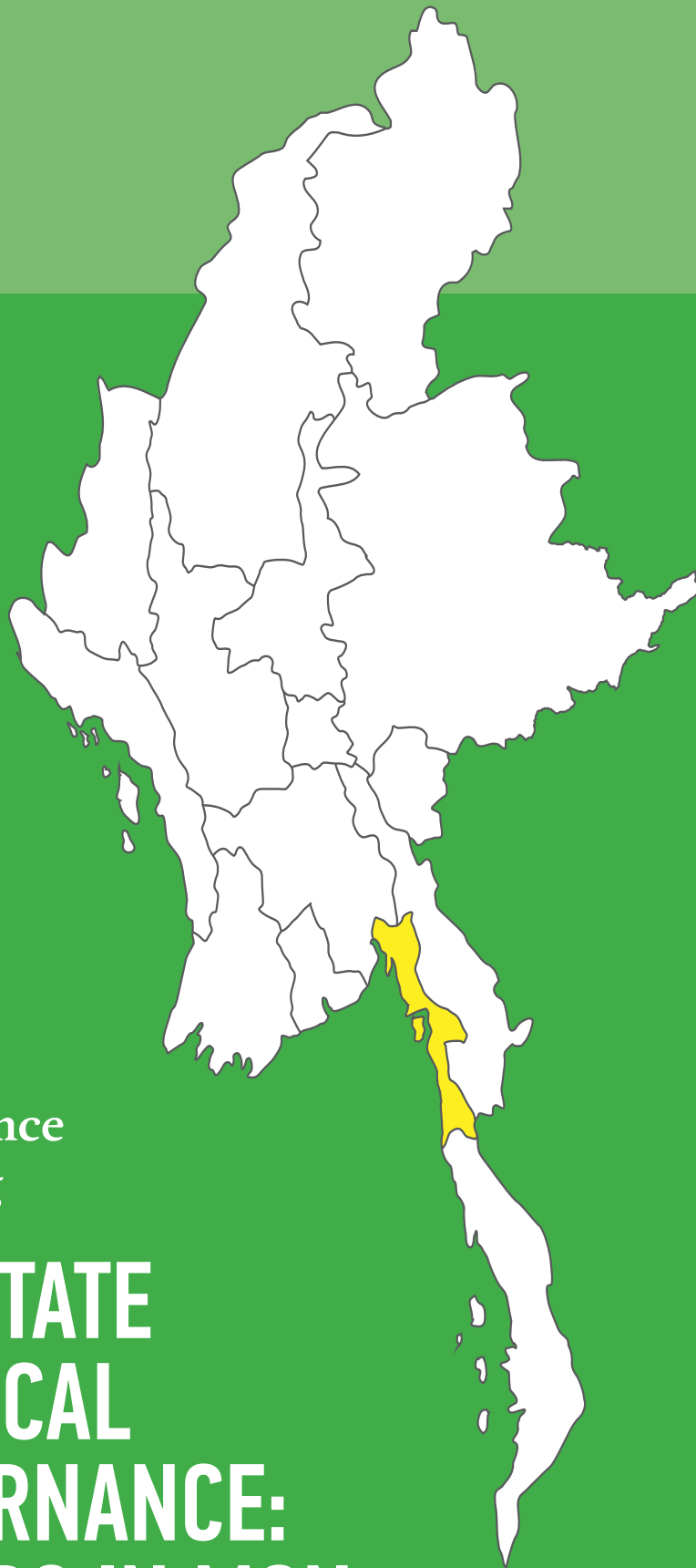




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Local
Governance
Mapping

THE STATE OF LOCAL GOVERNANCE: TRENDS IN MON



Photo credits

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The views expressed in this publication are those of the author, and do not necessarily represent the views of UNDP.



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Local Governance Mapping

THE STATE OF LOCAL GOVERNANCE: TRENDS IN MON

UNDP MYANMAR

Table of Contents

Acknowledgements	II
Acronyms	III
Executive Summary	1 - 7
1. Local governance mapping in Mon State	8 - 17
1.1 Introduction	9
1.2 Application of local governance mapping methodology to Mon State	10
1.3 Local governance mapping in Mon State: people, process, priorities	13
1.3.1 The people of Mon State: Citizen Report Card	13
1.3.2 Community priorities: Community Dialogues	13
1.3.3 Township priorities: Government Self-Assessment	16
2. Local governance mapping findings	18 - 45
2.1 Effectiveness and efficiency in implementing projects and programmes	19
2.1.1 Co-ordination between township-level departments	19
2.1.2 Planning	22
2.1.3 Human resources	23
2.1.4 Performance standards	25
2.1.5 Public satisfaction with service delivery	26
2.2 Transparency and rule of law	28
2.2.1 Information flow between stakeholders	28
2.2.2 Safety and security	32
2.2.3 Grievance redressal	33
2.3 Accountability	35
2.3.1 Checks and balances	35
2.3.2 Public trust	38
2.4 Participation	38
2.4.1 Engagement	40
2.4.2 Civic awareness and CSO performance	42
2.5 Equity	44
2.5.1 Urban-rural	44
2.5.2 Poverty	44
2.5.3 Ethnicity	44
2.5.4 Gender	45
3. Conclusions and interim recommendations	46 - 57
3.1 Township development priorities and decentralisation	47
3.2 Policies and institutions	48
3.3 Processes and procedures	51
3.4 Capacity building	54
3.5 Communication and dialogue	56



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Acronyms

CBO	Community-Based Organisation
CD	Community Dialogue
CRC	Citizen Report Card
CPAP	Country Programme Action Plan
CSO	Civil Society Organisation
DMA	Department of Municipal Affairs
DoE	Department of Education
DoH	Department of Health
DoP	Department of Planning
DRD	Department of Rural Development
EO	Executive Officer (Municipal Affairs)
FBO	Faith-Based Organisation
FMC	Farmland Management Committee
FSP	Frontline Service Provider
GAD	General Administration Department
GoM	Government of Myanmar
GSA	Government Self-Assessment
INGOs	International Non-Governmental Organisations
LGB	Local Governance Barometer
LGM	Local Governance Mapping
LM	Line Ministry
MoHA	Ministry of Home Affairs
MoLFRD	Ministry of Livestock, Fisheries and Rural Development
MoNPED	Ministry of National Planning and Economic Development
MDRI-CESD	Myanmar Development Resource Institute-Centre for Economic and Social Development
MSR	Myanmar Survey Research
NGO	Non-Governmental Organisations
MoAI	Ministry of Agriculture and Irrigation
MoE	Ministry of Education
MoH	Ministry of Health
SLRD	Settlements and Land Records Department
TA	Township Administrator
TAO	Township Audit Office
TDSC	Township Development Supportive Committee
TEO	Township Education Officer
TFMC	Township Farmland Management Committee
TLO	Township Land Record Officer (Settlements and Land Records)
TMAC	Township Municipal Affairs Committee
TMC	Township Management Committee
TMO	Township Medical Officer
TPIC	Township Planning and Implementation Committee
TPO	Township Planning Officer
TRDO	Township Rural Development Officer
UCSB	Union Civil Servant Board
UNDP	United Nations Development Programme
UNCDF	United Nations Capital Development Fund
UNICEF	United Nations Children's Fund
VC	Village/ Ward Clerk
VTa	Village Tract / Ward Administrator
VTC	Village Tract / Ward Committee



Executive Summary

This report presents the findings from the Local Governance Mapping conducted in Mon State between December 2013 and January 2014.

With an estimated population of 1.9 million,¹ Mon State is one of Myanmar's most well-connected and prosperous states/regions. Economic activity is driven by agriculture, forestry, fishing and mining - the state is a major producer of rice and rubber crop. The security situation has stabilised following the ratification of a ceasefire agreement between the Union government and the Mon National Liberation Army - a non-state armed group - in 2012, and the state is now experiencing a new period of stability and engagement between government and non-state actors. Still, pockets of volatility remain, and a long-term political solution towards peace and reconciliation has yet to be achieved.

For the Local Governance Mapping in Mon State, Bilin, Chaungzon, Kyaikmaraw, Paung, Thanbyuzayat and Ye townships were selected. 576 respondents from 12 villages across these six townships shared their perceptions and experiences related to local governance.² Nearly half of them were between 41-60 years of age - researchers highlighted difficulty in sourcing younger respondents across all six representative townships, reportedly due to migration of working-age labour to nearby Thailand and Malaysia. 52% of the randomly selected respondents were ethnic Bamar, 30% Mon and 10% Kayin.

Alongside the opinions of the people, multi-stakeholder dialogues at the community and township level and primary research on the functioning of local governance in three townships (Bilin, Chaungzon, and Ye) informed the findings from the Local Governance Mapping exercise, which are structured along the five core principles of good local governance. These form the basis of the mapping framework and methodology adopted in Myanmar, viz. effectiveness and efficiency; transparency and rule of law; accountability; participation; and, equity. In addition, the mapping exercise has also yielded some significant "process" results, which are also highlighted below.

1. Government Administration Department, Mon State, 2013.

2. See the chapter on the methodology in the separate report *Local Governance Mapping in Myanmar: Background and Methodology*.

Findings

Effectiveness and efficiency in implementing projects and programmes

Township Administrators in Mon State discussed the difficulties associated with gaining a “horizontal” overview of township activities and understanding key gaps and priorities for basic services delivery, as most departments continue to plan and deliver services in a “vertical” fashion, in consultation with and at the behest of higher levels within their own ministries. Still, the mapping results indicate that citizens are cognizant of improvements that have taken place in the past three years with relation to primary education and primary healthcare services.

Transparency and rule of law

Findings from different tools used during the mapping exercise indicate that there are various bottlenecks in the upward and downward information flows between the township administration and the communities at the village level. When asked if they were aware of any township committees in which citizens participate (the Township Development Supportive Committee and the Township Municipal Affairs Committee, two new advisory bodies including members representing interest groups and the people), the majority of respondents (88%) were not. This shows that while the new consultative committees do play a role in improved consultation processes, they are not yet functioning as an intermediary between citizens and government at local level, bringing into question the relevance and quality of this consultation. Grievance redressal and dispute resolution also emerged as key governance issues. The executive Township Management Committee is emerging as the primary grievance redressal mechanism, reviewing complaints and assigning responsibilities to other committees, placing pressure on the capacity of township administration officers across the state. Land disputes dominate complaints submitted to the TMC and the township GAD offices in Mon State, and are mostly handled “administratively” and outside of the courts, a finding that is also borne out by the Rule of Law and Access to Justice Mapping conducted by UNDP in other states/regions of Myanmar, in parallel to the Local Governance Mapping exercise.

Accountability

Though there are a number of practices in place to deter and weed out malfeasance, and a new *Anti-Corruption Law* has been enacted in August 2013, none of the six townships participating in Mon State had a localised or active anti-corruption policy or practice. One key weakness is the post facto nature of existing anti-corruption practices. The observations from this study in Mon State townships are consistent in the sense that there is a heavy reliance on the Department of Audit as a formal check, as opposed to internal review mechanisms, setting of standards, and deterring unethical practices.

Participation

Participation in the 2010 union elections for the Union Hluttaw was high among respondents in Mon State (576) as 72% of the respondents reported having voted. However, participation of the people in public meetings is another matter altogether. As these meetings are the only viable option for direct participation immediately available to most citizens in Myanmar, it

is important to understand if they indeed are taking place, and whether citizens are being afforded the opportunity to attend. Actual participation in village tract/ward meetings in Mon state is around 39% of all respondents (of 576). Furthermore, only 24% of the respondents stated that they have in the recent past been invited by the government to attend a meeting to hear about new development projects or to discuss problems at the village level. The results indicate that people are not often invited for public meetings and that there are huge differences between the various townships in the practice of organising public meetings.

Equity

On the surface, the mapping results indicate that equality of treatment in public services is perceived to be fairly high among users, particularly for parents of children attending primary school. 95% (of 257 parents) believed that their children receive the same treatments as other students. For public healthcare services, 92 % of 181 respondents thought that they and their family members receive the same treatment as everyone else in the village.

A number of disparities do emerge however, when considering differences in opinion on access to services and government resources across various groups including the poor, rural and ethnic minorities (especially Kayin). There is one single governance issue emerging from the mapping where women have been consistently excluded: Participation. 30% of women respondents have participated in village tract/ward meetings, as opposed to 47% of men. Women are also less likely to be invited to meetings about new development projects or village problems, to the degree of 19%, against 29% of men. Attention of the township management to the interests of people with special needs was ranked as one of the weakest areas of competency.

Process results

The mapping methodology has been developed particularly for the Myanmar context and draws on various local government assessment methodologies and frameworks that have been tried and tested in different parts of the world. As such, it is quite innovative and combines a variety of tools – citizen report cards, frontline service provider interviews, community dialogues at the grassroots level, and governance self-assessments, along with an extensive background study that includes secondary data collection, key informant interviews and focus group discussions, at the township and state/region levels. The process by itself has yielded some important results, including:

Enhanced appreciation of different points of view: The engagement of different stakeholder groups, and the sharing of views and perceptions of these different groups with one another, has led to an improved understanding of different perspectives across the board. In some villages and wards, this led to a better understanding of roles and responsibilities of various actors, and the resource limitations faced by them. In one Bilin village tract, citizens and civil society representatives expressed dissatisfaction that healthcare staff were not attending to patients' households during emergencies. A local health assistant explained that this was standard health and safety practice for staff, though they would make efforts to make home visits for child birth. Although no resolution was reached on this issue, such discussions can help to dispel suspicion and foster mutual understanding of resource and other constraints faced.

Taking the government's reform process down to township and lower levels: The mapping exercise has initiated an extensive discussion on good governance, principles of governance, and their implications for service delivery, at township, village tract/ ward and even village levels. One of the key outcomes of this discussion is that the citizens as well as government staff and service providers at these lower levels have become more aware of the government's reform agenda and policy priorities.

New models of engagement: The mapping exercise has introduced new methods and models of participation, such as Community Dialogues (CDs) and Governance-Self Assessments (GSAs), which have proved to be very effective and could provide the basis for continued engagement between government and communities, service providers and services users, in the future. It is notable that such discussions were a first-time experience in the majority of villages/ wards, some of which had experienced protracted periods of conflict. Such dialogues helped groups to articulate shared development goals and agree on a mutual understanding of how they would achieve such objectives, as was the case in Thanbyuzayat Township. Community participants concluded that establishment of trust between citizens, government and non-state ethnic actors was required for sustainable development.

Local solutions to local problems: The discussions in CDs and GSAs have in many cases led to the stakeholders finding local, collective solutions to some of their problems, for instance improved information sharing approaches, or extended timings for local health facilities, etc. In a Kyaikmaraw village tract, following concerns that information on local projects was not well-communicated from the village tract to the village level, the VTA pledged to print announcements and display them on this office wall, and to better engage with the 10/ 100 households heads to improve their knowledge on development affairs. In a village tract in Paung township, the VTA agreed to support villagers in acquiring land use rights for a pond that the community was seeking to build if they were able to source and donate the appropriate land.

Conclusions and recommendations: Entry points for improved local governance

The findings from all four tools used in the mapping point in the same direction: Development priorities vary significantly by township and by community. In addition, citizens appear to be concerned that the township administration was not always cognizant of the problems they faced at the community level. Further, citizens raised concerns regarding the responsiveness of government, even in those cases where respondents thought that the authorities were aware of their most important problems.

The differences in socio-economic conditions between the townships, as well as their (partially related) specific development bottlenecks justify a continuation and even acceleration of the decentralisation process to further enhance the capacities (in terms of funding, manpower and mandate) of township administration and sector departments to respond more adequately to specific local development priorities and needs.

Areas for attention and recommendations for township and state-level actors in Mon State towards improving quality of governance and the governance of service delivery include the following:

Policies and institutions

Improve access to public information: One of the key issues identified by the mapping exercise relates to the information flow from government to citizens - a relatively new concept in the Myanmar context. Without improving transparency it will be challenging to fight corruption within the government system and improve on accountability, and eventually increase the trust of people in their government. At the moment, it depends more or less on the discretion of the TA or head of department what type of information is made available to the general public and it is too easy to declare certain information that should be publically available as confidential (such as the results from a tender procedure). The township administration and the state level government should work towards making the General Administration Department (and the activities of other departments at the township level) more transparent. This is particularly true in Mon State with respect to decisions made in townships on development, for which citizen participation at meetings appears to be limited, and meeting minutes not made available to the public for most part.

Apply policies and institutions at the local level with a view to preventing (as opposed to detecting) malfeasance: The findings indicate that a perceived implementation gap exists at lower level of administration in Mon State on corruption-prevention activities. Most practices in place are post facto, rather than designed to deterring and prevent fraud and corruption. Yet the primary perception of township officials and civil society groups was that no coherent anti-corruption or anti-malfeasance policy applied at the township level, though public servants spoke of adhering to a code of conduct in the workplace as specified by the union government.

Begin to advocate for and focus on excluded groups: The mapping findings indicate that equality of treatment in the delivery of public services was perceived to be relatively high in Mon State. Yet, shortfalls remain, particularly with respect to participation of women versus men, and for rich versus poor and rural versus urban people in access to services and equality of treatment. Participants highlighted discrimination on the basis of income and language in the delivery of basic health and education services during the village/ ward level CDs.

Improve support to Village Tract Administrators: At this stage in Myanmar's development, the elected VTA and VTCs are key mechanisms for participation, and they constitute the main channel by which people can be involved in local decision-making. The 2012 Ward or Village Tract Administration Law has conferred some formality to community governance roles and institutions. However, the mapping exercise has identified several challenges in Mon State related to the transfer of public information between the VTA and the community. Opinions diverged on the extent of the problem in Mon State. During the CD sessions, citizens and civil society expressed doubts that all information was flowing down from the township to the village tract/ ward level. Meanwhile, service providers believed that they followed existing government regulations and practices with respect to the dissemination of information, citing a lack of interest from citizens in receiving such information as a problem.

Processes and procedures

Establish clear and transparent procedures for township planning, budgeting and tendering: Many of the challenges associated with “horizontal” coordination and communication are structural in nature, including the large number of departments, the double accountabilities shouldered by some departments (GAD, DoP) and the vertical nature of sector planning and budgeting. If and when township funding will increase, which is most likely to happen in the future, the need to develop a comprehensive vision on the development of the township and more integrated planning will become more evident.

Clarify the roles and responsibilities of committee members: The new committees are operating in an environment in which relic systems and committees continue to operate, although there are large differences between townships as noted. In addition, there are overlaps not only between these new committees and the functions of pre-existing committees and institutions, but also between the newly established committees themselves. There is currently uncertainty over which committees are most relevant and active for township governance - in some cases, officials are members of numerous committees that meet irregularly, and with functions that overlap with those of newer, more active institutions. In the case of Mon State, the limited role of the Township Planning and Implementation Committee (TPIC) is worth examining in relation to dominant role of the TMC in driving development priorities.

Develop alternative channels for grievance redressal: In the face of a rise in public complaints, a lot of time and efforts of the township administration is spent on handling these complaints. Though this falls under the initial guidance for the establishment of supportive committees, observations from the mapping indicate that a more structured, less reactive, process of managing complaints would be conducive to the efficiency of township administration.

Capacity building

Develop the leadership capacity of women in administration: In Mon State, women form a substantial proportion of clerical workers and hold a few leadership positions in key township departments. Still, their presence is limited in township management, suggesting that there are structural issues related to the promotion of women in civil service position worthy of further examination. Further, the mapping team found no evidence of women who had been selected as a member of the TDSC or TMAC, indicating the existence of barriers to entry for political appointments.

Develop the capacity of CSOs and community-level leaders to build civic awareness: There is a need for expanding the default role of many of Mon State’s ethnically-based organisations to advocate for their special interests during the conflict period. The at-times antagonistic relationship between civil society and the authorities has limited the scope of their activities, their ability to grow and their eagerness and capacity to take up a stronger social accountability role in the local setting.

Build upon the management skills of the Village Tract Administrator: The mapping has reaffirmed the critical role of the VTA as the “face of the government” at the community

level, and the main conduit of public information. In addition, the VTA continues to be the focal point for relaying information upwards to the township administration, and also channelling public news back to the communities.

Communication and dialogue

Facilitate forums for dialogue between citizens, government and civil society: While there are several practical challenges for enhancing participation in local decision-making, it seems that there is an underlying structural difference in the perception of government staff on the one hand and citizens on the other hand about the meaning and extent of citizen participation in public affairs.

Drawing upon the mapping outputs as a basis for capacity development plans for Chin State: The outcomes resulting from the governance mapping exercise, which included discussions on key challenges and identification of capacity gaps at the level of the community and township, could (after consideration and approval by government) inform a capacity development plan per state/region in which activities are identified that the state/region can implement itself but also those that require external support, which could be provided by the union level government, UNDP and/or other development partners.

The introduction of state and regional governments overseen by elected parliamentarians, and thereby the principle of separation of power is one of several important steps undertaken towards democracy and a decentralised governance structure in Myanmar. Efforts are underway to provide state and regions with some discretionary funds and autonomy to make their own development priorities.

The basic structures, for the implementation of local government have been established at the township level but are, as highlighted in this report, not yet always functioning optimally. A gradual improvement of governance capacities at the state/region and township level is within the immediate reach, remit and capacity of local actors. But how existing institutions underpin the longer-term decentralisation agenda is far beyond the mandate of the local administration, and will require a leading role from union-level government.



1. Local Governance Mapping In Mon State

This chapter defines the context for the Local Governance Mapping in Mon. Beginning with a brief background of Mon state, it goes on to profile the respondents using the data collected in the Citizens' Report Card. Further, the chapter explains the process of community dialogues and township governance self-assessments, extracting some preliminary findings and community priorities from these discussions.

1.1 Introduction

With an estimated population of 1.9 million,³ Mon State is one of Myanmar's most well-connected and prosperous states/ regions. Economic activity is driven by agriculture, forestry, fishing and mining - the state is a major producer of rice and rubber crop - while both domestic and foreign investors have shown interest given the state's strategic proximity to Thailand and its potential as a tourism destination. Most recently, investments have been made in the development of cement production facilities, and there have been discussions on the development of an industrial zone and deep-sea port facilities.

With a diverse population comprising Mon, Bamar, Kayin and Pa-O people, Burmese and Mon languages are the most prominent. The security situation has stabilised following the ratification of a ceasefire agreement between the Union government and the Mon National Liberation Army - a non-state armed group - in 2012, and the state is now experiencing a new period of stability and engagement between government and non-state actors. "Instability has been the biggest impediment, and it has delayed us (in terms of development) till now," observes one senior state-level official.⁴ "After the ceasefire, we are beginning to work together with community development." Still, pockets of volatility remain, and a long-term political solution towards peace and reconciliation has yet to be fomented. Alongside the Mon State Government, the New Mon State Party (NMSP) plays a significant role in public life, notably through the establishment and administration of Mon schools (where the medium of instruction is Mon language) which operate in parallel alongside the government education system.

Township		Population
1.	Kyaikto	138,988
2.	Bilin	150,827
3.	Thaton	220,483
4.	Paung	234,971
5.	Chaungzon	156,835
6.	Mawlamyine	239,469
7.	Kyaikmaraw	212,706
8.	Mudon	176,092
9.	Thanbyuzayat	150,195
10.	Ye (includes sub-townships)	234,269
Mon State total:		1,914,835
Average township size:		191,484
Total for six selected townships:		1,139,803

Table 1: Mon State township population figures

Note: Six selected townships in bold.

Source: General Administration Department, 2013.

3. Government Administration Department, Mon State, 2013.

4. Interview with a senior state-level GAD official, Mawlamyine.

1.2 Application of the Local Governance Mapping methodology to Mon State

The Local Governance Mapping is one of the first activities undertaken as part of the UNDP Country Programme Action Plan (CPAP) focusing on the need to know more about how government bodies at local level are functioning at present; to understand whether they are able to adjust to the new requirements of people-centred service delivery and participation; and to assess their potential support needs in this regard. In order to improve this collective understanding and knowledge, UNDP is working together with the Ministry of Home Affairs (MoHA) to map the quality of governance in general, as well as specifically in relation to a selected number of basic services. This exercise is to be concluded in all 14 states/regions in Myanmar before the end of 2014, beginning with the pilot studies in Mon and Chin States (see *the separate report Local Governance Mapping in Myanmar: Background and Methodology* for a detailed explanation of the Local Governance Mapping methodology).

Mon and Chin States were selected to pilot the Local Governance Mapping, based on previous agreement with the Union government and the respective state-level governments and on the premise that they capture the inherent diversity across Myanmar's states/regions. Mon State is the country's third wealthiest with a poverty incidence of 16.3% (behind Yangon at 16.1% and Kayah at 11.4%)⁵ and tends to fare above the national average on social development indicators. Township populations are relatively large, at an average size of 191,484 across the 10 townships. Meanwhile, Chin State is Myanmar's poorest with an estimated poverty incidence of 73.3% in 2010 and smaller townships (the average population size is 51,675 across the nine townships).

The pilot study was conducted with the intention of improving and adjusting the methodology in subsequent phases. In selecting six townships across each of the pilot states, the research team aimed to extrapolate state-specific trends and also provide insights on the differences that may exist between urban and rural areas, remote and accessible townships, rich and poor townships, and more generally between the various townships. Within each of the selected townships, one urban and one rural village tract/ward was selected randomly. Within each of these 12 village-tracts/wards 48 households were randomly selected using a transect methodology. In order to ensure that 50% of the respondents were female, the enumerators were instructed to alternate between male and female respondents.⁶

In order to obtain a holistic perspective of governance at local level, the Local Governance Mapping exercise adopted a three-step approach to map the quality of local governance from a ward/village-tract, township and region/state level perspective (as outlined in *Local Governance Mapping in Myanmar: Background and Methodology*). By incorporating these three levels and by also including the views of citizen, civil society and government stakeholders, a "360 degree" perspective on the quality of governance at the local level is obtained.

5. Against the national average of 25.6%. See for more detail: Integrated Household Living Conditions Assessment, 2009-2010. UNDP Myanmar, 2011.

6. The total sample size of the CRC of 576 respondents is sufficient to draw valid conclusions for the whole population of Mon State, with a confidence level of 95% and an error margin of 5%. In each township, about 96 citizen respondents were interviewed, which raises the error margin to 10% (based on average population size per township), but is also adequate to get a sense of local issues, experiences and perceptions. The number of Frontline Service Provider (FSPs) interviews - VTAs, primary school principals, teachers, healthcare facility managers and healthcare staff - were necessarily limited to those working in the sampled village tracts and wards.

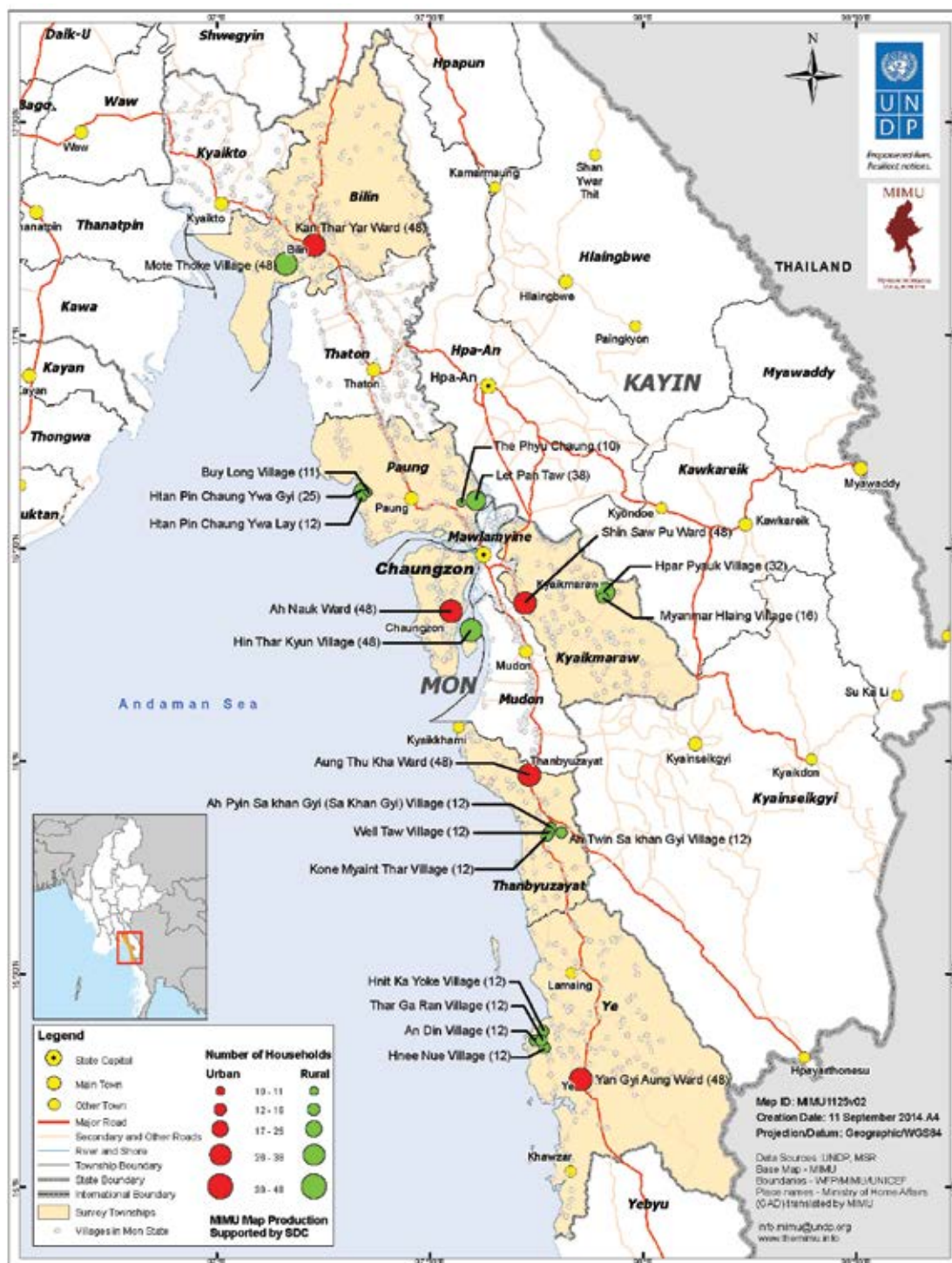
Table 2 below provides an overview of the various tools used at each level of data collection type and number of participants in Mon State.

Mapping level	Activity	Participants	Geographical scope	Outputs
1. Community	Citizen Report Card (CRC)	576 citizen respondents	12 village tracts/wards in six townships	Dataset and report on key findings
	Frontline Service Provider (FSP) interviews	12 Village Tract Administrators 12 primary school principals 34 primary school teachers 12 heads of healthcare facilities 27 healthcare staff	12 village tracts/wards in six townships	
	Community Dialogues (CD)	239 service users 144 service providers	12 village tracts/wards in six township	Data from scoring exercise and summary reports for each village tract/ward
2. Township	Background Study on Local Governance	Government staff from relevant departments. Civil society representatives	Three townships	Report on key findings
	Governance Self-Assessment (GSA)	Government staff, committee members and civil society representatives	Six townships	Data from scoring exercise and summary report for each township
3. State	Focus-group discussions and interviews	Government staff from relevant departments. Civil society representatives	State capital	Qualitative data to inform integrated analysis
	Workshop to share interim findings	Government staff, committee members and civil society representatives	Representatives from community, township and state	Summary report and action plans developed by participants

Table 2: Local Government Mapping exercise participants, coverage and outputs for Mon State

Figure 1: Distribution of household interviews for Citizen Report Card survey in Mon State

Source: Citizen Report Card, Mon State, December 2013.



1.3 Local Governance Mapping in Mon State: People, process, priorities

1.3.1 *The people of Mon State: Citizen Report Card*

In December 2013, 576 respondents from 12 villages across six townships in Mon State shared their perceptions on local governance and service delivery to inform a Citizen Report Card CRC,⁷ the results of which present a snapshot of peoples' experiences and perceptions related to governance issues, and the quality of governance in specific services.

Demographics: While the 2014 national census will provide new insight into the demographics of Myanmar's states/regions,⁸ the data collected from households gives a preliminary snapshot on the socioeconomic dynamics that characterise communities in Mon State. 49 per cent of the interviewed citizens were between 41-60 years of age, while 20% were in the 31-40- year age group, and those between 18-30 years of age made up 14% of respondents. Reportedly, migration of working-age labour to nearby Thailand and Malaysia is common, and researchers highlighted difficulty in sourcing younger respondents across all six representative townships. 38% of respondents had no education or did not complete primary education, while primary school was the highest level of education completed for 32%. 65% of households in the sample reported Burmese as the primary language at home, while 27% specified Mon. 52% of the randomly-selected respondents were ethnic Bamar, 30% Mon and 10% Kayin.

Livelihoods: Crop farming is the primary means of earning a livelihood for 40% of respondents. Food availability is relatively good in Mon State - 71% of respondents conveyed that they always have enough food - though the situation varies somewhat between urban and rural areas. 34% of rural respondents face problems satisfying the food need of their households versus 22% in urban areas. However, it is likely that a stream of remittances from family members abroad is supporting a number of households across the state - 4% of respondent households rely on remittances as the primary means of generating income and purchasing food.

Safety and security: The ratification of a ceasefire agreement with non-state armed groups has paid dividends in peace and security for Mon State - 90% of respondents agreed that they felt safe in their village tract/ward at the moment, while around half of the citizens (51%) reported improvement in the safety situation of their township over the last five years. The improvement was most pronounced for citizens in former conflict zones such as Bilin (59%), Thanbyuzayat (68%) and Ye (73%).

1.3.2 *Community priorities: Community Dialogues*

A wide range of development and governance issues were discussed collectively in a Community Dialogue (CD), which was held in twelve village tracts/wards across the same representative townships. Different groups present in the community (including women, youth and elders) - "service users" - participated alongside Frontline Service Providers

7. Methodology, for further details.

8. Commencing in April 2014, the GoM with the support of UNFPA are conducting a nationwide census, which is the first to be conducted in Myanmar since 1983.



(FSP) and the Village Tract Administrator (VTA) - “service providers”. The objective of this exercise was to collectively identify issues of governance emerging in relation to service delivery and local administration, and to agree on solutions that could be implemented at the community level.

The responses reflected varying levels of trust between government and communities, and the perceived needs of people in the twelve villages/ wards in which the CDs took place. Some general trends on community level priorities can be surmised.

Perceived improvements: Across the 12 villages tracts/ wards, participants noted that there has been progress made towards development, most apparent in **improved road infrastructure and electricity networks**, and in some cases, the **building or upgrading of health and education facilities to service communities**. In Paung, improved access to clean drinking water was noted while participants highlighted the expansion of mobile networks and number of phones available at the village/ ward level in Chaungzon.

Development and governance issues:

- **Effectiveness of service delivery** - At the community level, the effectiveness of service delivery in primary education and healthcare is apparently hindered by a lack of basic infrastructure and availability of front line staff. While teaching and healthcare staff is reviewed to be competent across the villages/ wards, buildings, supplies and equipment were viewed to be lacking.
- **Information flow from government to citizens** - Opinions diverged when discussing the flow of information from government to citizens on projects and plans that had direct impact on villages. Generally, service providers believed that they followed existing government regulations and practices with respect to the dissemination of information, citing a lack of interest from citizens too in receiving such information. While citizens and CSO noted that there has been an improvement in transparency in the last three years, there was a sense that information flow was still lacking. For example, citizens in one Paung village were not informed of a visit by a government minister prior to arrival. In Kyaikmaraw, citizens noted they are not invited to be involved in discussions on community development, and that they only find out about local community projects and plans upon completion.

- **Security and stability** - There was general consensus among participants that the government had made progress towards improving the status of peace and security in the township, in particular through the signing of a ceasefire agreement between the government and non-state armed groups in the state. Better communications, street lighting and road infrastructure has contributed to the sense of improved security. Some concerns remained, however, as to the sustainability of the ceasefire in light of recent instances of crime in Paung and Ye.
- **Participation of citizens in decision-making** - Opinions were mixed on the extent to which citizens were empowered to participate in decision-making. While some of the villages/ wards noted an improvement in communications between citizens and government, citizens cited a lack of opportunities to participate. There appears to be an inherent lack of clarity among both groups with respect their roles and duties in community-level development and decision-making. In Thanbyuzayat, a former conflict area, participants noted that government had never visited the village, and that neither service providers nor service users had any prior experience to go by in judging progress in this area.
- **Trust in government** - Levels of trust in government were mixed across all 12 villages/ wards, and appeared to be contingent on existing levels of trust and the ability of government actors to implement development projects in a timely fashion. In Bilin, citizens praised the government for progress in areas such as poverty reduction, provision of free primary education and agricultural loans, but noted that inclusive and transparent dialogue is still lacking. In Paung, the situation was less amicable, with villagers taking on the work of funding and improving road upgrades when the government was unable to fulfil a promise to do so. It is notable that this discussion on trust was a first time experience in the majority of villages/ wards, some of which had experienced protracted periods of conflict. In Thanbyuzayat, it was concluded that establishment of trust between citizens, government *and* non-state ethnic actors was required for sustainable development.
- **Equality of treatment** - Equality of treatment in the delivery of primary health and education services was perceived to fairly good across the villages/ wards, though some services users specified instances of discrimination by providers based on socio-economic status (Bilin, Kyaikmaraw) and languages (Ye).

Community priorities: Community priorities differed across the townships, and were contingent on local conditions and needs, as listed below. However, a few issues were recurrent across the six townships, namely: **Access to clean drinking water and electricity supply.**

- **Bilin:** Electricity supply, access to clean drinking water and improvement of infrastructure for flood defences.
- **Chaungzon:** Electricity supply, access to clean drinking water, improvements to road infrastructure.
- **Kyaikmaraw:** Improvements to road infrastructure, access to clean drinking water and electricity supply.
- **Paung:** Improvement of infrastructure for flood defences, access to clean drinking water supply and labour shortages in agriculture.
- **Thanbyuzayat:** Access to clean drinking water, electricity supply, and labour shortages in service-sector staff.
- **Ye:** Electricity supply, improvements to road infrastructure and lack of employment opportunities.



1.3.3 Township priorities: Governance Self-Assessment

In January 2014, Governance Self-Assessment (GSA) sessions were conducted in Bilin, Chaungzon, Kyaikmaraw, Paung, Thanbyuzayat and Ye townships, comprising day-long workshops where government staff, civil society representatives, committee members and citizens discussed challenges related to local governance and service delivery, and possible actions to address agreed-upon problems.

Participants were divided into three groups (government staff; committee members and members of Civil Society Organisations (CSOs) and citizens) and separately asked to share views on various issues related to local governance administration. Individual group responses and ratings were discussed in a plenary session, where the top three issues most requiring attention were voted upon, and local-level action plans devised accordingly.

While the individual townships differed in terms of the context and perceived needs of citizens, overarching trends could be ascertained with relation perceptions of improvements with relation to governance priorities across Mon State.

Perceived improvements: The participants of the six GSAs were asked to identify the three major improvements in their townships over the last three years. Though answers differed along with the local context, general trends could be ascertained. Four out of the six townships cited **improved road transportation amongst the major improvements** and three out of six townships **identified ceasefire agreements or improvements in stability and peace** as a major improvement.

Township priorities: The participants were also asked to identify priority issues in each township, in order to create an action plan for each of the identified challenges, and to highlight areas for future capacity development for township officials and committee members in Mon State.

- **Poor information flow between various stakeholder groups** was identified as a priority issue in the majority of the townships. Several reported that information was in fact

reaching the village tract/ward from the township administration, but that the information was not necessarily trickling down from the village level to the citizens. Citizens indicated that they were well informed on elections and new regulations, but less so on progress related to new development projects and township spending.

- The participants further highlighted a perceived weakness in existing **government processes for tackling corruption**, particularly related to poor transparency in licensing, tendering and contracts. In all townships, participants recommended establishing and/or better implementing anti-corruption policies, and it was further suggested to provide anti-corruption education and develop awareness campaigns around the issue.
- Another priority identified for action was **the lack of clarity on the roles and mandates of the newly established advisory committees**. Suggestions to address this issue were grouped according to what the township themselves can do (such as capacity training of committee members on their function and communication), and where attention is required from state/region or union level, such as the development of a more comprehensive framework outlining the roles, functions and mandate of committees.



2. Local Governance Mapping Findings

This chapter presents an integrated analysis of the results from the various mapping tools used as part of the Local Governance Mapping in six townships in Mon State: Bilin, Chaungzon, Kyaikmaraw, Paung, Thanbyuzayat and Ye. The findings and the key challenges and opportunities for Mon State have been grouped against an analytical framework underpinned by five basic principles of good governance, namely:

- 1) Effectiveness and efficiency;
- 2) Transparency and rule of law;
- 3) Accountability;
- 4) Participation;
- 5) Equity.

2.1 Effectiveness and efficiency in implementing projects and programmes

Effectiveness is about ensuring that implemented activities contribute to achieving agreed upon development objectives, and requires the formulation of key strategic targets. Value for money considerations underpin the principle of efficiency, which for local governance is often about using limited resources in the most cost-effective way, and begins with the definition of input, output and performance standards.

2.1.1 Co-ordination between township-level departments

An initial analysis of the administrative mechanisms in place at the township level in Mon State suggests that further adjustments will be required to increase efficiency of these arrangements. This relates to both the composition of coordination bodies, as well as the mechanisms for communication within the administration and with the wider public. The introduction of new advisory committees has resulted in a degree of uncertainty in terms of mandates and responsibilities. In some cases, however, the uncertainty has also resulted in some resourceful solutions through the initiative of local decision-makers. As can be expected, this has had the effect of a degree of inconsistency on one hand, but on the other, the flexible adjustment of standard mechanisms to local dynamics and needs.

Despite the “coordinating” role played by the Township Administration/ General Administration Department (GAD) and the formation of the Township Management Committee (TMC) to drive township development, horizontal co-ordination between departments remains a challenge in Mon State according to most heads of departments interviewed. The majority of township departments continue to plan and deliver services in a “vertical” fashion, in consultation with, and at the behest of, higher levels within their own ministries, while good coordination between departments is required in order to make optimal use of the limited integrated development budget of the township. For example, if the TMC decides to use the Poverty Reduction Fund (PRF) for the construction of a new clinic but the health department does not adjust its planning and recurrent budget to run the new clinic, precious resources are wasted and frustration by service users may result. Township Administrators (TA) in Mon State discussed the difficulties associated with gaining a “horizontal” overview of township activities and understanding key gaps and priorities for basic services delivery, despite the best efforts of the department heads and committees to share information.

Horizontal coordination of activities between township departments remains a challenge.

This is pertinent when considering the importance of integrating a core service such as healthcare into township planning. The limited profile of the Department of Health (DoH) within the committee system certainly has implications for effectiveness, if not efficiency, in coordinating on basic service delivery and infrastructure development. The Township Education Officer sits as a member on the TMC while the Township Medical Officer (TMO)⁹ does not participate in any of the new committees (see Table 3), and in some townships visited in Mon State, the TMO was not even aware of the potential PRF funding available

9. The TMO takes on both a medical and a public administration role in many townships. The situation may differ in district-level townships, where the District Medical Officer may take on some of the administrative duties for township health planning.

for rural health facilities. Overlaps and potential oversights could be the result, not just for proposing projects for the township development plans, but also in ensuring that healthcare considerations are sufficiently reflected in the activities of other departments. In considering the responsibilities of the committees, there are grounds for both the TEO and TMO to be included in the Township Development Supportive Committee (TDSC) as well, which has a remit for the development of health and education. Indeed, the duties of the TDSC stipulate that it should be working in co-operation with departments to advise and co-ordinate.

Table 3: Inclusion of key departments (related to governance and basic service delivery) in township committees in Mon State.

DTA = Deputy TA
TPO = Township Planning Officer
TEO = Township Education Officer
EO = Executive Officer.

Source: Adapted from GoM documentation on committee composition.

	GAD	Department of Planning	Department of Health	Department of Education	Department of Municipal Affairs	Department of Rural Development
Township Management Committee	TA, chair DTA, joint secretary	TPO, member		TEO, member	EO, member	
Township Farmland Management Committee	TA, chair	TPO, member				
Township Municipal Affairs Committee	DTA, member				EO, chair	Head, member
Township Development Support Committee	DTA, member				EO, member	

Although the TMC, TDSC and Township Municipal Affairs Committee (TMAC) were intended to rationalise and improve coordination and to ensure participation of local interest groups in township planning, township staff in Mon State spoke of confusion over which pre-existing committees and practices remain relevant. The practice of organising regular meetings in which all (25-40) township departments participate in order to share information and solve problems collectively continues in Bilin Township for example, though it appears to have fallen by the wayside in Chaungzon. With regular weekly meetings established at each of the three townships visited (Bilin, Chaungzon and Ye), the three committees along with the Township Farmland Management Committee (TFMC) have institutionalised a forum for information sharing in Mon State.

In terms of how committees are functioning against their outlined duties, in Mon State the TMC is emerging as the key driver for the adoption of township development plans and priorities, in consultation with the three committees (TDSC, TMAC, TFMC) and relevant departments. Although the TDSC has an advisory function on paper, it appears to have some executive duties in practice in Mon State. In Chaungzon, the TDSC has committed itself to helping a committee to raise money towards building a bridge for one community. The same could be said of the TMAC, though its duties and functions are contingent upon the state/region municipal law. It appears to be operating as a hybrid body in Mon State townships, fulfilling both executive and consultative functions with respect to municipal affairs including i.e. the regulation of markets, licensing for meat sales and production, granting

building permissions and enforcing municipal laws and regulations. As one example of its work, the Bilin TMAC established holding areas at the township bus station in response to citizen complaints of aggressive touting there by taxi drivers.

The TMAC and TDSC are a starting point for the inclusion of the perspectives of interest groups and citizens in the decision-making processes at the township level – as specified within the notification directing state/region governments to form these bodies. Only the secretary and one member are selected by “popular vote” of town elders and representatives of ward/ village tract/ social and economic organizations, thus ensuring the participation of “local organisations and private individuals” in township development. What remains unclear from these instructions is how widely the popular vote extends, and who exactly should be consulted in the selection of interest group representatives (i.e. farmers, business, labour). The mapping team were informed that in some townships, it was felt that appointments were made without consulting the communities. Also, during the GSA exercises township actors mentioned the lack of clarity on the mandates and roles of the TDSC and TMAC as a primary issue of concern in three of the six GSA discussions (see Table 4).

The lack of clarity on the mandate and roles of the TDSC and TMAC emerged as a primary issue of concern.

	Bilin	Chauungzon	Kyaikmaraw	Paung	Thanbyuzayat	Ye	Times mentioned as a “top three” priority	Ranking
Limited information flow between all stakeholder groups		1st	1st	2nd	2nd	3rd	5	1
Insufficient citizen participation and involvement in decision-making			2nd	2nd	1st		3	2
Role and mandate of supportive committees (TDSC and TMAC) unclear	1st	2nd				2nd	3	2
Corruption and lack of government processes for fighting corruption	3rd	3rd				1st	3	2
Limited Capacities of CSOs to conduct civic education				1st	2nd		2	3
Government processes for dealing with complaints too complex and cumbersome and not transparent	2nd		3rd				2	3

Table 4: Most important governance issues for further discussion and action

Source: Governance Self-Assessments, Mon State, January 2014.



2.1.2 Planning

Planning for critical line departments including health and education is defined by highly centralized processes. The role of the Township Administrator as horizontal coordinator remains limited.

As outlined above, this “two-stream” flow of funding can result in a lack of linkages Planning at the township level is defined by highly centralised processes for the majority of line departments, particularly in education and health. As outlined above, this “two-stream” flow of funding can result in a lack of linkages between the township development plans and those of individual sector departments, which is particularly troubling for social sectors and hampers the TMC, TDSC and TMAC to improve socio-economic livelihoods. A focus on vertical planning by township officials also precludes a focus on other important cross-sectoral issues, such as environment, gender and livelihoods - which may have (unintended) implications on access to services and administration for vulnerable or minority groups.

In development planning, the Ministry of National Planning and Economic Development (MoNPED) has expressed a strong wish towards a more “bottom-up” planning system with inputs from the village and townships percolating through district, region/state and central level plans, and the TPIC was established in order collect the data required to do so and facilitate this process. In townships across Mon State however, it was observed that the Township Planning and Implementation Committee (TPIC) has been rendered largely inactive, with its planning role displaced somewhat by the TMC, in consultation with (and seeking the consensus of) the TDSC, TMAC and the TPMC. The TPIC was mentioned in Chaungzon as still being active, meeting on a monthly basis and sharing information at the committee gatherings each Friday, though their focus appears to be more on detailed project planning and preparation. However, the TPIC was not cited even once by officials in Bilin during discussions on township planning.

Its dormancy has implications for the planning process, in the sense that the TPIC should take a leading role in promoting and shaping bottom-up planning. Instead, the trend in Mon State appears to be one where the Township Planning Officer (TPO), as a member of the TMC, is driving participatory planning.

In Bilin, individual villages sent proposals to the planning department, outlining village plans and priorities. All requests were then shared with the four key township committees (TMC, TMAC, TDSC and TFMC) and sector departments for review and prioritisation, after which the Department of Planning provided cost calculations for projects. Individual villages requested between Ks 5-200 million, focusing primarily on transportation, roads, new school buildings and healthcare facilities. The process was not without its challenges, one of which was limited experience and capacity at the village level for planning, as exemplified by high variance in the quality of the village plans received. As noted by one official, “Public participation is difficult, as we’ve never done it like this before!”

The way in which citizens’ priorities and views are integrated into the planning process varies a lot across townships in Mon State. In Chaungzon, the committees did not feature prominently in the consultation process. In developing the 2014-15 plan, VTC members were gathered at the township by the TPO to discuss their priorities - taking one week to conduct the consultation and write the budget, with some inputs from the TA and township MPs. Prior to this, the Chaungzon township development plan was put together with the feedback from the relevant departments only, but without any input from the wider community. In Ye township, the process for citizen participation appears to be less well-developed. Here, the 2014-15 township development plan was compiled in line with previous years, with the Department of Planning (DoP) functioning as the focal point for planning and budgeting and for collating financial reports and co-ordinating with other departments on their key priorities.

Additional challenges for improved planning that were mentioned by township officials include a lack of clarity and transparency on the criteria that are used at higher levels to approve projects and to allocate funding. As relayed to the mapping team, the inclusion of a project in a township plan was no guarantee of funding being approved. A large amount of new data is being collected by the planning department and the GAD to better understand the townships’ socio-economic profile, but one of the emerging issues is that data collection continues to be conducted within the ‘silo’ of each department, while these data are in addition not always shared between relevant departments. This not only leads to inefficient use of limited resources and effort, but also results in a number of contradictions in equivalent statistics collected by other departments at the township level.

2.1.3 Human resources

Structural vacancies (against a pre-established organisational structure) were observed to be common in some key township departments, and were cited as an impediment by department heads for effective service provision. “We have a lot of duties and functions,” notes one official. “Thus projects are often delayed.”¹⁰ This was particularly the case for the newly-formed Department of Rural Development (DRD), which had recruited fewer than 20% of the mandated staff in each of the three departments visited.

Though state-level officials advised that additional positions had been added to the GAD given the extra workload involved in coordinating the new township development plans,

Structural vacancies are common in several key township departments, particularly in the newly formed Department of Rural Development.

10. Background Study on Township Governance in Mon State.

having enough manpower to carry out all tasks was a concern for clerical staff in all township administration offices, despite being at 80-95% capacity. This may be a result of an increased workload for the township administration emanating from the TMC (which is supported by clerical staff from the GAD), and a growing number of complaints and grievances filed at the GAD (as discussed in Chapter 2.2.3, Grievance redressal).

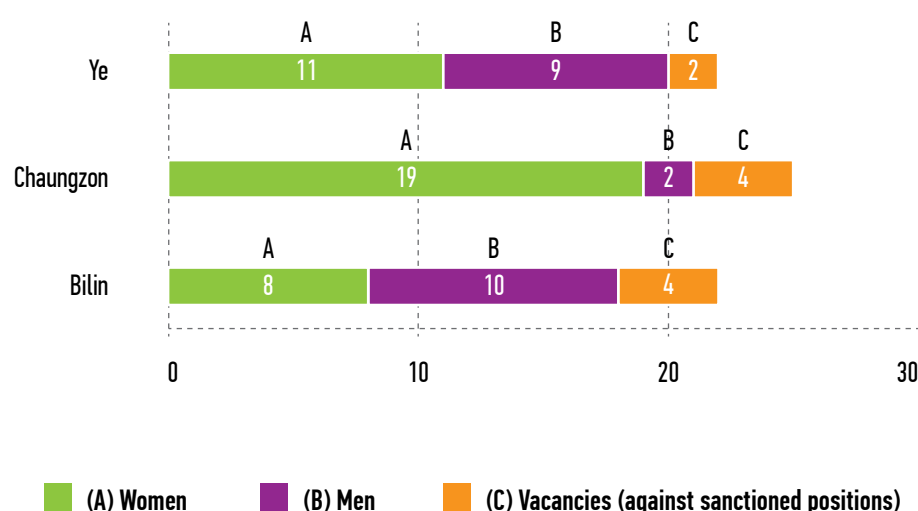
Women feature fairly prominently among clerical support staff in Mon.

Across township offices in Mon State, women featured fairly prominently among clerical support staff, and held management positions in departments such as the DoH and the DoP : In fact the TPO was a woman in two of the three planning departments visited in December 2013, and they were the only female members of the TMC and the TMFC. Government positions on township committees are currently linked to specific job roles (i.e. head of departments), and there is little room for township officials to influence the gender balance in either sector departments or the township committees, given that management appointments are decided at the level of the relevant region/ state government or above.

Authority for hiring and firing of nearly all government staff is retained at higher levels of government, meaning that township-level officials have very little control to respond to ebbs and flows in workload. There is also no provision or budget for hiring temporary staff or service providers outside the formal civil service framework. There is however some initial evidence of limited delegation of recruitment responsibilities. In the education sector for example, recruitment of Assistant Junior Teachers now falls under the responsibility of the state/region education department, though hiring and firing of all other teachers and managers remains centralised at the union level.¹¹

Figure 2: Vacancies and gender composition in the township administration office (GAD)

Source: Township administration offices, December 2013.



11. Towards more child-focused social investments: Snapshot of Social Sector Public Budget Allocations and spending in Myanmar. UNICEF, 2013.

2.1.4 Performance standards

The concept of performance management was understood by education and health officials as the timely reporting on basic indicators (i.e. coverage of facilities, attendance rates), which is understandable in the context of Myanmar's very nascent history of performance management. Standards and practices for monitoring are fairly well-established for primary schools, for which there are regular inspection visits conducted typically by the Assistant and Deputy TEOs, with the objective to conduct routine inspections, evaluate personnel and audit stock, and collect data for 12 basic output indicators for primary schools (7 quality, 5 physical infrastructure). Though inspectors are supposed to inspect personnel, no data is collected with respect to staff performance (i.e. teacher absenteeism, or quality of teaching). Of the 12 principals interviewed, six reported two inspection visits from the township education office in 2012-13. One principal reported a high number of 10 visits that year, which may suggest issues related to the facility or close proximity to the township education office - either way, the unusually high frequency of visits raises questions with respect to efficiency.

The concept of performance management is understood as the timely reporting on basic indicators such as coverage of facilities and attendance rates.

Basic output indicators for the monitoring of healthcare facilities are also in place. Township health administrative staff in Mon State regularly visit rural health centres to provide oversight and check performance based on key health indicators. According to healthcare facility managers interviewed, the majority of visits were conducted by the health assistant and the TMO who would conduct routine inspections, stock checks and audits.

Both primary school teachers and healthcare staff were familiar with a ministerial code of conduct. The majority of healthcare staff interviewed (26 of 27) stated that they knew the Ministry of Health code of conduct, and that workers within their facility adhered to it. The majority of teachers (33 of 34) were also familiar with the civil service code of conduct, and confirmed that they adhered to it. In this context, the question that must be asked is whether citizens are also aware of such codes of conduct, and whether they have ever tried to hold the service-providers accountable on the basis of these. This query could potentially be included in future surveys to assess the utility and relevance of these performance standards. A high awareness of departmental code of conducts and a fairly robust system of monitoring community-level facilities in Mon State is potentially a foundation for the development of more specific and tangible performance indicators to drive future efficiency gains. As mentioned above, this could begin with basic statistics on indicators such as absenteeism, or quality of service delivery (either in simple performance evaluations conducted onsite, or creating a means of collecting user feedback, through a drop box for instance).

Primary school teachers and healthcare are familiar with a code of conduct established by the parent ministry.

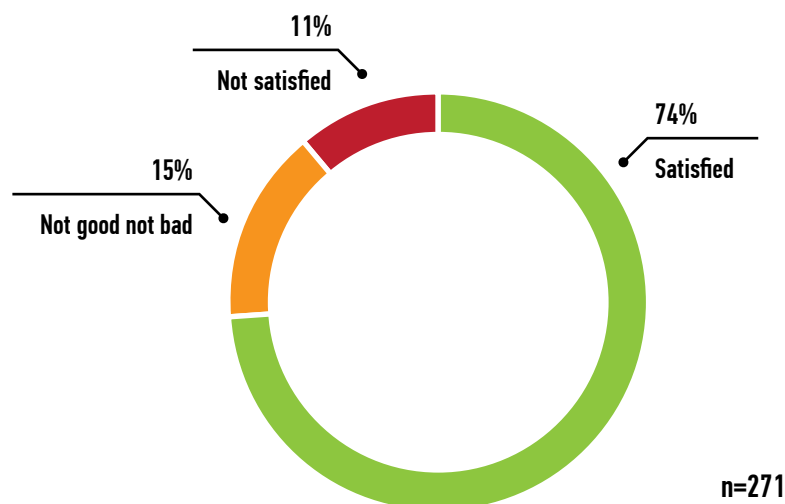
2.1.5 Public satisfaction with service delivery

Citizens perceive improvements in education and health care services .

The mapping results indicate that citizens are cognizant of improvements that have taken place in the past three years with relation to education and healthcare service. When asked of their perceptions regarding the quality of public services, 68% of the 271 respondents with children going to primary school mentioned that primary education has indeed improved over the last three years, attributing this to new building infrastructure (81%) and more teaching staff (31%), while 28% cited the improved attitude of teachers contributing to this positive change. Based on these improvements, 74% of the respondents with children attending primary school were satisfied with the quality of primary education.

Figure 3: Overall, are you satisfied with quality of the primary education at this primary school?

Source: Citizen Report Card, Mon State, December 2013.



Myanmar's long isolation and the absence of publically known standards make it difficult for citizens to assess the quality of education.

Myanmar continues to perform poorly on a number of international rankings for primary education, however, particularly when viewed against global standards set through initiatives such as Education for All (to which the country is signatory). Enrolment rates are low, pass through rates from primary to middle school remain poor, and as observed in a recent sector study, “/.../the education system is characterized by poor quality, outdated pedagogy and insufficient geographic coverage, with rural and border areas being poorly served./.../ Roughly half of Myanmar's children do not complete primary school.”¹² So while perceptions of user improvement indicate a positive change, one should be cautious using them as evidence that the quality of education has improved substantially. First of all, the quality of education in Myanmar has been very poor over the last few decades, and therefore the starting point against which people compare progress is very low. In addition, due to Myanmar's isolated position over many decades, the reference frame for most people is the education situation as it has been over the past decades, and not the better education situation in other countries or even in Yangon. Furthermore, since there are no publically known standards against which ordinary citizens can compare the actual situation against the “ideal” situation, any positive change is seen as a big improvement.

12. Zobrist, Brooke and McCormick, Patrick. A Preliminary Assessment of Decentralisation in Education: Experiences in Mon State and Yangon. Subnational governance in Myanmar Discussion Papers. Centre for Economic and Social Development (MDRI-CESD), December 2013.

Indeed, when discussing the same question on overall quality of primary education during the CD exercises, results were less positive and tended towards a more moderate score. Of the 12 villages/wards where the dialogues were conducted, users in one village tract/ ward scored services as being “very bad”, while four were “bad”. The majority (6) received “not good, not bad” ratings while only one received a “good” endorsement from users. One should therefore be careful in using these figures, though they do indicate that citizens are aware of the results of the efforts made by government to improve education.

Healthcare services, too, are reported as improved by 53% of the 576 respondents over the last three years, and have stayed more or less the same for 35% of the respondents. Reasons cited for improvements include more staff at health facilities, the reduced cost of health services, and improvements in the attitude of staff. One should place these scores in the national context in which service delivery for healthcare is weak in remote, rural areas, and NGOs and the private sector provides the majority of health care services. Poor quality has resulted in even poor citizens moving to the private sector, which is utilized by an estimated 80% of people nationally.¹³ In Mon State, private health services were utilised across the range of income groups. 62% of CRC respondents residing in houses with brick/stone wall use private services, as do 62% of those living in households with wooden walls; and 58% of those with reed/grass bamboo walls. Proximity to private facilities is an inhibiting factor though in rural areas, and while 86% of urban dwellers use private services only 43% of rural respondents did so.

Just over half (57%) of respondents were satisfied with healthcare services in their village tract/ward (See Figure 4). Quality ratings assigned at the 12 CDs were quite varied among communities again - users in four village tract/wards scored services as being “bad” or “very

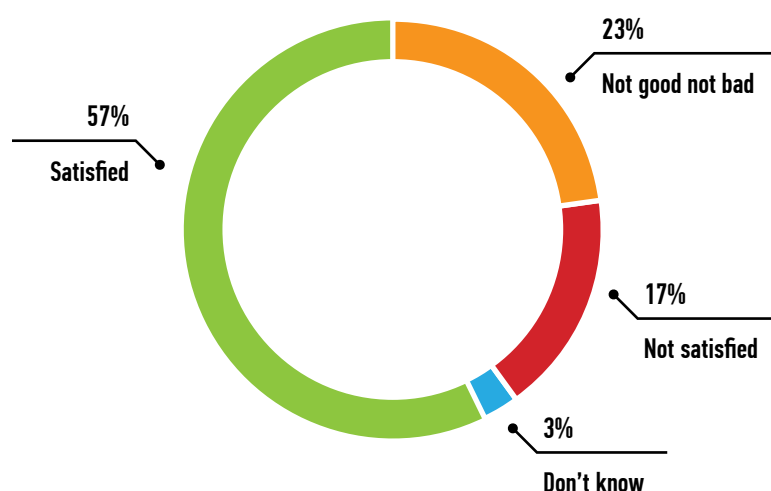


13. Dahm, Henrich, “A new approach to services”. Myanmar Times, 16 February 2014.

bad”. Six received a “not good, not bad” rating while two scored “good”. Such diversity could be indicative of the extent to which local relationships between the service providers and service users have a bearing on frontline healthcare service delivery. As with education, these results do point towards a positive trend, but should not be interpreted that the quality of health services have improved dramatically over the last few years.

Figure 4: Taking all that we discussed about health services in your village tract/ward into account, are you satisfied with the health services in your village tract/ward?

Citizen Report Card, Mon State, December 2013.



2.2 Transparency and rule of law

In the context of good governance, transparency is related to an open and free flow of information between stakeholders and between government and citizens. Processes, institutions and information are directly accessible, and both government and non-government actors share information and are open about the manner in which decisions are made and funds are utilised. In addition, existing laws and regulations should be fair, adhered to and enforced impartially.¹⁴

2.2.1 Information flow between stakeholders

Upward information flows between levels of administration are well established in Mon.

Government to government: As in the past, upward information flows between levels of administration are well established in Mon State, as exemplified by the upward reporting mechanisms in place across various departments. For regular progress monitoring, departments will typically send monthly and quarterly reports to their superiors at the district/state level. Requests for additional information from higher levels or from the TA and the state government for township affairs are dealt with on a more *ad hoc* basis.

There are also departmental mechanisms in place for staff to elevate internal issues and complaints/requests for resources to higher levels. Typically, such requests/complaints

14. The issues underlying transparency and rule of law focus on those related to information supply and grievance redressal for the purposes of this analysis. However, it is notable that there are important overlaps with issues of accountability (checks and balances), participation (communication and civic awareness) and equity (access).

are communicated to the direct supervisor within the line department, as has been the case among primary school principals who lodged complaints/requests. Usually, these were communicated to the TEO, as was the case for 6 of the 12 primary school principals interviewed. Of these, 10 had made complaints on behalf of their schools - suggesting that lines of communication “upwards” between the various levels of governance are fairly open. However, with just one “successful” response recorded, the same could not be said for the downward flow of information and responsiveness from higher levels of administration to internal complaints and requests.

Government to citizens: Findings from different tools used during the mapping exercise indicate that there are various bottlenecks in the upward and downward information flows between the township administration and the communities at the village level. Government and administrative information has not been shared freely with the public in the past, and focused more on the duties of citizens than on their rights, though high-profile examples such as the publication of the national 2012-13 budget represent a break with the past.¹⁵

There are various bottlenecks in the upward and downward information flows between the township administration and the communities.

There are a number of inhibiting factors for improving information flow at the township and lower levels. The *Ward or Village Tract Administration Law* outlines the duties of the VTA, emphasising the key functions to maintain national unity, uphold citizen's rights under the Constitution, promote peace and stability, protect rights to customary practices, handle local emergencies and co-operate with various departments (see section 3.3 Administration for further details).¹⁶ The Law makes little mention of a “conduit” role to be played by the VTA in conveying public information either downwards from the TA to the village tract and village level, or upwards from the people to higher levels of administration.

This is consistent with the perceptions of VTAs with respect to the most important functions of their roles. The majority of VTAs continue to prioritize their responsibility to 1) maintain peace and stability 2) mediate local-level conflicts and 3) convey information and directives from the government. From the 12 VTAs interviewed, the task of bringing village level problems to the township administration (ranked 6th) and consulting and involving villagers in decision-making at the village level (ranked 10th) are less important (see Table 5). The prevailing perception of the 12 VTAs in Mon State is more consistent with the letter of the Law, which sees the VTA more as a government official than a representative of the community.

This perspective is confirmed by the difference in perception between VTAs and citizens regarding the question of whether township administration and other government departments were giving citizens enough information about development projects related to schools, roads and health facilities in the village tract. 10 out of 12 VTAs interviewed or 83%, felt that township government was providing sufficient information about plans for new projects in the village that such information provision was adequate. However, only 25% per cent of citizen respondents believed this to be the case. The proportion drops to 19% in Paung, 14% in Thanbyuzayat and only 11% in Bilin (see Figure 5).

15. “Sub-national Budgeting in Myanmar.” Soe Nandar Linn, MDRI-CESD, September 2012.

16. Chapter 6, *Ward or Village Tract Administration Law*, 2012.



Most citizens are not aware of any township committees.

When asked if they were aware of any township committees in which citizens participate (TMAC and TDSC), the majority of respondents (88%) were not. This shows that while the new consultative committees do play a role in improved consultation processes, they are not yet functioning as an intermediary between citizens and government at local level, bringing into question the relevance and/or quality of this consultation.

This picture was validated during discussions at the Community Dialogue sessions. While the “supply-side” (government administrators, service providers) were confident that they were doing well with regard to informing people about new projects and plans with the majority rating their performance as “good” (in 8 of 12 cases) many of the community members on the demand side (end users) disagreed, with 8 of 12 villages/wards rating performance as “bad” or “very bad”. This concern is shared by actors at the township level, where the most frequently mentioned governance issue was the lack of information flow from township management to committees and village level staff, and from them to citizens in the community (raised in four of the six townships GSAs, see Table 4).

Apparently the perceptions and expectations of what “good” information means differs significantly between purveyors and receivers of information. Further reflections on the implications of this discrepancy are included while examining accountability (Chapter 2.3).

Table 5: Responses of Village Tract Administrators regarding their most important functions (multiple responses were possible).

Source: Frontline Service Provider interviews, Mon State, December 2013.

Rank	Function	Times mentioned
1	Ensure peace and security in the village	10
2	Mediate when there are conflicts or problems between villagers	8
3	Provide villagers with information and directives from government	6
4	Law enforcement	4
5	Ensure that people participate in community labour	3
6	Bring village problems to the township administration	3
7	Collect taxes or village contributions	2
8	Assist citizens with permits and applications	2
9	Organise village (committee) meetings	2
10	Consult and involve villagers in decision-making at village level	1
11	Birth and death registration	1
		n=12

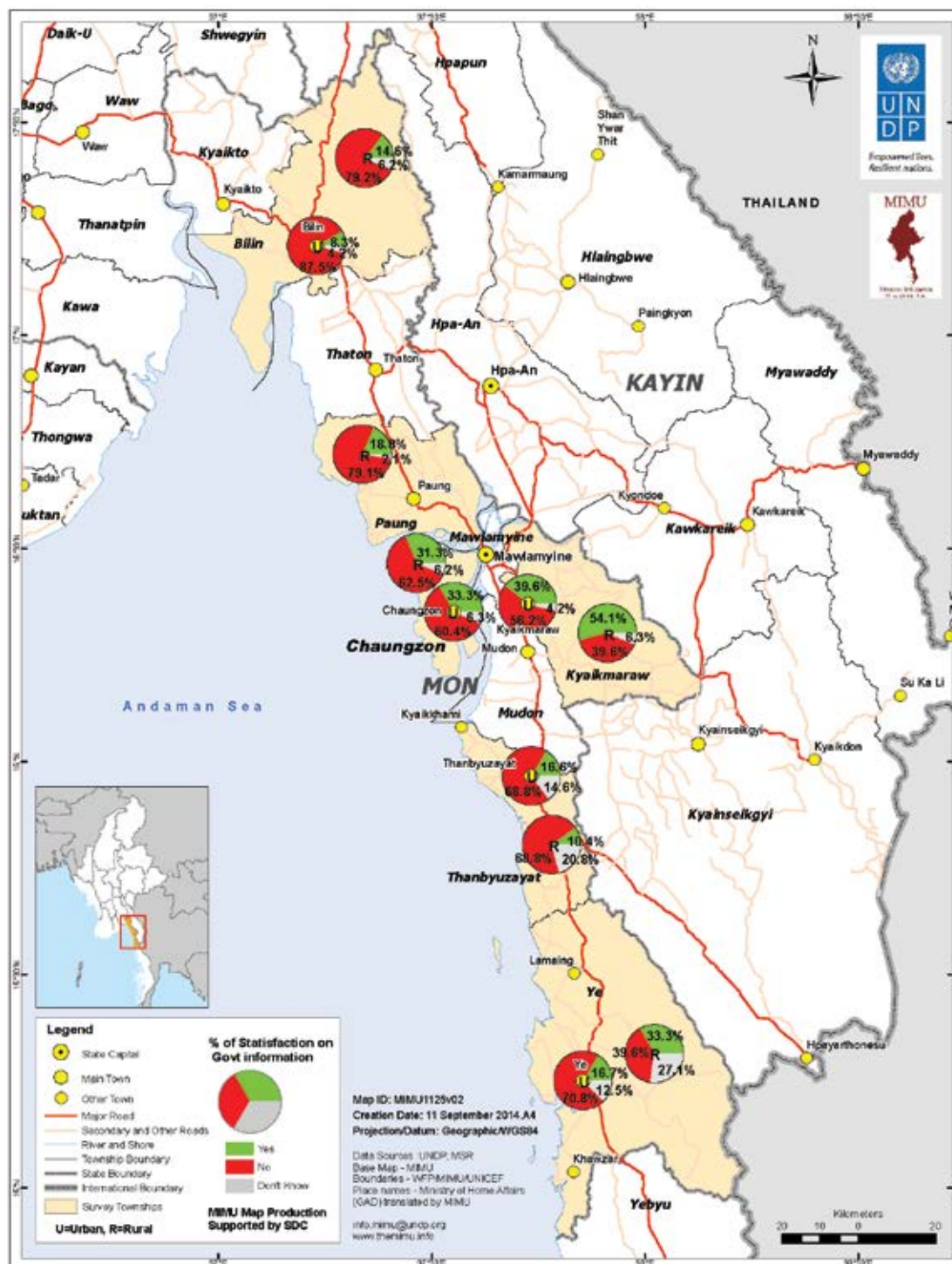


Figure 5: Is the township government informing you enough about the plans it has for new projects in your village tract/ ward regarding e.g. schools, roads, health facilities, etc.?

Source: Citizen Report Card, Mon State, December 2013.

2.2.2 Safety and security

There is a high level of public satisfaction with law and order.

On the maintenance of law and order, the findings indicate a high level of public satisfaction. Government service providers inspired confidence in their ability to maintain public safety and security according to citizens participating in the CDs, in which 10 out of the 12 citizen groups rated government efforts “good” or “very good” in this aspect.

This confirms the reality of the security situation in Mon State, which has improved significantly following the ratification of a ceasefire agreement between the Union Government and the Mon National Liberation Army, a non-state armed group, in 2012, resulting in a new period of stability and engagement between government and civil society. “Instability has been the biggest impediment, and it has delayed us (in terms of development) till now, /.../ After the ceasefire, we are beginning to work together with community development’ observes one senior state-level official.”¹⁷ The ratification of a ceasefire agreement with non-state armed groups has led to noticeable gains peace and security for Mon State - 90% of respondents (of 576) agreed that they felt safe in their village tract/ward at the moment, while around half (51%) reported improvement in the safety situation of their township over the last five years. The improvement was most pronounced for citizens in former conflict zones such as Bilin (59%), Thanbyuzayat (68%) and Ye (73%).

Still, pockets of volatility remain, and a long-term political solution towards peace and reconciliation has yet to be fomented. Although being an important component of and prerequisite for improved rule of law, the gains made in law and order do not automatically mean that the rule of law has improved as well, as was observed by the UNDP Access to Justice Mapping in Ayeyarwaddy, Mandalay and Shan states/ regions.¹⁸ Public trust in government depends in large part on the predictability of government action, and on whether it applies existing rules and regulations in a fair and equal manner, actively detecting and sanctioning misconduct by government staff. High ratings for law and order therefore do little to mitigate issues of public trust in the actions of the authorities or offset low legal awareness of public issues, which is a barrier for citizens in attempts to seek grievance redressal.



17. Interview with a senior state-level GAD official, Mawlamyine.

18. Summary report: Rule of Law and Access to Justice Mapping. UNDP, 28 February 2014.

2.2.3 Grievance redressal

Across all six townships participating in the mapping exercise in Mon State, the resolution of complaints has been taking up the vast majority of time and resources of the TA. “This has been the biggest change (in the past three years). We get a lot more complaint letters,” notes one senior official from Bilin, where the GAD/TMC receives an average of 10-15 formal complaints per month. His counterpart from Ye concurs: “A lot of the new work of the township administration is to do with complaint letters, as we have become more open than before.” Ye Township’s GAD office/ TMC receives an average 10-15 of these complaints per month, which shows the increased confidence among both civil servants and the wider public that there will be no reprisals in a new environment of openness and the expectation that their grievances are treated seriously and fairly. As noted by one TA, “The biggest change (in the past three years) with my role is that I need to now drive greater transparency and public participation.”

“A lot of the new work of the township administrations is to do with complaint letters, as we have become more open than before.”

In Mon State, the TMC itself is emerging as the primary grievance mechanism, reviewing complaints and assigning responsibilities to other committees, placing pressure on the capacity of township administration officers across the state. The TMC was formed to drive and coordinate township development, though the notification does not go into great detail as to what this comprises. But given a more open environment for expression without fear of reprisal, and the fact that VTCs are legally obliged to submit matters that cannot be resolved at the village tract/ward level to the TMC,¹⁹ a large proportion of the work and time of the TA and the township administration is now dedicated to dealing with complaints.

The observation that more complaints are being channelled to township administration, and are seemingly hampering its developmental role, is worthy of further attention. Are other mechanisms like the regular formal legal system not trusted or not functioning adequately as in other countries? Are most of these grievances between citizens and government or between citizens themselves? Are they the result of the implementation of “new” regulations and government actions, or do people feel confident in bringing up issues without fear of reprisal, indicating an improvement in both civic awareness about their citizen rights and confidence in the fairness of the present mechanisms?

Although the mapping team didn’t look into the individual complaints or disputes that were brought to the TAs attention, it does appear that with basic legal training of the VTAs and VTCs, perhaps combined with greater legal awareness of the general public, a lot of these issues could most likely be resolved at the lowest levels of administration, relieving the TMC to deal with the most serious or appeal cases only. Another area of concern is related to the double accountability problem faced by the TA, who typically reports on departmental affairs (vertical) to the District GAD, and township matters (horizontal) to the state/region government via the GAD state-level office, which serves as state Secretariat. Questions emerge as to the higher levels of authority to which the TMC should be submitting “matters that cannot be dealt with.”²⁰ It appears unclear to the township administration itself at times, as to which route such grievances should be elevated for resolution, and current practice appears a little ad hoc and depending on the nature of the complaint.

19. Notification No 27/2013, “Assignment of duties for formation of township and ward/ village tract development support committee. The President’s Office, 26 February 2013.

20. Ibid.

In Mon, land disputes dominate complaints submitted to the TMC and the township GAD office.

Land disputes: Land disputes dominate complaints submitted to the TMC and the township GAD offices in Mon State - an observation consistent with observations in Ayeyarwaddy, Mandalay and Shan states/ regions from the UNDP's Rule of Law and Access to Justice Mapping.²¹ In practice, the function of the Village Tract FMC and the TFMC to explain land laws to citizens and resolve disputes is being displaced by the VTA and TMC in such matters, although the TFMC is always consulted. This may well be a feature distinctive to Mon State when considering the results of the Access to Justice Mapping, which emphasizes the role and influence of the TFMC in handling and adjudicating on land disputes in other regions and states. The conversations held with heads of departments at the township level as part of the Local Governance Mapping confirmed the role of the TMC across Mon State as a key actor driving decision-making around land disputes and grievances in general, though this is done in consultation and usually with consensus of the TDSC, the TMAC and the TFMC.

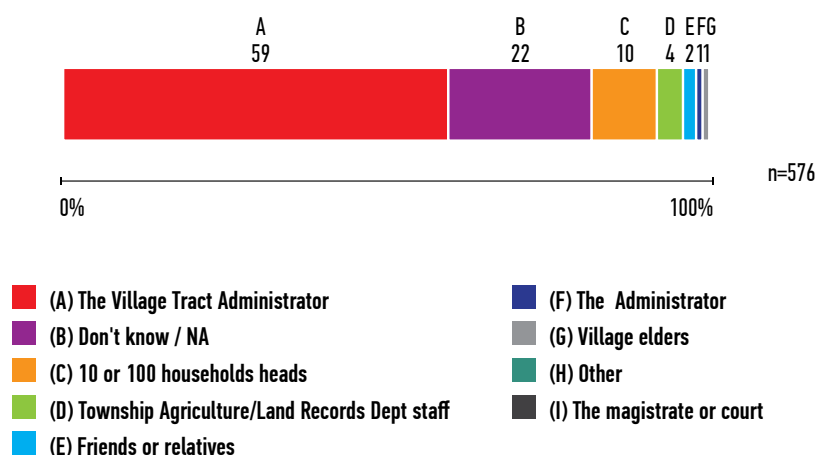
What this alludes to in practice is the growing influence of the TA, who serves as chair of both the TMC and the TFMC, and under whose purview the township GAD collects land taxes. This offers a different interpretation to the Access to Justice Mapping of the TFMC as an extension of the centralised authority of the Ministry of Agriculture and Irrigation (MoAI). It may be that the *de facto* functioning of the TFMC and TMC in relation to land conflicts varies across different states/regions - an important consideration for actors involved in the development of township-level grievance or alternative dispute mechanisms.

Most citizens would first approach the VTA when faced with a land dispute.

The insights offered by the Access to Justice Mapping, that judicial or independent review of administrative decisions for land disputes is largely absent, are confirmed by the governance mapping findings in Mon State (see Figure 6). It appears that land disputes emanating from the public at the lower levels are handled “administratively” and primarily outside of the courts. At the village tract/ward level, local administration is also the first choice when faced with a land dispute. Of the 576 Mon State respondents, 59% would first approach the VTA (although FMCs do exist at the ward/village tract level); 22% did not know; while 10% would go to their 10 or 100 Household Head. None at all (0%) would have thought to approach the magistrate or the courts and only 4% would have thought to approach the township agricultural office, or the secretary of the TFMC (the SLRD officer). A number of factors are at play here, related to awareness of legal rights, and perceptions of the impartiality or effectiveness of authorities in these matters. Proximity is likely to be an issue as well, as 8% of urban versus 2% of rural respondents said that they would seek the assistance of staff from the MoAI.

Figure 6: If you would have a dispute about a plot of land for farming with someone in your village/ward, who would you approach first for assistance to resolve this dispute?

Source: Citizen Report Card, Mon State, December 2013.



21. Summary report: Rule of Law and Access to Justice Mapping. UNDP, 28 February 2014.

2.3 Accountability

Well-functioning accountability mechanisms are the cornerstone of a sustainable and healthy democracy. In practice, accountability is related to the sharing of information by government officials on their actions, justifying the decisions that they have taken to appropriate oversight mechanisms, and adequate means of sanction and reward. In relation to citizens and civil society, “answerability” relates to the institutions and practices for “social accountability” of government officials to the people.

2.3.1 Checks and balances

Anti-corruption and anti-bribery laws and policies are proclaimed at the union level, while civil servants are obligated to work in accordance with the codes of conducts issued by the Union Civil Servant Board (UCSB) and their respective line ministries. In addition, township departments are also subject to regular checks by the Township Audit Office (TAO), which sits under the purview of the Office of the Auditor General. Township officials also mentioned township committees, which served as mechanisms for financial and quality oversight regarding development projects. A variant of the TPIC, an Audit Committee, a State-level Committee and a quality control engineer may all be involved in the monitoring and oversight of a large development project.

Anti-corruption practices in Mon are of a post-facto nature.

Though there are a number of practices in place to deter and weed out instances of corruption, and a new *Anti-Corruption Law* has been enacted in August 2013, none of the six townships participating in Mon State had a localised or active anti-corruption policy. A very limited application of such policies or strategies to the township level emerged as a key governance issue during the GSAs, where lack of knowledge on the policies and mechanisms for fighting corruption was highlighted by three of the six townships as a priority issue to address (see Table 4).

Various administrative practices that predate the Anti-Corruption Law exist at the township level to detect corruption, for instance regular audits of government departments by the TAO and clear regulations regarding the handling of funds, which are further reinforced by well-established reporting systems. One key weakness in this process however is the post facto nature of such interventions. Audits are conducted on projects from the prior financial period, and as such more geared towards catching instances of corruption than preventing it. In general, financial regulations and practices tend to focus on control at the transaction level - as exemplified by a focus at the township level on monitoring transactions and the flow of funds through designated bank accounts, “/.../ whereas a large amount of supplementation and virement takes place.”²² As observed by the World Bank of public financial management in Myanmar, “there is a high degree of delegated negotiability in areas such as revenue collection. The effect is to provide a framework of control and practice, but to leave the system open to abuse by those who would seek to make use of that vulnerability.”²³ The observations from the governance mapping in Mon State townships are consistent in the

22. Public Financial Management Performance Report, Republic of the Union of Myanmar. World Bank, May 2013.

23. Ibid.

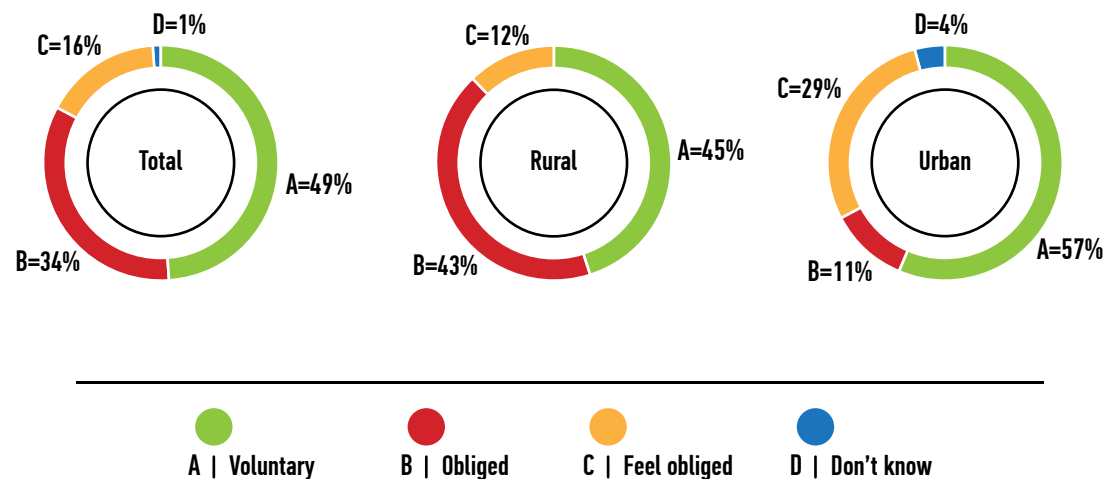
sense that there is a heavy reliance on the TAO as a formal check, as opposed to internal review mechanisms and setting of standards.²⁴

Many citizens are obliged or feel obliged to give payments or gifts to teachers.

Gifts and donations: In considering the extent to which unethical practices may impact services delivery at the facility level, the attitudes of parents and primary school teachers on the culture of gift-giving can be telling. Of the 105 respondents who answered this query, 49% felt that payments or gifts to teachers was voluntary, while 51% were obliged or felt obliged to give them. There is a notable difference in sentiment between the rural and urban area respondents in Mon State - 55% of rural respondents were obliged or felt obliged to pay, against 40% of the urban parents (See Figure 7).

Figure 7: Is this payment or gift voluntary, are you obliged to pay, or do you feel obliged to pay?

Source: Citizen Report Card Mon State, December 2013.



When asked if they believed that their primary school was free from corrupt practices, all 22 teachers agreed, or strongly agreed. Of the 12 principals interviewed, the vast majority (10) thought that education staff in their schools were honest, in that they didn't sell books or school material that should be for free or ask money or goods from parents for the education of their child.

In addition to the government system, there are various community-based schools, monastic schools and ethnic education departments, which exist in Mon State in areas that are controlled by the New Mon State Party. Though primary school education is free, there is a pressure on parents to pay additional "fees" in some cases for ceremonies, equipment and an expectation that children should attend paid tuition, run by the local school teacher. As observed in a recent study on the education sector, this is a primary source of income for many local teachers.²⁵ A communal sense of obligation in gifting teachers and healthcare staff is by no means an indication of corrupt practices at schools and health facilities. This culture however, along with low salaries, can however contribute to an enabling environment for malfeasance. The mapping findings suggest this is an area for administrators to monitor and be in a position to provide further clarity to FSPs, potentially through revisiting the ministry codes of conduct or the provision of additional guidance.

24. Ibid.

25. Zobrist, Brooke and McCormick, Patrick. A Preliminary Assessment of Decentralisation in Education: Experiences in Mon State and Yangon. Subnational governance in Myanmar Discussion Papers. Centre for Economic and Social Development (MDRI-CESD), December 2013.

Payment for drugs: In 2013, the MoH made generic (non-specialist) drugs available to patients at public-health facilities free of charge. The 12 public healthcare facility managers interviewed all confirmed that patients were not required to pay for treatment, essential drugs and medical supplies. Further, 10 of them stipulated that that health staff refrained from selling drugs that should be for free, or over charge patients.²⁶ Yet, 75% of the 196 public health service users interviewed always had to pay for medicines at their regular health facility, while 25% sometimes did. Rural patients were more likely to have to pay (76%, versus 61% in urban areas). Differences are most striking across townships, with 86% in Chaungzon, 85% in Bilin and 100% in Ye reportedly paying for drugs at public health facilities (see Figure 8).

A majority of public health users report they always pay for medicines at their regular health facility.

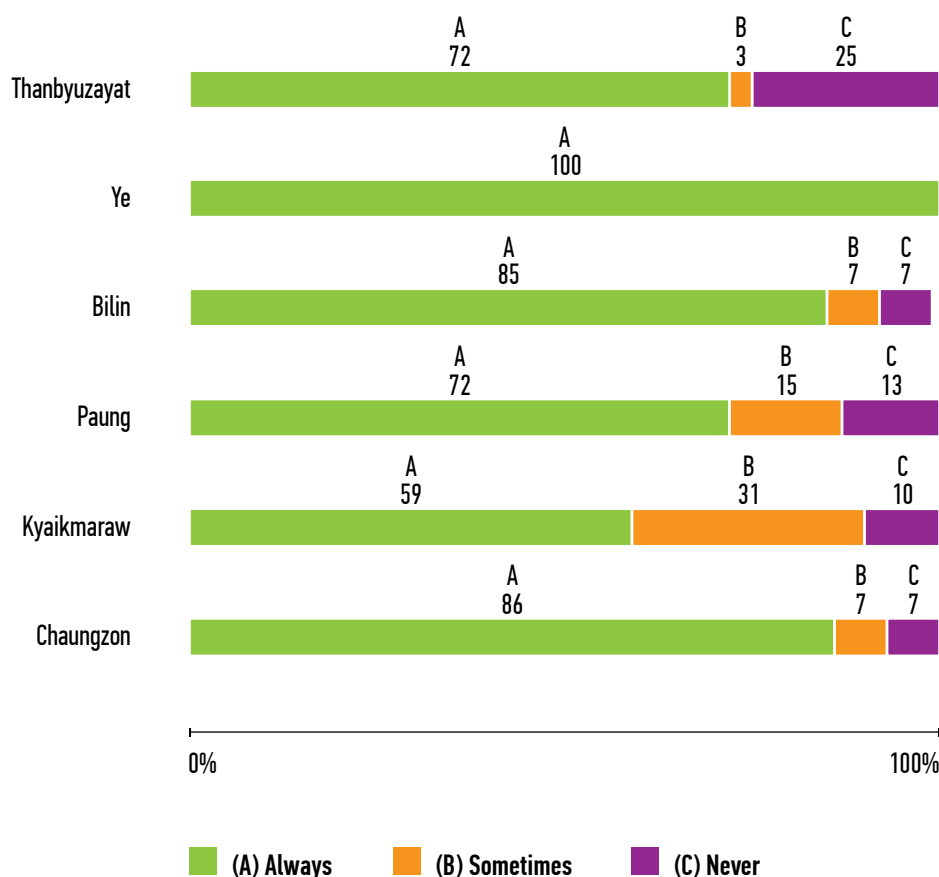


Figure 8: Do you always, sometimes or never have to pay for the medicines that the nurse or doctor gives to you or a household member (at the health facility you frequent)?

Source: Citizen Report Card, Mon State, December 2013.

These data, while worrisome, are also understandable in Myanmar's current context. Yet, they cannot be used as direct proof of mismanagement of healthcare resources, seeing as the rules related to the distribution of drugs and medical supplies are not clearly articulated, and there are some specialist medicines in circulation that are not subsidised by the MoH. In addition, health staff often assist patients with non-government supplied medicines once their regular stock is depleted, and charge people for the actual costs. Whether they also sell the drugs provided by government or make a profit on the drugs bought on the market is not clear from this research. 63% (17 of 27) healthcare staff agreed that public health facilities in Myanmar are in general free from corruption. At the very least, these results are indicative of a poor articulation and understanding on both sides on the rights of patients. This points to gaps in mutual understanding between service providers and users, which, at best, can erode trust between citizens and the public sector, and at worst, lead to systematic and unchecked corruption in the delivery of basic services.

26. See the separate report Local Governance Mapping in Myanmar: Background and Methodology.

2.3.2 Public trust

Trust in government is a localised issue, varying significantly across the participating village tracts and wards.

During the CDs held at 12 village tracts/wards across the six sample townships, “supply-side” (government administrators and/or frontline service providers) and “demand-side” (users of public services) came together to discuss the quality of governance and public service delivery, and to identify collaborative strategies to find local solutions to local problems. As part of the exercise, both groups were asked to separately rate various features related to service delivery and governance, and rate these on a scale of 1 (very bad) to 5 (very good) (see Table 6).

Ratings on public trust in government varied significantly across the 12 village tracts/wards. Kan Thar Yar Ward in Bilin Township and Hin Thar Kyun Village Tract in Chaungzon Township received “good” ratings from service users when asked to rate public trust, because: “Government took action as promised” (i.e. in relation to poverty reduction). In this instance, both sides agreed that the status of trust in government has improved over the last three years because wells were dug as promised, mobile SIM cards are issued as promised, farmer loan interest rates were lowered as promised and people can openly discuss issues they might have with government.

At the same time, service users from Htan Pin Gyaung Village in Paung Township assigned a “very bad” rating for public trust, citing poor support from the government in repairing roads for which the people provided funds and upgraded themselves in the end. The government service providers disagreed with this assessment, stating that people now receive more information and the government (themselves) has become a little more trustworthy over the last three years. Across the board, service user ratings on public trust of government were fairly inconsistent, reflecting a more ambivalent association with the authorities across the different townships.

Yet another proxy indicator for public trust is the gap between the scores attributed to service delivery performance by both sides. A lack of trust between service providers and citizens appears likely to exist in Htan Pin Gyaung Village Tract in Paung and Yan Gyi Aung Ward in Ye, where the government/ service providers consistently scored itself “good”, while the users rated performance as “bad” across a range of parameters, indicating a gap in perceptions with relation to each other’s responsibilities and obligations. It seems therefore that the level of public trust in government in Mon State is highly localised, influenced by local dynamics.

2.4 Participation

Citizens’ participation as one of the cornerstones of good local governance relates to the degree in which citizens are provided with on the one hand an opportunity to engage actively in decision-making processes and on the other hand are able to make use of that opportunity. Citizen participation can take the form of representation, through elected representatives with a mandate to represent the interest of constituents, or direct participation through public hearings or community meetings, or through lobby and advocacy activities of civil society organisations. Citizens can only participate actively if they know their rights and are able to voice them, either directly, through CSOs, or through their representatives.

Township	Bilin		Chaungzon		Paung		Kyaikmaraw		Thanbyzayat		Ye	
Village tract		Zote Thote		Hin Thar Kyun	Htan Pin Gyaung	Lat Pan Taw		Pharpyauk		Aung Thukha		Andin
Ward	Kan Thar Yar		Ah Nauk				Shin Saw Pu		Sa Khan Gyi		Yan Gyi Aung	
Service providers	21	16	13	13	24	13	12	13	8	9	9	9
Service users	23	18	22	20	22	22	23	23	23	22	18	21
Total	44	31	35	33	46	35	35	36	31	31	27	32
Male	30	18	18	18	27	21	21	19	15	11	14	14
Female	14	13	17	15	19	14	14	17	16	30	13	18
Quality of primary education, service providers	3	2	3	3	1	3	3	4	3	3	4	3
Quality of primary education, service users	2	2	3	3	1	2	3	3	2	3	4	3
Equal treatment in primary education, service providers	4	4	4	4	5	3	4	5	4	4	4	0
Equal treatment in primary education, service users	3	2	3	4	4	3	4	5	4	4	5	0
Quality of primary healthcare, service providers	4	3	4	2	3	3	4	3	3	2	4	2
Quality of primary healthcare, service users	1	4	4	3	3	2	2	3	3	3	1	3
Equity in treatment in primary healthcare, service providers	4	5	4	4	4	3	4	4	4	3	4	0
Equity in treatment in primary healthcare, service users	2	3	4	5	5	3	2	4	4	4	1	0
Informing people about new project and plans by the government, service providers	4	3	4	3	4	4	4	3	4	4	4	0
Informing people about new project and plans by the government, service users	2	2	4	2	1	2	2	4	2	3	1	0
Involvement of citizens in decision-making, service providers	4	2	3	3	4	2	4	3	0	5	4	2
Involvement of citizens in decision-making, service users	1	3	2	1	1	4	2	3	0	3	3	2
Trust in government, service providers	4	4	4	4	3	3	4	3	0	4	4	0
Trust in government, service users	4	4	2	4	1	5	3	3	0	3	3	0
Maintaining peace and security, service providers	3	4	4	4	4	4	4	4	4	4	4	4
Maintaining peace and security, service users	4	4	3	4	1	5	4	4	4	4	4	4

Table 6: Summary of service providers and service user-side ratings on local governance features and service delivery

Key:
 0 =No answer
 1=very bad
 2 = bad
 3 = not bad, not good
 4 =good
 5 = very good

Source: Community Dialogues Mon State, January 2014.

2.4.1 Engagement

Since 2011, government has initiated various steps to boost citizens' participation in local planning and local development. The establishment of the township and village tract development supportive committees as consultative bodies representing the interest of various stakeholder groups in society (business, workers, farmers, elders and social organizations), together with the election of VTAs in 2012, are important steps in developing a governance system that enables the participation of local organizations and citizens in local development. In Myanmar's current context, the vast majority of (rural) citizens participate in governance processes either through their elected representatives at the state/region and union level (MPs), and/or directly by attending public meetings at the local level since there are no local councils, and "peoples" representatives in the supportive committees are not elected directly by citizens.

Whilst public meetings are the only viable option for direct participation, such participation remains limited with 39% of the respondents having participated in meetings.

Participation in the 2010 union elections for the Union Hluttaw was high among respondents in Mon State (576) as 72% of the respondents reported having voted. It was higher among urban (80%) than rural respondents (67%) while the proportion of male and female respondents who had voted was approximately the same (72%). However, the extent to which the people of Mon State are participating in public meetings, is also an important dimension of participation. Such meetings are the only viable option for direct participation immediately available to most citizens in Myanmar, making it important to understand if they indeed are taking place, and whether citizens are being afforded the opportunity to attend. Actual participation in village tract/ward meetings in Mon state is around 39% of all respondents (576) while rural respondents (43%) were more actively participating than urban respondents (33%). Gender distinctions related to participation are discussed in detail in Section 2.5 (Equity).

Secondly, are people even being offered the opportunity to participate in the first place? Only 24% of the respondents stated that they have in the recent past been invited by the government to attend a meeting to hear about new development projects or to discuss problems at the village level (see Figure 9). The differences between the various townships are large, ranging from 48% for Kyaikmaraw rural respondents and 15% for both Bilin and Thanbyuzayat urban respondents. The results indicate that people are not often invited for public meetings and that there are huge differences between the various townships in the practice of organising public meetings.

Such differences in organising public meetings also exist between the various sectors. 37% of the respondents have been invited to discussions on primary education at their village tract/ward, rising to 52% in Chaungzon. In contrast, just 4% of respondents have been involved in or invited for a meeting with government officials on their health services and only 3% of respondents have ever been invited to a meeting to talk about the water services in the village tract/ward.

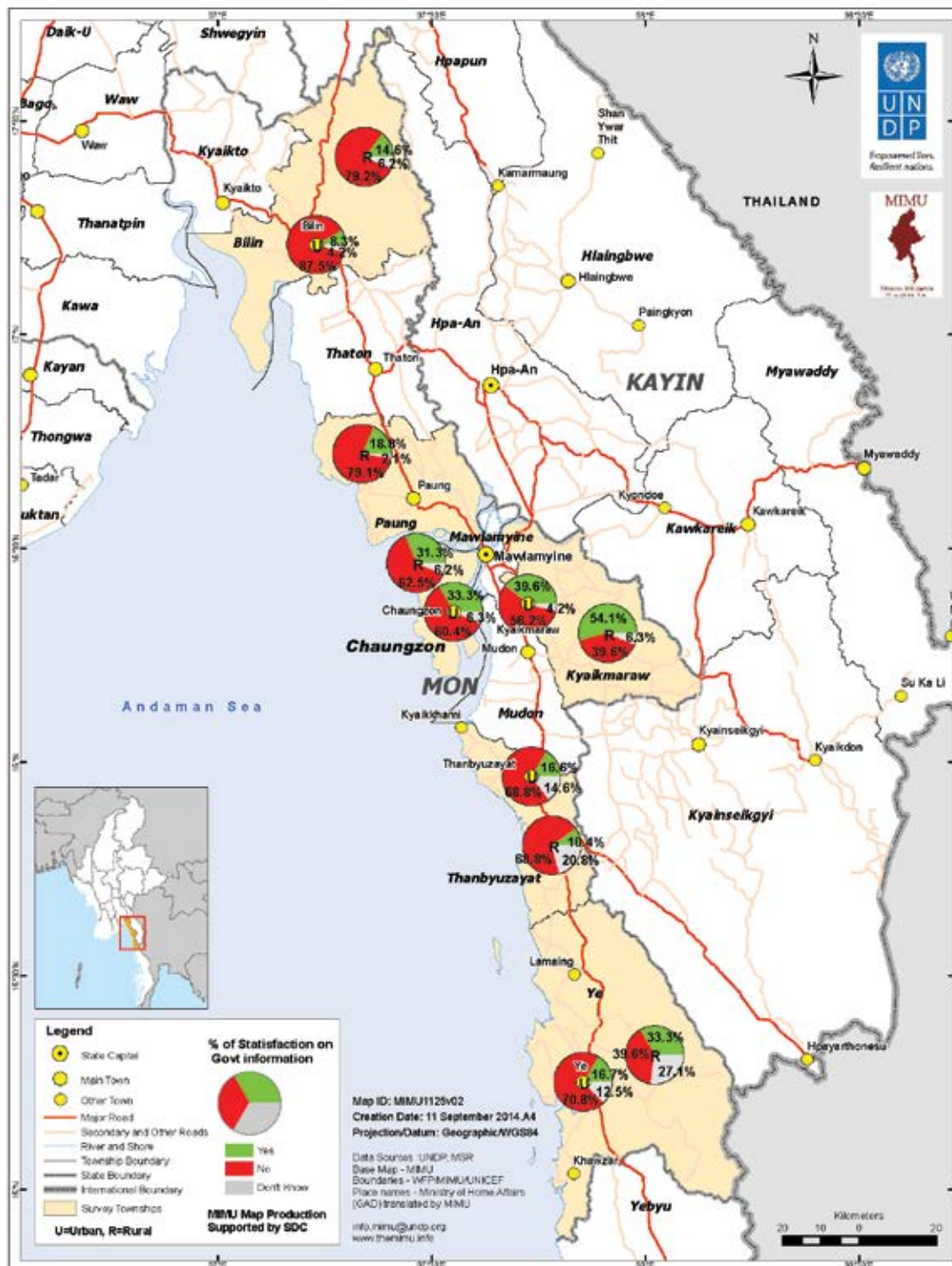


Figure 9: Were you ever invited to a meeting in which the government wanted to talk to the villagers about new projects like schools or health facilities in this village or about the problems in this village?

Source: Citizen Report Card.
 Mon State, December 2013.

2.4.2 Civic awareness and CSO performance

“At the grassroots level, most people don’t know laws and regulations, but they do know what the problem is” - township official.

‘Now that Myanmar is going down a democratic route, people are becoming aware of their rights to express their feelings,’ says one Mon State TA. But low public awareness of the laws and procedures of local governance was commonly cited as a frustration by township officials, as observed by one official who stated that: ‘At the grassroots level, most people don’t know laws and regulations, but they do know what the problem is!’ Government staff share a growing concern with regard to rising citizen expectations, and the need to improve public knowledge on the key institutions, which is another important reason to improve the information flow from government to citizens and formulate minimal quality standards for services.

CSO engagement with government is restrained and remains centered around development work rather than lobby and advocacy.

CSOs could play a significant role in enhancing grassroots participation through lobby and advocacy activities in the interests of their members or target groups. However, mutual mistrust between CSOs and the government in general, and the fear of repercussions, has restrained CSOs from engaging with government in a meaningful way so far, with many preferring an “arm’s length” approach to engaging with government. It takes time to change such sentiments, and today, just an estimated 10% of 200 CSOs in Mon State are registered with the government.²⁷

Township government, committee members and civil society groups came together during the GSA exercise in each of the six townships to assess the governance performance of each of the three groups. Table 7 presents an overview of the collective scores on the most important issues discussed.

The performance of CSOs (see Rows h,i,j, Table 7), received a relatively high score from all groups regarding the implementation of activities contributing to the development of the township, which typically span a wide range of services related to funeral support, care for HIV patients, provision of oxygen tanks, arrangement of blood transfusions and support to rice banks and co-operatives. Also, in Mon State, non-government actors have been instrumental in establishing a viable alternative ethnic education system following the ceasefire. The Mon National Schools developed by the New Mon State Party - though they are not strictly official - serve as an example of where CSOs can cater to potential marginalized groups, and support public services delivery in an accommodative fashion with the government.²⁸ The high score attributed by all groups also indicates that government staff at the township level are aware of and appreciate the activities of CSOs in general, which is an important break from the past.

CSOs were rated less well on their ability to lobby and advocate on behalf of their members or target group, and on their ability to support civic education. This is not surprising in the state-specific historical context, in which certainly Mon-affiliated CSOs have experienced an antagonistic relationship with the state. During the discussions following these scoring exercises, most of the participating CSOs acknowledged the need to become more active in

27. Interview with Mon State Writer’s Association.

28. Zobrist, Brooke and McCormick, Patrick. A Preliminary Assessment of Decentralisation in Education: Experiences in Mon State and Yangon. Subnational governance in Myanmar Discussion Papers. Centre for Economic and Social Development (MDRI-CESD), December 2013.

these areas of governance and also their lack of capacity to do so effectively. As such, there is a dual need in Mon State to raise public awareness and education on issues of governance, while at the same time develop the capacity of CSOs to support civic education.

	Bilin	Chauzon	Kyaikmaraw	Paung	Thanbyuzayat	Ye	Average
a. Information flow from township government to committees and citizens	12	10	8	10	8	7	9
b. Attention of the township management for the interests of people with special needs	10	9	9	10.5	10	7	9
c. Interaction between committee members (TDSC and TMAC) and citizens	10	9	9	10	9	7.5	9
d. Corruption prevention activities by township management	9	8	9	11	8	8	9
e. Leadership of township management in developing a clear vision	10	10	11	11	9	9	10
f. Involvement of township committees in decision- making	12	11	10	10	7	8	10
g. The way in which township management is dealing with complaints	11	9	10	12	10	9	10
h. Civic education activities implemented by the CSOs	11	9	8	6	8	6.5	8
i. Ability of CSOs to lobby and advocate for the needs of members or target groups	11	9	9	10.5	10	9	10
j. Activities of CSOs to support development in the township	11	10	11	10	12	12	11

Table 7: Combined ratings attributed by government, committee and civil society groups during the township level Governance Self-Assessment

Score assigned by each of the three groups:

- 1 = very bad
- 2 = bad
- 3 = not bad, not good
- 4 = good
- 5 = very good

Range = 0-15

Response range = 6-12

High = 11-12

Not high, not low = 9-10

Low = 6-8

Source: Governance Self-Assessment, Mon State, January 2014.

2.5 Equity

With relation to good governance, the principle of equity confers equal access of citizens to services and resources irrespective of gender, ethnicity, age, ability, etc.; and that all members in society have an equal opportunities to improve their welfare.

Equality of treatment in public services is perceived to be high.

At the surface, the mapping results indicate that equality of treatment in public services is perceived to be fairly high among users, particularly for parents of children attending primary school. 95% (of 257 parents) believed that their children receive the same treatments as other students. For public healthcare services, 92 % of 181 respondents thought that they and their family members receive the same treatment as everyone else in the village. A number of disparities do emerge however, when considering differences in opinion on access to services and government resources across various groups. Some of the trends related to the geography, livelihoods, ethnicity and sex in Mon State are discussed below.

2.5.1 Urban-Rural

A rural respondent is more likely than an urban one to face shocks to their livelihoods, barriers to access administration and fear of discrimination in access to public services.

Based on the mapping findings, a rural respondent is more likely than an urban one to face shocks to their livelihoods, barriers to access administration and fear of discrimination in access to public services.

Food insecurity is sometimes a problem for 17% of urban respondents, versus 27% of rural households. This divide is reflected again in access to administrative protections: 70% (271) of urban households were more likely to have registered for land use certificates, versus 55% of the rural households. Meanwhile, rural parents feel more obligated to provide gifts or donations to primary school staff: 5% of urban people of (75) always did, as opposed to 14% of rural (87).

2.5.2 Poverty

Poorer households - as determined by the materials from which buildings have been constructed - are more likely than wealthier households to face shocks to their livelihoods and barriers to administration.

Of 107 people who live lived in brick/stone houses, 84% always had enough food. This drops to 74% for those who lived in wooden houses (307) and 58% for those in reed/bamboo houses (33). It is also more likely that those who are wealthier have the means and knowhow to access administrative resources and protections: 76% (of 42) residents of brick/stone houses have registered for land use certificates on the land that they farm, as have 57% of those who live in wooden dwellings (121), compared to just 42% of those in reed/grass/bamboo houses (33).

2.5.3 Ethnicity

Ethnicity remains a sensitive issue in Mon.

Some degree of accommodation between the government and ethnicity-based non-state armed groups has resulted in higher levels of stability and security, as the mapping has already indicated. Ethnicity remains a sensitive issue in Mon State, and of ethnic groups surveyed,

Kayin respondents appeared to be most challenged in accessing administrative services, and recorded a higher fear of discrimination.

It appeared Kayin respondents are more challenged in accessing administrative services, and they recorded a higher fear of discrimination.

While 79% of Bamar respondents and 50% of Mon respondents had registered land use for farming, only 36% of Kayin had done so. As a minority group in a minority state, this data could be indicative of discrimination from public administrators, or scepticism on the security afforded by formal land tenures. A distrust of authorities to administer equal treatment (without additional incentives) might be read in how 29% of Kayin people always gave donations or gifts to teachers, as opposed to 10% of Bamar and 3% of Mon people polled.

2.5.4 Gender

There is one single governance issue emerging from the mapping where women have been consistently excluded: participation. Looking at the level of participation of women in the decision-making processes, the findings indicates a gender imbalance in Mon State: 30% of women respondents (of 576) have participated in village tract/ward meetings, as opposed to 47% of men. Women are also less likely to be invited to meetings about new development projects or village problems, to the degree of 19%, against 29% of men.

Participation of women in community meetings is consistently lower than that of men.

Furthermore, women were less likely to be able to name government representatives beyond the VTA, indicating that they have been disadvantaged in access to information and/or education on public affairs. 52% of women could name the President of Myanmar, versus 76% of men, while 13% of women could name a State Hluttaw MP against 25% of men surveyed. Men were also more likely to be aware of committees at the township level in which citizens participate than women: 13% of men were cognisant of these bodies, versus just 3% of women. These results confirm that women in Mon State are significantly less engaged in public participation than men and have less exposure to public information and government news. Complex and multi-dimensional factors related to customary attitudes and structural issues related to access to information and civic education will likely underlie such imbalances.

The mapping results indicate that excluded groups in Mon State face particular barriers to equal opportunity and treatment across various governance dimensions, as outlined above. In addressing the equality of opportunity, the findings indicate a need to consider the interests of marginalised groups in developing local governance systems. Attention of the township management to the interests of people with special needs was ranked as one of the weakest areas of competency.

	Livelihoods support	Access to administration	Discrimination	Participation
Rural	✓	✓	✓	
Poor	✓	✓		
Ethnic minorities		✓	✓	
Women				✓

Table 8: Equity concerns for local governance in Mon State: Disadvantaged groups

Source: Citizen Report Card, Mon State, December 2013.



3. CONCLUSIONS AND INTERIM RECOMMENDATIONS

Reviewing the main findings from the various mapping tools, some conclusions can now be drawn, and recommendations made, for the improvement of governance at township level and below in Mon State. This chapter proposes several ways in which government and non-government stakeholders in Mon State - within the existing reform framework of the union government - can take initial steps to overcome some of the gaps highlighted by the mapping, and achieve better, more responsive local governance. It also highlights entry points for local actors at the community, township and state/region with respect to policies and institutions; processes and procedures, capacity building and communication and dialogue.

The conclusions and recommendations in this report will focus on those actions that can be taken at the township level (with support and guidance from the state government) in the short-to-medium term. Upon completion of the first seven states/ regions participating in the Local Governance Mapping, comparisons across states and regions will allow for higher-level conclusions and recommendations related to policy development to be drawn.

3.1 Township development priorities and decentralisation

The findings from all four tools used in the mapping exercise point in the same direction: development priorities vary significantly by township and by community (see Figure 10).

Poor roads are the most important concern for citizen respondents in Thanbyuzayat (42%), Kyaikmaraw (39%) and Chaungzon (28%), while the lack of jobs is the top priority in Bilin (34%), and electricity in Bilin (22%). In Ye, poor roads (25%) and electricity (26%) are of equal importance.

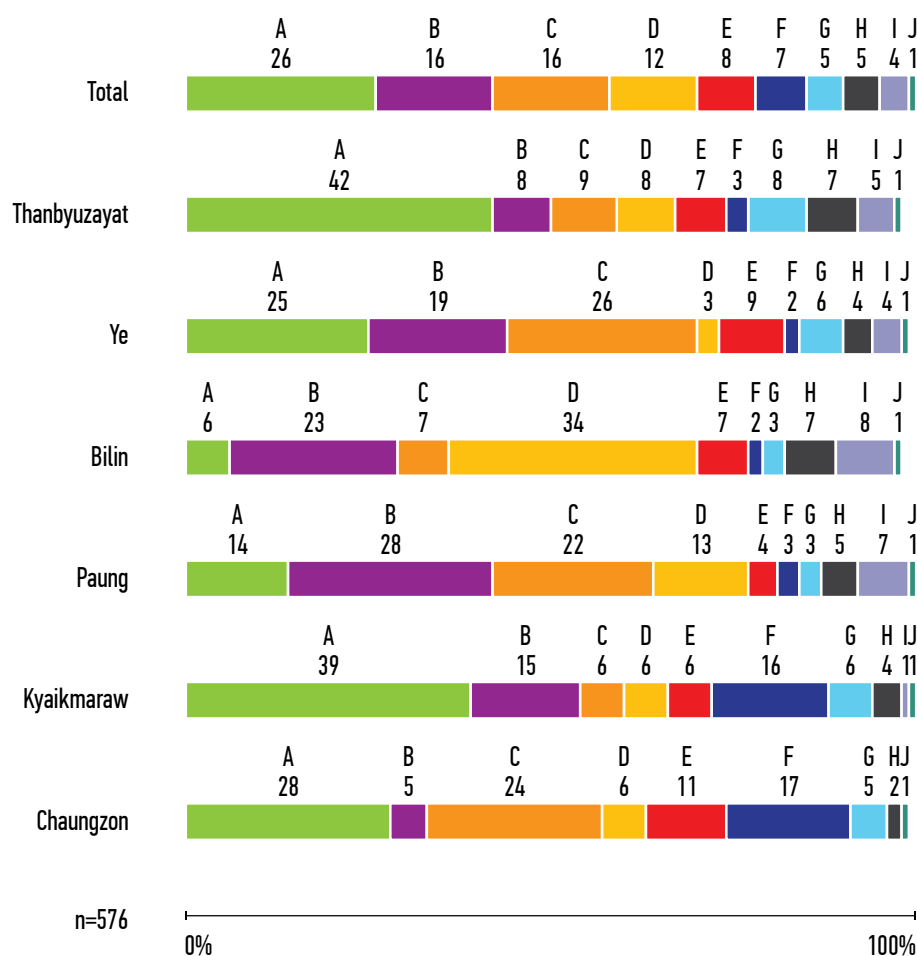


Figure 10: What is according to you the most important problem in this village tract/ward at the moment?

Source: Citizen Report Card, Mon State, December 2013.

- (A) Poor roads (or access to village/ward)
- (B) No problem
- (C) No electricity
- (D) Not enough jobs (economic situation)
- (E) Poor health
- (F) No access to clean water
- (G) Poor education
- (H) Don't know
- (I) Other
- (J) Safety and security is bad



In addition, citizens appear to be concerned that the township administration was not always cognisant of the problems they faced at the community level. 57% of the respondents thought that the authorities were aware of the most important problem, while 28% believed that they were not (16% didn't know). Confidence of rural respondents that this information was reaching township administration was significantly lower (49%) than for urban dwellers (67%). In addition, citizens raised concerns regarding the responsiveness of government; even in those cases where respondents thought that the authorities were aware of their most important problems, 68% of the respondents thought that the various government bodies were doing nothing about the issue while 15% thought government was considering the best way to resolve their community problem.

The differences in socio-economic conditions between the townships, as well as their (partially related) specific development bottlenecks justify a continuation and even acceleration of the decentralisation process to further enhance the capacities (in terms of funding, manpower and mandate) of township administration and sector departments to respond more adequately to specific local development priorities and needs. If GoM follows this track, it can gradually strengthen the existing administrative accountability mechanisms to manage these additional responsibilities adequately. But in order to manage additional resources and in accordance with the principles of democratic governance, the need for additional political and social accountability mechanisms at the township level will become increasingly evident.

3.2 Policies and institutions

Improve access to public information: One of the key issues identified by the mapping exercise relates to the information flow from government to citizens - a relatively new concept in the Myanmar context. Without improving transparency it will be very difficult to fight corruption within the government system and improve on accountability, and eventually increase the trust of people in their government. At the moment, it depends more or less on the discretion of the TA or head of department what type of information is made available to the general public and it is all too easy to declare certain information that should be publically available as confidential (such as the results from a tender procedure). The township administration and the state level government should work towards making GAD (and the activities of other departments at the township level) more transparent.

- **Short term:** As a starting point, townships could consider the posting of minutes from public meetings or those involving members from interest groups or MPs in public forums. Making information available at facilities such as the code of conduct for FSPs is also a step towards improved accountability.
- **Medium term:** The state government can play an important role in this regard by drafting an “access to information” policy, stipulating what information should be made available by the township level government institutions and the ways in which people can gain access to this information. In addition, it would be useful to develop a specific communication policy for township government institutions as part of their development planning process. Such policy can assist township administrators and his/her staff to define the types of information relevant to their citizens and identify the most cost-effective ways to get these messages across to the communities. In addition, such a communication policy can outline ways in which citizens can raise issues and ideas, and participate in the formulation of development plans.

Develop local policies and institutions with a view to preventing (as opposed to detecting) malfeasance: As mentioned earlier, the findings indicate that a perceived implementation gap exists at lower levels of administration in Mon State on corruption-prevention activities. Most practices in place are post-facto, rather than designed to deterring and prevent fraud and corruption. On paper, the TDSC was in part conceived to address this problem, “to reduce public grievances caused by the high-handed actions taken by individual administrators”.²⁹ Yet the primary perception of township officials and civil society groups was that no coherent anti-corruption or anti-malfeasance policy existed at the township level, despite the passing of the union *Anti-Corruption Law* in August 2013 (nor any evidence of its applicability at the township level): though public servants spoke of adhering to a code of conduct in the workplace as specified by their the parent union ministry.

An assessment of the nature of corruption at the community and townships levels is outside the scope of this study, and the findings from the mapping exercise cannot indicate the extent to which instances of corrupt practices are taking place in communities, or the form this might take. However, there is evidence that there are particular practices and attitudes which may be conducive to malfeasance such as the sense of an obligation to gift-giving to FSPs, and vague rules over what the public was entitled to with respect to treatment and medical supplies in the case of healthcare.

- **Short term:** Clarification of ethics and responsibilities by which public servants and FSPs should abide, and transparency on the rights of citizens to public services is a potential starting point. Township officials can achieve this by making information on existing codes of conducts and user entitlements publicly available (i.e. posting notices at facilities on patient/ student entitlements, informing local communities through village meetings). Administrative actors have an opportunity to set best practice in their approach to project tenders and procurement, while MPs can seek to enhance their oversight role in the townships they represent.

29. Presidential address, Nay Pyi Taw, 26 December 2012.

- **Medium term:** At the state-level, actors can start with reviewing and interpreting the 2013 Anti-Corruption Law to understand and promote its application at the local level. Based on existing codes of conduct, and a fairly simple corruption-incidence risk analysis, basic performance indicators could be developed focusing on staff performance and enhanced accountability to service users (absenteeism rates, stock checking). Such information could be collected through the existing inspections schedule, though this is contingent on the willingness of line ministries, who will need to be brought into this process. In addition, internal reviews within state government departments would be a step towards a more preventative approach to malfeasance. MPs and CSOs can also work to influence local expectations on what citizens can rightfully expect from their public services - for instance, the international standards established within the Education For All initiative for primary schools, or the Millennium Development Goals for basic healthcare.

Begin to advocate for and focus on excluded groups: The mapping findings indicate that equality of treatment in the delivery of public services was perceived to be relatively high in Mon State. Yet, shortfalls remain, particularly with respect to participation of women versus men, and for rich versus poor and rural versus urban people in access to services and equality of treatment. The findings present some of the specific barriers faced by excluded groups with respect to local governance and services.

- **Medium term:** Many Mon State CSOs were founded based on the interests of specific ethnic groups, forming the lens by which they provide social services and conduct advocacy work. Development partners and lower levels of administration can provide support in building the capacity of CSOs to better account for special needs in the communities they serve, and encourage the recalibration or formation of CSOs to account for excluded groups. In this, CSOs could eventually play an important role in establishing additional social accountability mechanisms within the evolving local governance framework.

MPs have a mandate to serve the interests of the community, and excluded groups are part of their constituencies. The findings of the mapping exercise offer several entry points by which the legislatures could approach this exclusion. For example, with an understanding that women have been excluded from participation in local governance, MPs could consider the application of the 2013 National Strategic Plan for the Advancement of Women, and ways in which the state government could measure progress in this area (i.e. through basic metrics on female participation).

Improved support to Village Tract Administrators: At this stage in Myanmar's development, the elected VTA and VTCs are key mechanisms for participation, and they constitute the main channel by which people can be involved in local decision-making. The 2012 *Ward or Village Tract Administration Law* has conferred a higher degree of formality to community governance roles and institutions. However, the mapping exercise has identified several challenges in Mon State related to the transfer of public information between the VTA and the community.

- **Short term:** If public meetings are not taking place and all people are not given the opportunity to participate - as the mapping results would indicate is happening in Mon State - it is unlikely that communities are being sufficiently consulted with respect to local decision-making, or that this information is being captured in township plans. Township administration could seek to gather data from the VTAs at monthly meetings related to

number of public meetings, and emphasise this as an important aspect of implementing their role.

- **Medium term:** In practice, the VTA wears a number of hats within the community - as a paid official of the GAD, an elected representative of the community, and as the first point of call for land disputes, for instance. These roles are distinctive and requires different skills: how the VTA and clerk roles evolve to deal with these different aspects in the future is a point of great interest, and in part contingent on the Law and deliberations at union-level.

3.3 Processes and procedures

Establish clear and transparent procedures for township planning, budgeting and tendering: Many of the challenges associated with “horizontal” coordination and communication are structural in nature, including the large number of departments, the double accountabilities shouldered by some departments (GAD, DoP) and the vertical nature of sector planning and budgeting. If and when township funding will increase, which is most likely to happen in the future, the need to develop a comprehensive vision on the development of the township and more integrated planning will become more evident. At this moment, the identified barriers for horizontal co-ordination and planning will become an obstacle for enhanced township development. Related to this are the duplicated efforts at the township level in the area of data collection, impeding efficiency and resulting in data inconsistencies at the township level, as observed in the various health, education and socio-economic profiles produced by key departments.

- **Short term:** One way in which the state government and parliamentarians could make a significant difference is by making a concerted effort to improve downward information flow (and set an example for others) with relation to township planning. For instance, the state government could be more transparent and provide information on the criteria used for the selection and allocation of funding for development projects, and provide explanations to townships on why and how decisions were made. This would establish a degree of predictability as township actors build their development plans. More integrated and efficient data collection at the township level (coordinated for instance by the planning office or statistical department) could be achieved in the short term by the sharing and calibration of statistics through established co-ordination mechanisms, such as the TMC.
- **Medium term:** A number of challenges in this area are related to the ongoing public-sector reform at the union level, and necessitate a national-level conversation on strengthening the mandate and expanding budget of the township and the establishment of an integrated, computerized data management. Where township officials can achieve more immediate gains is in the setting of clear operating procedures around meetings and duties of various local actors related to township planning, to drive efficiencies and information sharing. Consultations on development projects and sector-related consultations (if happening) could easily be integrated into one integrated consultation process. State -level government, working with union ministries, can support this in clarifying the procedures and actors to be involved in township planning (for instance, revisiting the role of the TPIC).



Clarify the roles and responsibilities of committee members: The new committees are operating in an environment in which relic systems and committees also continue to operate, although there are large differences between townships, as noted. In addition, there are overlaps not only between these new committees and the functions of pre-existing committees and institutions, but also between the newly established committees themselves. There is currently uncertainty over which committees are most important and active for township governance - in some cases, officials are members of numerous committees that meet irregularly, and with functions that overlap with those of newer, more active institutions. In particular, the mapping team were consistently informed of challenges and confusion related to the role and responsibilities of supportive committee members, and indeed, the true extent of their mandate as representatives of the community.

- **Short term:** An important area of work for state government and MPs is to provide oversight in ensuring supportive committees are formed systematically and in consultation with the wider community, as this will ultimately have implications for their mandate and legitimacy to represent various interest groups within their membership.
- **Medium term:** A presidential notification³⁰ provided the basic framework upon which the TMC, TDSC and TMAC committees were established, but both township administrators and the committee members themselves agreed on the need for more guidance on the role of committee members. As part of the support to Mon State government such operating guidelines are currently being developed by UNDP, with the aim of providing more clarity on the role, and accompanying processes and election procedures for the various committees, which can be shared throughout the state and be used for additional training of committees.

30. Notification No 27/2013, "Assignment of duties for formation of township and ward/ village tract development support committee. The President's Office, 26 February 2013.

More discussion at the national level is required on the issue of committee structure (specifically the need to reduce their number to avoid overlap and inefficiencies), mandates and composition. The mapping suggests a scope for re-examining the composition and selection criteria for the members of TMC and potentially raising the profile of the Department of Health, for which the TDSC may be a natural place given the committee's official assignment to co-ordinate on healthcare (and education).

Develop alternative channels for grievance redressal: In the face of a rise in public complaints, a lot of time and efforts of the township administration and the four committees (TMC, TFMC, TDSC, TMAC) is spent on handling these complaints. Though this falls under the initial guidance for the establishment of supportive committees, “to bring grievances to the attention of TMCs to reach solutions in a co-ordinated manner”,³¹ observations from the mapping indicate that a more structured, less reactive, process of managing complaints, petitions, questions, allegations of rights violations, and citizens initiatives would be conducive to the efficiency of township administration. The mapping indicates also, that the VTA remains the key channel for passing complaints up from the public to township administration.

The fact that the township administration is required to deal with a high frequency of complaints is in part related to the fact that the existing judicial system is unable to address some of the issues, or is not being involved by people who have complaints - either because they lack confidence in the judicial system or access to it. As a result, the township administration has to deal with instances where the government itself is often a party. In such cases, there is good cause to question the independence of the administration, and the extent to which such an arrangement violates the basic principles of division of power in a democratic society.

- **Short term:** While the above observation will require more structural responses to be addressed going forward, several remedial actions can be considered within the present setting. With clearer guidance for VTAs and VTCs on when and how issues are to be elevated to higher levels of government - along with legal training - a larger portion of the complaints could most likely be resolved at the lowest levels of administration. UNDP has provided training for all VTAs in Mon between December 2013 and January 2014, and is in a position to extend and complement such initiatives. In the short term, it is within the reach of township-level officials to make necessary changes to improve efficiency, access and responsiveness. For instance, township administration could make simple complaint boxes available at the community level for citizens to submit complaints, and establish standards for timely response. Such approaches are optimised in tandem with strategies to establish a direct dialogue with the community (See section 3.5 below on Communication and dialogue).
- **Medium term:** In the longer term, efficiency and fairness in the management of complaints could be improved through better-rationalised management systems, and a further clarification of roles and responsibilities. In particular, attention should be placed on land disputes and the active role of the TMC versus the more “advisory” position of the

31. Ibid.

TFMC in Mon State (which is not necessarily consistent with existing legislation). Township and state-level administrators can draw upon the experience of international experts and the experience of other countries in the development and redesign of grievance redressal systems, of which UNDP has a wealth of experience to share. One such example is within a wider programme of local governance reform in Cambodia, where Accountability Working Groups were established in between 2007-2010 in each province to service as complaint mechanisms.³²

The issue of access to justice, and recourse beyond the administrative route through with most grievances are addressed in Mon State, deserves due consideration by state and union government and MPs. Both can play a role in developing institutional and public awareness on the rule of law and working with development partners and higher levels of government to build capacity within the legal system - particularly in relation to land disputes, which are prevalent in Mon State. UNDP is working with the union government to establish Rule of Law Centres in various states/regions in Myanmar to this end.

3.4 Capacity building

Develop the leadership capacity of women in administration: In Mon State, women form a substantial proportion of clerical workers and hold leadership positions in key township departments. Still, their presence is limited in township management. Further, the mapping team found no evidence of women who had been selected as a member of the TDSC or TMAC, indicating the existence of barriers to entry for political appointments (like the requirement that some senior government positions require a military background).

- **Medium term:** At the union level, a 10-year *National Strategic Plan for the Advancement of Women* was introduced in 2013 that spells out initiatives including strengthening the legal and institutional environment for women,³³ improving access to education and healthcare, and new policies to increase political leadership for women. State/region governments could do well to examine how these can be articulated at lower levels of administration, what metrics could be established to drive progress (particularly in understanding the situation for access to public services and participation in local decision-making), and how the plan sits with existing customary practices and attitudes towards women.

In terms of capacity building, a focus on training women to improve their opportunities to apply for and enter administrative roles in civil service can be considered, in consultation with the Union Civil Servant Board, though the centralised nature of appointments indicate this would be a union-level discussion. While women are fairly well-represented in entry level positions, their progression to leadership positions is a structural issue that requires examination of policy at higher levels of government.

Development of women's capacity in political leadership and democratic politics though can be pursued at the state and township level. Affirmative action and temporary measures could be considered, such as the provision to reach a certain minimum quota of women's representation in appointed and elected committees, which would be in line with Myanmar's

32. "Burma Launches National Plan to Empower Women". The Irrawaddy, October 7 2013.

33. "Burma Launches National Plan to Empower Women". The Irrawaddy, October 7 2013.

obligations as per the 1979 UN *Convention on the Elimination of Discrimination against Women*, which has been signed and ratified by the country.

Develop the capacity of CSOs and community-level leaders to build civic awareness: The former antagonistic relationship between civil society and the authorities has limited the scope of their activities, their ability to grow and their eagerness and capacity to take up a stronger social accountability role in the local setting. Progress has been made at the union level to resolve some of the bigger areas of contention around registration for CSOs.

- **Short term:** Township administrations and state-level actors have a role to play in improving the operating environment for CSOs, and encouraging their active participation in decision-making processes. Transparency and public dissemination of information regarding the registration process, which is a serious impediment, especially for smaller CBOs and CSOs. Improvements here would be an important step forward in creating an enabling environment not only for CSOs to become recognised and appreciated, but also enable them to play a critical constructive role in township development.
- **Medium term:** Part of this process is developing the capacity of CSOs and community leaders to engage with government in a critical but constructive manner. UNDP's Local Governance Programme is currently developing the concept of Community Learning Centres for Mon State, to support CSOs in their capacity to interact with each other and with government. In addition, development partners have already implemented community-level programmes to "train the trainers" and improve the capacity of other community actors for local development planning. For example, UNDP has supported VTAs in training to write village development plans, while Action Aid has implemented its "Fellowship Training for Bottom-up Training" in Mon State for village youth leaders.

Build upon the management skills of the Village Tract Administrator: The mapping has reaffirmed the critical role of the VTA as the "face of the government" at the community level, and the main conduit of public information. Already, recommendations have been made alluding to several types of capacity building for the VTA (legal, information gathering). In addition, the VTA continues to be the focal point for relaying information upwards to the township administration, and also channelling public news back to the communities.

- **Short term:** Improved security and development in Mon State and improved access to public information appears to have reduced the dependency of citizens on the VTA as their most important source of information, but nevertheless, one clear focus of capacity building efforts is to complement existing training for VTAs with that on communication skills and techniques.
- **Medium term:** The skill set required by the VTA will be contingent on whether the role becomes more democratic governance-focussed, or retains its executive/administrative character. To a large extent, this will be defined at the national level but an important consideration for longer-term capacity building strategies and resourcing for state/ region governments.

3.5 Communication and dialogue

Facilitate forums for dialogue between citizens, government and civil society: While there are several practical challenges for enhancing participation in local decision-making, it seems that there is an underlying structural difference in the perception of government staff on the one hand and citizens on the other hand about the meaning and extent of citizen participation in public affairs.

- **Short term:** The CDs were an initial attempt to open a space for dialogue between communities and service providers, while the township GSAs served as a platform for engaging government, committees and civil society. Further dialogues of this nature and capacity development for local leaders to facilitate such discussions could help to alleviate community tensions in the short run, and form the basis for more inclusive participatory planning; but within the context of the reforms already made to drive participation.
- **Medium term:** The CDs represent one of the possible formats that Mon State government and township administrators could consider as a repeatable, scalable exercise, for improving direct participation and gathering information on community priorities for the purposes of planning.

Applied and tested by the research team, the CD sessions focused on problem identification on the one hand, but also on identifying collective actions to resolve some of the problems identified at local level (see Annex for detailed reports reflecting key priorities by stake holders and agreed points for collective action at the community level). If facilitated professionally, the CDs can contribute to disperse prejudice and misunderstandings and start to create mutual trust and lay the foundations for collective action.

Drawing upon the mapping outputs as a basis for capacity development plans for Mon State: The outcomes resulting from the governance mapping exercise,³⁴ which included discussions on key challenges and identification of capacity gaps at the level of the community and township, could (after consideration and approval by government) inform a capacity development plan per state/region in which activities are identified that the state/region can implement itself but also those that require external support, which could be provided by the union level government, UNDP and/or other development partners.

- **Short term:** There are some outputs from the mapping that can be utilised by state and township-level actors immediately. These include:
 - Capacity priorities identified by township stakeholders (government, committee members and civil society) towards tailored capacity proposals for each township (See Annex for an examples of an action plan agreed by local actors during the township GSA).
 - Review and consider the implementation of action plans created by local communities to address local concerns emerging from the 12 village tract/ ward CDs and the 6 township GSAs. (See Annex for an examples of an action plan agreed by local actors during a CD).
 - Utilise data from the mapping exercise to understand local strengths and weaknesses with respect to local governance and governance of services to be more responsive to people's concerns, and initiate conversations with higher levels of government to address some of the

34. The various components of the Local Governance Mapping, including the CRC, FSP Interviews, CDs, GSAs, the Background Study on Township Governance and the Workshop to Share Interim findings will be made available by UNDP upon request.

structural issues identified.

- Utilise data from the mapping on equity and participation to plan strategies and conduct further assessment of the barriers for excluded groups.

- **Medium term:** The dialogue platforms at township and state/region level that were introduced as part of the mapping exercise could later on be used to monitor progress (as a means for understanding if capacity needs are being met, or if new ones were emerging) and could in the long run even be institutionalised as a mechanism for dialogue between government and non-government actors for resolving development bottlenecks at the township and state/region level collectively.

In addition, the repetition of some or all parts of the CRC exercise can provide state/region and township government with useful time series data on key aspects of governance over time, for example:

- Public satisfaction in governance institutions and governance of services;
- Participation in meetings at village tract/ ward level;
- Public levels of awareness on civic issues.

These could provide a starting point for measuring performance of government and public service providers, and inform an understanding of strengths and gaps in local governance systems over time.

The introduction of state and regional governments overseen by elected parliamentarians, and thereby the principle of separation of power is one of several important steps undertaken towards democracy and a decentralised governance structure in Myanmar. As outlined earlier, efforts have been made in recent years to provide state and regions with some discretionary funds and autonomy to make their own development priorities.

The basic structures for the implementation of local government have been established at the township level but are, as highlighted in this report, not yet always functioning optimally. A gradual improvement of governance capacities at the state/region and township level is within the immediate reach, remit and capacity of local actors. But how existing institutions relate to the longer-term decentralisation agenda is far beyond the mandate of the local administration, and will require a leading role from union-level government.





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