CIVIC SPACE IN MYANMAR

In the Post-Coup and Covid-19 Pandemic Era

On 1 February 2021, the Myanmar military, alleging voter fraud in the 2020 elections, seized power from the civilian government, upending Myanmar's fragile democratization process. To resist military rule, the majority of the Myanmar population across all states and regions in the country, along with civil society, formed a resistance movement to restore democracy. As a result of their participation in this movement, civil society organizations (CSOs) have been targeted by the State Administration Council (SAC), also known as the de facto authorities. Many CSO leaders have been arrested and detained, or have had to flee the country or hide in safe houses.

Following the coup, there has been a substantial contraction of civic space. This study examines civic space in the post-coup period, focused primarily on Yangon, Mandalay, Mawlamyine (Mon state), Hpa-an (Kayin state), and Lashio (Northern Shan State).

The results vary from region to region, due to diversity in culture and geographic area. In Hpa-an (Kayin State), and Mawlamyine (Mon State), strong CSOs were established on the Thailand-Myanmar border many decades ago; these CSOs have significantly different capacity in management, advocacy, and donor engagement compared to 'home-grown' CSOs – i.e., CSOs which emerged under the quasi-civilian government starting in 2010.

Nevertheless, study findings indicate that CSOs in all studied locations suspended their advocacy activities and redirected them to promote public awareness activities following the coup. Some CSOs targeted Ethnic Resistance Organizations (EROs), National Unity Government (NUG), and National Unity Consultative Council (NUCC) actors to advocate for meaningful participation of CSOs in humanitarian and development activities. In general, the current situation has required CSOs to implement low-profile activities and/or work remotely from hideouts in safe zones. Additionally, many CSOs have learned to work as networks rather than operate in silos, as networks can better provide collective and stronger voices.

The following key findings are derived from the study through a number of interviews with key CSO leaders in Yangon, Mandalay, Lashio (Northern Shan state), Hpa-an in Kayin State, and Mawlamyine in Mon State.

Key Findings

CSO APPROACH

In responding to the emergency and humanitarian needs of the affected population, CSOs have operated using low-profile and non-confrontational approaches in conducting community-level interventions. Most CSOs engaged minimally with de facto authorities, especially in obtaining permission for project implementation.

INCREASING POLARIZATION AMONG CSOS

The coup resulted in a polarizing impact on CSOs, with organizations splitting along lines of those that engaged with de facto authorities and those that followed a non-engagement approach. If a CSO collaborated with the State Administration Council (SAC), other CSOs would be reluctant to engage with them, threatening sector unity. If a leader engaged with SAC, they were often labelled as a "pro-military" organization. A few CSOs justified their engagement under the principle that CSOs should serve the affected community under the humanitarian principle of non-partisanship and impartiality.

CSO STRENGTHENING AND SUSTAINABILITY

Much of the good work and momentum of Myanmar's civil society from the past decade was demolished in the post-coup period. CSOs have been struggling to survive, and their sustainability and strength are unpredictable in the current situation where many face financial challenges on top of SAC's crackdown. Furthermore, CSOs faced several obstacles internally and externally to achieving sustainability. More precisely, CSOs had limited capabilities internally to access funding and institutional development. Due to changing donor strategies, CSOs had to adjust their missions to comply with donor interests.

SHIFT TO HUMANITARIAN AND EMERGENCY RELIEF

Due to various restrictions of de facto authorities, many CSOs shifted from rights-based implementation to less politically sensitive activities. Consequently, many CSOs redirected activities to emergency and humanitarian relief and service delivery, rather than social transformation activities. In some areas - e.g., Mon, Kayin, and Lashio, some CSO personnel had to resort to bribery to implement activities.

> **Much of the good work and momentum of Myanmar's civil society from the past decade was demolished in the post-coup period. CSOs are now struggling to survive.**

SHIFT FROM SAC TO NUCC AND NUG FOR ADVOCACY AND POLICY INFLUENCE

While some organizations minimally engaged with de facto authorities for the delivery of humanitarian aid in the community, most CSOs significantly suspended stakeholder engagement with de facto authorities for policy influence. Instead, CSO advocacy shifted to NUCC and NUG. Furthermore, a few CSOs endeavored to engage with EROs in some areas. Generally, CSO strategy shifted to public advocacy and people-centered advocacy instead of rights-based activities. At present, CSOs continue to raise public awareness through the use of social media and other online platforms.

FUNDING ACCESSIBILITY

Funding accessibility remains a challenge for CSOs. CSOs in Mon, Kayin, and Lashio stated that their main source of funding came through sub-grant awards from donors. A few mega-size CSOs are able to directly access funding from international donors. At the same time, external factors threaten CSO funding accessibility - for example, disruption of local banking services and scrutiny by the junta over funding transactions of CSOs, and lack of access to cash. Furthermore, donor funding has significantly shifted to humanitarian and emergency relief activities.

LEGAL CHALLENGES

The junta uses laws to weaponize and suppress CSOs, CSO leaders, human rights defenders, human rights advocates, and journalists. Innocent citizens are also unsafe and insecure as there is constant revision of laws and procedures to protect the de facto authorities instead of the people.

DWINDLING FREEDOM OF EXPRESSION AND INFORMATION

The coup resulted in dwindling freedom of expression, and limited access to information by the public. A number of pro-military forces or media outlets have survived inside the country and are allowed space to engage in media activities. The consequences of this imbalance between the oppression of independent press and tolerance of pro-military forces is a preponderance of mis-and-disinformation and a lack of reliable information. Many reputable media organizations were blacklisted, and journalists were arrested and detained resulting in influential media organizations working in exile.

The results of the study provide evidence that there has been a definitive shrinkage of civic space throughout the country during the post-coup period.

Recommendations

To sustain civil society development and its critical role, CSOs and the international community need to develop further adaptive strategies to continue operations under the repressive conditions of the current regime. This study's results may be useful in understanding the present CSO landscape and generating responsive actions for CSO

sustainability and resiliency on a short and long-term basis, including the following general recommendations.

CIVIL SOCIETY ORGANIZATIONS

• **Sustain CSOs' strategic objectives and civic values:** CSOs should continue to uphold their strategic objectives and civic values, amplify the voices of grassroots communities and fight for the restoration of civic space.

• **Promote accountability and human rights:** CSOs should continue to jointly advocate for the restoration of a just society and fight together to strengthen the fundamental principles and values underpinning civil society, including accountability, transparency and freedom from oppression.

• **Connect with the international community:** As CSOs continue to experience shrinking civic space in Myanmar, the collective voices of CSOs and affected communities must seek support and solidarity from the international community.

• **Focus on humanitarian response:** As the entire country faces an unprecedented humanitarian crisis, CSOs must persevere – even amidst widespread crackdowns, arrests, detentions, and bodily threats by de facto authorities – in providing humanitarian support services, especially in states and regions such as Sagaing, Magway, Chin, Shan, Kachin, and Kayin.

• **Scale up digital security skills:** CSOs have been relying on the use of digital and internet technology since the onset of the Covid-19 pandemic in 2020 and much more so after the military coup as many CSOs and humanitarian workers went into hiding or exile. Therefore, CSOs must be protected and empowered with digital security skills to continue to work remotely.

• **Adopt alternative advocacy strategies:** As many CSOs are not engaging with de facto authorities, advocacy strategies should continue to be targeted at newly emerging administrative bodies such as the National Unity Government (NUG), National Unity Consultative Council (NUCC), and Ethnic Resistance Organizations (EROs).

Recommendations to sustain civil society development

CIVIL SOCIETY ORGANIZATIONS

• Sustain CSOs' strategic objectives and civic values.

• Promote accountability and human rights.

• Connect with the international community.

• Provide humanitarian support services.

• Scale up digital security skills.

• Adopt alternative advocacy strategies.

FUNDING AGENCIES & THE INTERNATIONAL COMMUNITY

• Provide continuous funding support.

• Adopt flexibility in due diligence.

• Listen to CSO voices.

• Provide longer-term support for CSOs.

FUNDING AGENCIES AND THE INTERNATIONAL COMMUNITY

• **Provide continuous funding support:** As funding is vital to the strengthening and sustainability of CSOs, donors and the international community should continue to provide financial resources, preferably directly to local CSOs.

• **Adopt flexibility in due diligence**: As many local CSOs work without guaranteed protection, obtaining evidence and documentation for services rendered remains a challenge during the prolonged humanitarian crisis. Therefore, it is recommended that funding agencies allow flexibility in due diligence requirements.

• **Listen to CSO voices:** As CSOs represent various community members and constituencies, CSOs tend to understand the local context and reflect the needs and concerns of communities. Civil society's proximity to communities also creates trust, allowing for more effective project implementation at the ground level and active participation of the community members. The international community and donors should always consult local CSOs and listen to their voices in designing programs. They should also ensure these programs are locally led wherever possible and be aware of these factors in providing grants to CSOs.

• **Provide longer-term support for CSOs:** Many CSOs indicated that support for CSOs should be on a long-term basis rather than implementing short-term projects. The international community and donors should provide funding support for long-term development programmes, not only for more immediate humanitarian response programmes.

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