Executive Summary

Conflict and Survival:
Self-Protection in South-East Burma[1]

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The Local to Global Protection (L2GP) project explores how people living in areas affected by natural disaster and armed conflict understand the idea of 'protection'. The research also examines how affected populations view the roles of other stakeholders, including the state, non-state actors (armed and political groups), local NGOs and community-based organizations (CBOs), and national and international aid agencies. The L2GP project, implemented by a group of European aid agencies, is undertaking this research in three countries: Sudan, Zimbabwe, and a pilot study in Burma/Myanmar.[2]

Since the Rwanda crisis in 1994, and especially since the 2005 UN World Summit adopted the 'Responsibility to Protect' (R2P) doctrine as part of its Outcome Document, aid agencies have sought to incorporate protection in their work.

This case study raises questions of how to address protection concerns, when access for internationally mandated protection actors is difficult or non-existent, due to government restrictions and physical danger. Often, the only option available to vulnerable civilians is to contain, or try to manage, threats.

KEY POINTS

· People living in armed conflict-affected south-east Burma have a detailed and sophisticated understanding of threats to their safety, livelihood options and general well-being. For ethnic Karen civilians, protection and livelihood concerns are deeply interconnected.
· People contribute to their own protection, through a number of often ingenious and brave activities. Vulnerable communities display high levels of solidarity and cohesion, with local leaders playing important roles in building trust and 'social capital'.
· The biggest contribution to people's protection stems from their own activities. The impacts of internationally mandated protection and assistance agencies remain marginal for people in the conflict areas. Limited amounts of international aid are

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[1] This is the Executive Summary of a report prepared for Chatham House. The full report is available at: http://www.chathamhouse.org.uk/publications/papers/view/-/id/945/. The Chatham House report notes that: The views expressed in this document are the sole responsibility of the author(s) and do not necessarily reflect the view of Chatham House, its staff, associates or Council. Chatham House is independent and owes no allegiance to any government or to any political body. It does not take institutional positions on policy issues. This document is issued on the understanding that if any extract is used, the author(s) and Chatham House should be credited, preferably with the date of the publication.
[2] In 1989 the then SLORC (State Law and Order Restoration Council) military junta renamed the country 'Myanmar Naing-ngan'. This paper follows the usage of most informants, in retaining 'Burma' in most instances. However, 'Myanmar' is used to refer to the government's jurisdiction. Likewise, 'Yangon' is preferred to 'Rangoon'. (In 1997 the SLORC was re-formed as the State Peace and Development Council).

delivered by community-based organizations and local NGOs – which are often, but not always, associated with conflict actors.

· Assistance to refugees and internally displaced people is a significant factor in the political economy of armed conflict in south-east Burma. International agencies and donors should therefore exercise caution, and undertake continuous 'do no harm' analysis, regarding the relationship between aid and conflict.

· Advocacy campaigns based on documenting and denouncing rights violations have a positive – if limited – impact on the safety and well-being of vulnerable people in south-east Burma. Such public advocacy is complemented by lowprofile, persuasive advocacy, undertaken by community leaders on the ground.

· The primary threat to civilians in armed conflict-affected south-east Burma comes from the militarized government and its proxies. Armed opposition groups also represent threats to civilian populations (among other reasons because insurgent activities provoke reprisals against civilian populations). In some cases, armed opposition groups offer a degree of protection to displaced and other vulnerable people.

· A range of armed groups position themselves as protectors of the Karen nation. However, international humanitarian and human rights law do not recognize the protection roles of non-state armed groups. Whether civilian 'self-protection' or the activities of armed opposition groups are considered appropriate and worthy of support depends on the legitimacy accorded to these actors.

· The manner in which international aid actors understand and support local agency is likely to become increasingly significant, given the shifting global balance of power, and associated decline in rights-based approaches to humanitarian intervention.

How did you protect yourself and your community?

"We have to give taxes to [three different armed groups:] KNU, DKBA and the SPDC, whenever they asked for something. If we missed one group they could make trouble for us. KNU only asked for their food ration – but the BA asked us to grow paddy in the rainy season and to repair the road in the army camp. You have to pay for a person to go instead of you, if you could not work by yourself. The BA also asked villagers to guide between one village and another. If something happens on the way, the one who guided them must die. Although people didn't want to go with them, they had to go because the SPDC has authority and weapons."
-23 year old Karen Buddhist man

Threats to civilian populations in south-east Burma include murder, rape, torture, looting, forced labour and arbitrary taxation, land confiscation, hunger (food insecurity), and the destruction of entire villages. Although the most serious violations are perpetrated by state agents and their proxies, armed opposition groups are also implicated in abuses (including violent resource extraction). People living in conflict zones are often subject to 'multiple masters', paying taxes (or other forms of 'tribute' – such as labour, or the conscription of their sons) to two or more armed groups. The protection of livelihoods (including widespread indebtedness) is also a major concern, together with maintenance of cultural and religious identities.

Since the Rwanda crisis in 1994, and especially since the 2005 UN World Summit adopted the 'Responsibility to Protect' (R2P) doctrine as part of its Outcome Document, aid agencies have sought to incorporate protection in their work. Humanitarian

organizations tend to have their own ideas about what constitutes protection, usually based on international human rights, humanitarian and refugee law. In most cases, these notions are imported into situations of conflict or natural disaster when aid agencies intervene without examining the views or realities of affected populations or other local actors. Although humanitarian organizations may elicit local participation in implementing their projects, programme aims and objectives are usually designed to fit agency and donor requirements.

The prioritization of external agency may be an operational necessity, especially in emergency situations, where addressing immediate needs and the effective distribution of large-scale assistance is a humanitarian priority. Nevertheless, opportunities exist to better understand and relate to people at risk, and other 'non-system' actors (individuals, groups and networks operating beyond the security and humanitarian mainstream). Such local approaches to protection are particularly important in situations where international humanitarian actors have limited access – and especially in cases where the state is one of the main agents threatening vulnerable populations.

The Burmese Context

Ethnic minority-populated parts of Burma have been affected by armed conflict since independence in 1948, and the country has been subject to military rule since 1962. Less wellknown than the primarily urban-based struggle for democracy, Burma's long-running ethnic conflict has disrupted the lives of millions of people, with at least 500,000 currently displaced in the south-east, plus about 140,000 people living in refugee camps in neighbouring Thailand, and another two to three million working as (often highly vulnerable) migrant workers in the region. Many of these people are members of ethnic minorities (or 'nationalities', as political elites from these communities prefer to term themselves), including various sub-groups of Karen people.

Most previous research on the humanitarian impacts of – and responses to – armed conflict in Burma has been conducted in partnership with the humanitarian wings of Karen and other insurgent groups opposed to the military government. Published reports are reliable, but tend to reflect the situation of internally displaced people (IDPs) who make themselves available to the Karen National Union (KNU – the main Karen armed opposition group). However, their experiences may not be representative of the larger Karen community. For example, much less is known regarding the situation of civilians living in areas controlled by the government, or by several armed groups, which split from the KNU in the 1990s. Local aid agencies working cross-border from Thailand have only limited access to such communities. The L2GP project has undertaken research on both sides of the 'front-line' of armed conflict in Karen populated areas in south-east Burma – in territory accessible to the KNU and its affiliates, and also in government – and ceasefire group-controlled zones, and in areas subject to multiple armed groups.

In the absence of protection by the state or international agencies, CBOs and local NGOs play important roles in providing limited amounts of assistance and protection to vulnerable communities. A range of local aid agencies working in zones of ongoing armed conflict operate cross-border from Thailand, including the welfare wings of armed ethnic groups, and other organizations that are more independent. These local agencies provide often life-saving assistance to IDPs in the south-east, and engage in a

range of community development and advocacy activities. Indeed, cross-border aid is often the only way to help highly vulnerable communities, and agencies working in zones of ongoing armed conflict have little choice but to accept some form of relationship with insurgent groups.

Donor support for IDP – and particularly refugee – assistance regimes in the border areas, while aimed at supporting civilians in dire need, also helps to sustain the armed conflict, prolonging the suffering of civilian populations. This occurs when, for instance, insurgent personnel receive shelter in, and supplies from, the refugee camps in Thailand, and are legitimized through their support by international agencies. This is a classical humanitarian dilemma, known from a number of other conflicts (Rwanda, Democratic Republic of Congo, Sudan, Sri Lanka, etc.). In recent years, donors and NGOs have made considerable progress in ensuring that the refugee administration is more accountable to camp populations. Nevertheless, armed opposition groups in Burma still depend on the refugee camps for important resources.

A range of local NGOs and CBOs operate inside government-controlled Myanmar, in areas inaccessible to international agencies. Several are engaged in low-profile, community-based responses to conflict. In some cases, faith-based leaders are able to create local zones of limited protection for civilians in their areas of influence, building community trust and 'social capital'.

Other important stakeholders in conflict-affected south-east Burma are armed non-state groups. International human rights and humanitarian law provide little recognition for the role of non-state armed groups as protection actors. Nevertheless, a variety of armed groups position themselves as defenders of Karen populations – in terms of providing physical safety and security of livelihoods, as well as protecting elements of culture and national identity. These claims are made, notwithstanding the widespread use of landmines by all armed groups, and the reality of insurgent military operations launched against 'the enemy', which provoke Burma Army reprisals against civilians. Although bitterly opposed on the battlefield and in the political arena, leaders of the main Karen armed factions all regard themselves as legitimate representatives and guardians of the Karen peoples.

Ultimately, assessments of these different approaches to protection will depend on the legitimacy accorded to key actors. For many international donors and activists, only the Western-oriented KNU – with its orientation towards state-building, and its rights-based agenda – is considered legitimate. Such views fail to appreciate that the KNU is just one among several Karen actors, one which over the past decade has been largely restricted to a few patches of jungle (and refugee camps) along the Thailand-Burma border.

Karen civilians interviewed by the L2GP project expressed a range of opinions regarding different conflict actors. Many demonstrated some sympathy for the KNU and sometimes also for the Democratic Karen Buddhist Army (DKBA, which split from the KNU in 1994) as representing 'our people'. However, the same people often expressed dismay regarding the impacts of KNU and DKBA actions on villagers' safety, questioning the appropriateness of armed conflict as a strategy after sixty years of civil war in south-east Burma.

In this context, even under conditions of acute shock and vulnerability, Karen civilians find ingenious and often brave ways to protect themselves. International agencies should do more to understand local protection priorities and strategies, and elicit beneficiary participation not just in project implementation and evaluation, but also in program design.

Donors and aid agencies should 'do no harm', taking care to examine the social, economic and political impacts of their interventions. This will not be a straightforward undertaking – particularly in cases, such as conflict-affected south-east Burma, where the humanitarian agenda is highly politicized. Another set of complications involved the vulnerability to suppression of local NGOs and CBOs, and the manner in which their priorities and activities can be distorted by engagement with the 'juggernaut' of international aid. Such caveats notwithstanding, local humanitarian activities *can* mobilize communities, and help to build trust and capacities, and international donors *can* engage positively with such initiatives.

Global contexts

The manner in which international aid actors understand and support local agency is likely to become increasingly significant, given the shifting global balance of power. The worldwide economic crisis of 2008–10 has accelerated processes of geo-strategic change, whereby financial – and ultimately political – power is shifting away from the European and North American states which have dominated world history for the past two centuries, and since the end of the Cold War have sponsored rights-based interventions in situations of humanitarian crisis and complex emergency. These epochal changes, epitomized by the rise of China, are having significant impacts in many sectors, including on development and humanitarian activities.

The decline of the West means that, in the future, less financial and political capital will be available to back external interventions based on notions of human rights. This is not to deny the legitimacy of liberal-democratic, rights-based values (derived ultimately from the European Enlightenment), but to recognize the declining capital of their Western sponsors. In an era that is likely to be marked by increasingly frequent and devastating natural disasters, it seems probable that aid responses will become more regionalized – with China (and perhaps India and other countries) playing prominent roles. In this scenario, interventions led by Western agencies may become less central to humanitarian action. In time, we may look back to the 2005 UN World Summit, and its endorsement of the (still contested) 'Responsibility to Protect' vulnerable civilians, as the high-water mark of humanitarian interventionism.

The future of humanitarian crisis in response – in South and East Asia at least – may be characterized by a 'humanitarianism with Asian values'. In this case, those engaged in the field of protection should pay closer attention to local realities.

CONCLUSION

Survival in the absence of state or international protection

Threats to civilian populations in south-east Burma include murder, rape, torture, looting, forced labour and arbitrary taxation, hunger, land confiscation, and the destruction of entire villages. People living in conflict zones are often subject to 'multiple masters', paying taxes (or other forms of 'tribute' – such as labour, or the conscription of their sons) to two or more armed groups. Protection against hunger is also a major concern. For vulnerable communities, the distinction between livelihoods and other forms of security is minimal.

People manage or avoid these risks through a variety of strategies, including trade-offs, some of which may appear very negative. Often, people have to balance risks against each other, and choose the 'least-worst option'. Individuals, families and communities' limited selfprotection options depend on the resources available, including money and relationships, and information. The standing and quality of community leaders also appear to be crucial. Particularly important is the development of protective 'social capital'.

In the absence of protection by the state or international agencies, community-based organizations play important roles in providing limited amounts of assistance to vulnerable communities in south-east Burma. Civil society networks operating cross-border from Thailand include a range of CBOs, some of which can be characterized as the welfare wings of armed ethnic groups. These organizations provide often life-saving assistance to IDPs and other vulnerable civilians, with funds provided by many of the same donors who also support the refugee regime along the border. Monitoring of these relief activities is very tight, and little if any cross-border aid is diverted to insurgent organizations. However, the close association between several of the more prominent cross-border aid groups and the armed conflict actors with which they work so closely serves to legitimize the latter, who are involved in the distribution of internationally funded relief supplies.[3]

Humanitarian donors and organizations must ensure that their interventions 'Do no harm' to intended beneficiaries. Discussion of the relationships between aid and conflict has not been prominent within humanitarian networks along the Thailand-Burma border.[4]

Such caveats notwithstanding, locally designed and led humanitarian activities can help to mobilize communities, and local (especially faith-based) leaders do often help to build trust and 'social capital'. International donors can and should do more to engage positively with such initiatives.

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[3] As Alex de Waal observes, "Where there is a protracted war, relief assistance rapidly becomes integrated into the dynamic of violence" (1997: 146).

[4] According to de Waal, 'International responsibility for the alleviation of suffering is one of the most noble of all human goals. Nobility of aim does not confer immunity from sociological analysis or ethical critique… Much of history consists of the study of unintended consequences, and humanitarian action is replete with results that might surprise many of its protagonists'. (1997: 65).

Recommendations

· Assistance and associated protection activities undertaken by CBOs and local NGOs working cross-border from Thailand, and those operating in governmentcontrolled and ceasefire areas inside the country, are vital – and complementary. They should continue to be supported by donors and international agencies.
· Local aid agencies working cross-border and inside Myanmar should be supported to enhance their collaboration and co-ordination activities in a safe and secure manner, at a pace determined by themselves.
· Given the limitations of local self-protection strategies, approaches based on international humanitarian and human rights law remain vitally important. These should include engaging with state and non-state actors regarding their obligations and commitments.
· If international humanitarian agencies are serious about gaining access to the conflict-affected south-east, in order to protect civilians, then an international presence will be necessary. By directly accessing these areas, UN and other agencies can gain a foothold, and begin to expand their 'protective presence'. In time, it should be possible to develop partnerships with appropriate local NGOs and CBOs, without exposing these to unacceptable danger.
· In-depth analysis of local realities must be an ongoing and integral part of the design and implementation of all humanitarian activities. Representatives of affected communities should participate in all stages of programme design and implementation.[5]
· Civil society leaders are necessary providers of local access for aid agencies. However, 'local leaders' often originate from outside the community, and can be quite 'top-down' in approach. It is therefore necessary to consult directly with community members, as well as leaders.
· Humanitarian interventions designed in partnership with local communities should include livelihoods and food security support.
· Local development activities in conflict-affected south-east Burma can help to mobilize communities, and build trust and capacities, empowering protective leaders and enhancing social capital.
· Several specific self-protection strategies described in this report may be worthy of support. However, local NGOs working from inside Myanmar can be exposed to danger through contact with international – and especially high-visibility UN – agencies. Preliminary discussions should be held in safe locations, before initiating contact in the field.

The need for flexible and sustainable programming

Internationally funded projects tend to be short-term in duration, and sometimes not sustainable in the middle to long-term. Community and faith-based approaches to grass-roots mobilization are often more sustainable, especially in remote and/or conflict-affected areas, which international agencies find difficult to reach. However,

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[5] The NGOs and Humanitarian Reform Project, Review of the engagement of NGOs with the humanitarian reform process (October 2009) identifies a need for international agencies to involve local NGOs in all stages of their programs: "the original focus of [humanitarian] reform on the international community was to the detriment of national and local actors... Local and national NGOs continue to have difficulties in accessing funds or meaningfully participating in coordination mechanisms."

such initiatives cannot always follow the indentation and reporting criteria and mechanisms favoured by international donors.

Recommendations

· Donors and international agencies should develop mechanisms for supporting indigenous initiatives creatively, flexibly and with accountability to target communities. Donors should recognize that, under some circumstances, it is difficult for local agencies to monitor projects according to usually established standards and norms.
· It is important that local aid agencies (whether working cross-border or from 'inside' the country) have a sense of ownership of programmes, and are involved in setting aims and objectives, and not just in evaluation and monitoring exercises.

Humanitarian politics and advocacy

Ultimately, assessments of the different approaches to protection described in this report will depend on the legitimacy accorded to key actors. Historically and currently, many international donors, agencies and activists have favoured some armed non-state groups, and their associated welfare agencies, over other non-state actors. In part, this 'access bias' has been an unavoidable result of operational constraints on the ground. As a result, much of the international understanding of humanitarian vulnerability in the south-eastern borderlands, and of ethnic issues in Burma more generally, has been refracted primarily through the lens of Mae Sot, and the experiences and perspectives of a relatively small group of opposition activists and vulnerable communities. In its support for local NGOs associated with specific armed ethnic groups, outside assistance has become an integral part of the political economy of the armed conflict, legitimating particular actors.

Public 'document-and-denounce' advocacy appears to work in some instances, where powerholders have limited the extent of their abuses, out of a desire not to be publicly criticized. However, anti-government advocacy campaigns may have served to limit the amount of aid reaching populations living inside Myanmar, in areas under military rule (the great majority of the country). While Thailand-based and cross-border agencies can be forthright in their data collection and advocacy activities, groups working inside the country must be more cautious. Nevertheless, individuals and groups working in government-controlled and ceasefire areas can often engage in behind-the-scenes (persuasive) advocacy, whereas public advocacy activities are much more difficult and dangerous.

Recommendations

· International agencies should carefully assess the likely impacts of their interventions on the social, political, economic and conflict environments – including implications for the safety and well-being of potential beneficiaries, and partner groups.[6] External agencies must ensure that their interventions do not inadvertently undermine communities' existing self-protection mechanisms ('do no harm'). In depth analysis

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[6] The SPHERE Project Minimum Agency Standards for Incorporating Protection into Humanitarian Response**,** Common Standard 2**,** requires that **"**humanitarian response programmes are based on a comprehensive analysis of the context that includes analysis of protection risks.**"**

should be undertaken before engaging with non-state actors and CBOs, whether these are working cross-border from Thailand or inside Myanmar.

· Donors should undertake Peace and Conflict Impact Assessments, before designing or implementing programmes. Where appropriate, these can be carried out in partnership with local agencies.

· Where appropriate, international agencies wishing to gain access to the conflictaffected south-east should consider liaising with a wider range of non-state armed groups, including ceasefire groups.

· Actors working in a sensitive and highly polarized environment must be explicit about the limitations of their interventions, and possible biases. They should therefore undertake continuous dialogue with stakeholders on these issues.

· Humanitarian actors engaging in advocacy and public information activities should ensure that statements and recommendations are based on a wide range of perspectives and sources, and do not promote the rights and well-being of particular groups, at the possible expense of other vulnerable parts of the population.

ABOUT THE AUTHOR

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