process, the time, venue and contacts for participation are included in leaflets.

(d) Bulletins: Bulletins are used to inform what is happening in the forum. Three editions are produced throughout the forum. The first issue includes the statements of participants, interviews, photographs and event coverage for the first and second sessions of the forum. The second issue includes projects selected, solutions and recommendations for the third, fourth and fifth sessions. The third includes the accomplished solutions and project activities.

(e) Direct invitations: The written invitations are sent directly to key persons in the community. Key persons include – president of local communities, school principals, and presidents of NGOs, CSOs, business sectors and public associations. A written invitation includes a brief information-explanation of the forum.

(f) Notification by telephone & email: The contacts of participants are collected in the first session of the forum. For the next sessions, participants are notified by telephone or email.

(g) Meeting with citizens: The municipality conducts direct meetings with citizens and local leaders to explain the purposes and benefits of participation in forums.

(h) Agenda: The agenda is set by the moderator together with citizens. Except for the Budget Forum, final decisions are made by the citizens.

(6)   Participants: Participants in the forum do not represent individuals, but as representatives of specific groups. A forum is normally composed of up to ten working tables, each comprising between five and ten participants. Each working table represents different socio-economic interests. To be inclusive, it is a criteria of the program to require a minimum of 40% women at the forums and proportional representation of ethnic communities. This strategy is developed by training forum moderators and operational groups.

(7)   Forum sessions: Forums consists of six sessions. *In the first session*, the topic, the structure and the principles of work are established. *In the second forum session*, the problems and solutions are identified. *In the third session*, the reports of the working groups who conducted research for each group on their problems and solutions are presented, followed by discussions and debates on proposed solutions. *In the fourth session*, the working groups present the projects which include goals, results, activities and budgets. Participants are allowed to give comments for improvements. *In the fifth session*, projects are briefly presented with an explanation of why they should be selected to be financed through available funds. The selection is done through voting. *The sixth and last session* is focused on implementation.

Impact

(1) Improved capacity: A number of municipalities have gained experience and skills to independently organize community forums. The forums help municipalities to better understand the needs of citizens.

(2) Role of CSOs: The community forum supports CSOs as it provides a space to advocate for their interests. Local CSOs are a major resource in ensuring the sustainability of the forums through their initiatives.

(3) Better understanding: Through the outreach, citizens came to understand more about the process of projects and subsequently supported them.

4.4.   Theme 2 : Analysis and Conclusion

Public participation in government decision-making serves as a mechanism to build trust between government and the public, increase public confidence in public institutions, and improve the quality of government initiatives. Based on the literature, the benefits of public participation in terms of good governance include: better government responsiveness; better relationship between government and the public; a sense of community ownership; and, better solutions to problems. Effective public participation requires collaboration amongst stakeholders and public empowerment to improve the public's capacity to be able to influence decision-making. The above case studies included common elements for addressing public participation issues which are:

- **improving access to public participation through workshops, re**

> gional meetings, community gatherings, forums and assembly, and social dialogue meetings
> - building stakeholders' capacity using training-of-trainers for community members, public awareness campaigns, and training for government staff
> - raising public awareness via information centers, broadcasts, debates, posters, leaflets, and training, and
> - improving collaboration amongst government, civil society, community leaders and members, local authorities, journalists, and religious figures.

The case studies are made up of examples from developing countries like Niger, Madagascar and Macedonia, as well as the more-established Brazil. They share similar political struggles with Myanmar as some have gone through military coups and democratic struggles, civil wars and peace deals, and constitutional disputes and political uprisings. They have also suffered from poor public services, corruption, and lack of public participation in governance. A key difference is that these countries have practiced decentralization for decades and have tried to overcome governance issues through various means. Taken from their experiences in public participation, the case studies may help stakeholders think of possible initiatives to address current issues in Kayin and Tanintharyi.

The issues addressed in each case study are again rooted in the workshop findings. For example, the case study of Land Tenure in Madagascar provides tools to address the issues of land registration and legal awareness. This is very similar to issues such as farm land registration, lack of public awareness, and community engagement, that were discussed in the workshops. Similarly, the case studies of Participatory Budget in Brazil and Women's Land Rights in Niger show projects addressing budgets and corruption, women's participation, and public awareness, which also featured heavily in the workshops. The applicability of the case studies is also based on some similarities in local contexts including distribution of rural and urban populations, traditional institutions, local livelihoods, and pre-existing platforms.

The projects include a variety of participatory strategies for each issue including participatory evaluations, public meetings and forums, community representative election, voting on projects, empowerment, training, and stakeholder engagement. Some of these tools already exist in Kayin and Tanintharyi, for example, some public meetings which aim to promote public participation in local development projects have been practiced in both regions. To some extent, these meetings provide the public with information and sometimes an opportunity to elect committee members to lead on implementation.

This approach is a part of activities that Porto Alegre used in its participatory budget. Porto Alegre provided the public with a greater decision-making role to influence budget planning. The Porto Alegre participatory budget covered the whole city, including wide community participation and representation through multiple steps. Considering

its impact on effective budget allocation to community needs, the governments of Kayin and Tanintharyi may benefit by modifying and adopting this process using traditional platforms. The steps in the case study allow the public to review budgets, prioritize and vote on thematic areas, and coordinate with the municipality/government. It may work in Kayin and Tanintharyi on either smaller or larger scales. This could be state and regional level or township level, covering broader thematic areas, or simply by each department initiating its own participatory budget process covering more specific thematic issues. This could be done (in collaboration with CSOs) through coordinating and facilitating meetings and forums, simplifying budget information in simple formats, and capacity building for community representatives. This may help the government build a better relationship with the community, educate people about its work and procedures, and provide services that meet public needs. In terms of conducting forums and workshops, the Macedonia case study provides the detail of forum design, covering a range of plans from initial steps – choosing topics, funding, and community mobilization – to implementation.

The workshop findings highlighted the complexity of land registration processes and lack of public awareness of processes and laws. The project of land tenure in Madagascar addressed this particular issue. One approach it used was creating a community-based land services agency in collaboration with the land department. This is based on the idea that having community representatives who are properly trained could address real problems, bridge the divide between the local community and government,

and make it easier to mobilize local people's participation. However, since this is a community-based project which requires the cooperation of the land department, community leaders, civil society and other influential actors, there may be challenges in gaining the support of each interest group to cooperate. The case study suggests that this could be overcome through shared-learning amongst stakeholders and giving a decision-making role to each stakeholder.

Other tools such as capacity building of stakeholders for land registration, participatory assessment and evaluations, and public awareness-raising, may be helpful for addressing land issues. Amongst them, the Community Score Card (CSC) or community gatherings could be simple tools to assess and evaluate public opinions and needs on land registration and service provision. Communities may be more confident in the CSC rather than community gatherings for its anonymity and greater chance of including everyone's voice. This could help the land department better understand the issues, and receive recommendations and feedback, while the community is empowered through their involvement in the process. According to information provided by Kayin State CSOs, a CSO has already started using CSC as part of a project to allow communities to rate quality of services delivered by government officials. As per the Madagascar case study, collaboration with government departments in the implementation of CSC is very important for the success of the project. CSOs may need to assist with communicating effectively the results and benefits of CSC to the government, so that the government is willing to accept and act on community feedback.

In terms of raising public awareness, the findings of the Theme 2 case studies build on those covered in Theme 1. The creation of a center for legal advice is a promising initiative. This could be coordinated by the land department, communities, and CSOs in terms of human and financial resources. The functions and components of the center could be based on a needs assessment of the community and might include legal advice, registration procedures, and/or information on other issues. This project incorporated not only government and community leaders, but also priests, journalists and CSOs. In the context of Kayin and Tanintharyi, monks and other religious leaders are influential in many villages. Taking the experience from this and other case studies, it could also be beneficial to incorporate monks or religious leaders in land issues to disseminate information, to mobilize community members, and to raise public awareness.

Any delivered project will likely need to consider the promotion of women's participation in all project activities. The case study from Niger shows activities using traditional tools such as multi-stakeholder (women, religious leaders, officials) meetings and debates on women's participation, social dialogues, awareness-raising campaigns for women, and stakeholder commitment to support women's rights and participation. It was raised in the workshops that women's participation is still very low in both Kayin and Tanintharyi, therefore this should be considered of great importance.

The applicability of these projects in Kayin and Tanintharyi is significant, and there is a great enthusiasm amongst government, MPs and CSOs, to address issues of land rights, budget and women's participation. The similarities of local contexts, traditional institutions, and existing platforms are examples of this applicability. The case studies may also be used as the inspiration or foundation for creating similar projects that promote public participation in government. One of the main challenges in delivering these kinds projects is that they require a high level of collaboration between stakeholders. It may be that strategic trust building amongst stakeholders is required prior to any project creation and delivery. While stakeholder engagement in both Kayin and Tanintharyi would be challenging, the actual process of delivering the projects stands to create positive relationships amongst stakeholders, and further opportunities for cooperation.

5. WAY FORWARD

As part of the development of this handbook, the workshops across Kayin State and Tanintharyi Region were not just part of the research, but rather served as a platform where a variety of stakeholders came together, shared ideas, challenged each other, and raised awareness of the diversity of needs and issues amongst them.

The workshops were successful and produced fruitful outcomes for the development of this handbook, although there were of course challenges. One of the most common challenges across both regions was engagement with government and communication gaps. Given the government and the GAD both play such an important role in state and regional administration, it became apparent that it

was not enough to simply engage with just one of them. Should workshops similar to these be implemented again or elsewhere in Myanmar, it is crucial that strong engagement is done with both state and regional governments and the GAD, to minimize communication gaps, and ensure the participation of all relevant government departments.

Literature reviews of the two cross-cutting themes identified from the workshops show that they are integral elements of democracy and good governance. Based on the case studies and theories, we can see that the two themes are closely linked. Many of the projects include both public communication and public engagement activities. It is also

apparent that both Kayin and Tanintharyi still need further development in their governance, particularly with regard to public communication and participation in government. To address these issues, the case studies provided a variety of public communication and engagement initiatives and tools which should act as inspiration to our project stakeholders to adapt projects like these for their local contexts, integrating their own ideas and resources. Given these case studies are mostly from developing countries which share many similarities with Myanmar, they show great promise for adaptation and implementation in Kayin and Tanintharyi. It is envisioned that implementing these projects would promote government responsiveness and accountability, increasing and empowering public participation, establishing trust, and promoting stakeholder collaboration.

It is evident through the workshops that all stakeholders are eager to take a step forward in reforming local governance. AD was encouraged by the excitement and enthusiasm shown by government and civil servants in both regions to take part in group discussions, share their insights, reflect on their needs and propose changes they want to see in their respective departments. MPs in both regions were very open to addressing issues, providing criticism where necessary, and suggesting solutions they want to implement. Their close engagement with the public provided solid insight on issues of public concern. AD also observed that CSOs in both regions are very strong and active in their areas of interests and energetic to undertake new initiatives. Their ability to self-reflect and self-critique suggested a great appetite for improvement. There was an obvious desire amongst all stakeholders to collaborate with each other for the common good of the people.

Implementation of the initiatives and tools within this handbook is no easy task. In both Kayin and Tanintharyi there are limited financial and human resources, and the building of trust and collaboration required to achieve sustainable results will require a significant investment of time. By design, this handbook is limited to the extent that it can address these issues, but suggests that the development and trialing of projects like those in the case studies may help begin addressing these issues.

The passion and enthusiasm displayed by participants in the workshops to make change, share ideas, challenge and collaborate, was very encouraging. Similarly, the existing capital – be it human, social, institutional, or infrastructure – shows great potential for improvement in public communication, understanding, and participation, in Kayin and Tanintharyi. AD calls on MPs, government staff and CSOs working in Kayin and Tanintharyi, and across Myanmar in various local contexts, to adapt, develop, pilot and deliver projects like those covered in this handbook, to bring positive change to their communities. ◼

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This handbook is the result of Another Development's project working in Kayin State and Tanintharyi Region, to assist government staff, MPs and CSOs in addressing their self-identified capacity needs and issues.

The handbook is based on the findings of workshops that we delivered in Kayin and Tanintharyi, in which government staff, MPs and CSOs came together to share ideas and identify their needs, as well as issues they were facing.