

Enabling environment of Civil Society in Myanmar (Burma)

Carine Jaquet

Associate researcher, Research Institute on Contemporary Southeast Asia (IRASEC),

Bangkok, Thailand

For CIVICUS, on 10th January 2014

Abstract

In line with recent political trends, the enabling environment for civil society in Myanmar continued to improve in 2013. Civil society has been able to benefit from expanding space, thanks mostly to political changes at the highest levels of government. This enabled the - still incomplete - regulatory and legal reform, leading to noticeable increases in freedom of expression, association and assembly. Issues, once considered taboo, can increasingly be discussed by Civil Society Organisations (CSOs). Nonetheless, some significant restrictions remain that hinder civic space. The post-2010 reforms are based on a top-down centralised democratisation process, leaving many remote and marginalised groups – mainly ethnic minorities – behind. In spite of some noticeable improvement in local governance, state representatives at the lowest levels often continue to operate as they did under the former junta. However, some issues are still taboo, especially those related to government and private sector control of resources. The recent advances in freedom of expression need to be supported to promote a better understanding of minority-related issues and to avoid fuelling conflict in a still fragile political transition process.

Keywords

Civil society – Myanmar (Burma) – Legal Reform – CBOs and NGOs – Association Law – Local governance – Media

Introduction

Civil society in Myanmar was virtually non-existent in the late 1990s due to the tight political control exercised by the military juntas from 1962 to 2010. It gradually re-emerged in the early 2000s and made exponential progress following the large-scale response to the devastation caused by the Cyclone Nargis in 2008. Since then, the installation of a new, quasi-civilian, government in November 2010, led to a more favourable environment for CSOs to operate. As a result of rapid political changes, Myanmar civil society has been expanding and exploring new issues. Overall this resulted in the ability of the CSOs to tackle sensitive issues that were previously considered taboo. Nonetheless, in this environment, some old constraints remain, while new constraints emerge.

This report analyses the recent evolution of the enabling environment for civil society in Myanmar, within the larger context of the political transition in the country. It focuses mainly on two key areas: the legal and regulatory framework and the political environment within which civil society operates. After describing the methodology, it presents the results of the research looking into the complex and fluctuating environment for civil society. More specifically, it identifies the changes within the legal framework and the political environment. It examines the causes and indicators of increased civil society space as well as the challenges, taking into account the influence of, and interaction with, other institutions of the wider Myanmar society. It also analyses the role of media (both traditional and new media) in light of recent developments. The report then discusses the depth and modalities of these changes, before concluding with a set of recommendations to address negative and disabling trends.

Methodology

The methodology of this research included bilateral interviews of key stakeholders and a desk review of existing academic and practitioner literature pertaining to the recent evolution of the civil society space in Myanmar. After these two initial phases, main trends were identified and evidenced. Finally, the research team conducted in-depth interviews with practitioners and experts in enabling environment issues to collect detailed data and case studies.

Data Collection

1. The research team conducted extensive desk research exploring existing academic publications covering the issues relating to civil society in the region and, where available, specifically on Myanmar. Research was also conducted on the Internet in English, Myanmar and other languages indigenous to Myanmar. Relevant resources included websites and blogs of journals, archives, research centres, government, professional networks, non-governmental organisations (NGOs) and CBOs¹. When available, the team also studied written material produced by practitioners. This data collection enabled the compilation of a list of main issues and most recent developments.

2. In terms of primary data, sets of interviews were conducted with 20 individuals, representing the views of 15, mainly local, organisations. Most of these interviews were conducted face-to-face. Three interviews were conducted via phone and email due to the respondents being in remote parts of Myanmar or abroad. Interviews were based on open questions, focusing on the following aspects: recent changes within the CSO environment, the ability of CSOs to influence policy, the main challenges and restrictions for CSOs, ways to overcome these restrictions and the impact of media, especially the new media, on the space and operational environment for CSOs. Interviewees were selected from various backgrounds (including activism, local NGOs and CBOs, journalism, youth organisations, International NGOs, UN agencies, research, and consultancy). Results were recorded, analysed and cross-checked. A second set of interviews was then conducted to obtain more in-depth information and examples.

For large-scale data collection, government authorisation is still required, especially in rural areas. As such, the research team strategically focused on a qualitative approach, with an attempt to encompass a broad range of issues and to reflect a complex and multi-polar situation in a challenging and rapidly evolving environment. This was preferred to a quantitative approach, given limited time and data, as well as recognising that individuals and Myanmar CSO members are busier than ever before. Information was cautiously checked and confirmed by a number of stakeholders, direct observations and other available sources.

Primary and secondary data analysis

¹ In this report, CBOs are defined as grassroots CSOs, mainly operating at the village or township levels. NGOs are more structured, operating at district, region or state levels. The term CSO is used as a generic term, for any organisation operating outside of the scope of the state and the family. CIVICUS broadly defines civil society as the arena, outside of the family, the state, and the market, which is created by individual and collective actions, organisations and institutions to advance shared interests.

1. Collected data were analysed according to themes and cross-referenced. Issues were selected, and used to design the questionnaire. The key questions to assess the enabling environment for civil society were:

- What are the recent changes in the civil society environment?
- What opportunities and challenges do these changes represent for CSOs?
- What are the root causes of these changes?
- What role do the media play in these recent developments?

2. Data from the interviews were collected, in some cases translated, and analysed. When required, further clarification or supporting information was sought through in-depth interviews. This enabled the research team to confirm trends and collect examples and further evidence.

Results

A more enabling environment: Less censorship and wider discussions

Overall, the conditions of the enabling environment for civil society in Myanmar significantly improved in 2013, essentially due to ongoing political and governance reforms taking place under the current government. 2013 started with a promising statement from the President Thein Sein: *“I would like to stress my firm belief in the crucial role [sic] the civil society organizations play in the political development of our country.”*²

Civil society in Myanmar is increasingly becoming vocal and is recognised as a key player by the government. This is a growing trend within the last few years, and has accelerated since the recent political transition towards a more democratic system.³ In the recent history of the country, civil society space used to be extremely constrained. Several decades of military rule threatened the mere existence of an independent civil society. Yet, it has been gaining ground constantly since the late 1990s. One of the latest milestones of the civil society reawakening was the response to the devastation caused by the Cyclone Nargis in 2008, which triggered a resurgence of CBOs and NGOs in Myanmar.⁴ These organisations were the first respondents to the disaster. Many of them were groups created spontaneously. They remained active in various sectors, such as supporting income generation activities in rural areas, local governance and capacity-building, well beyond the initial response period. In 2010, the general elections marked the handover of power to a civilian government – mainly made up of former senior army officers. It was soon followed by the removal of a number of measures that used to prevent an enabling space for civil society. This included, among others, the release of hundreds of political prisoners, the reform of the legal framework and the lifting of media censorship. Since then, the impact of CSO work on some government policies and decisions has been clear, with a few high-profile advocacy successes. For example, environmental campaigners managed to halt construction work on a controversial dam on the Irrawaddy River, in Kachin State of Myanmar in September 2011. Whereas civil society in the past could not be vocal fearing retaliation from former regimes, CSOs are now asked to provide inputs into a number of policies and proposed laws.

The Myanmar government, at various levels, has facilitated bringing positive changes within the civil society environment, as part of the larger reform process. This new political will is embodied by an unprecedented development that enables civil society to function. Civil society progress has been remarkably clear in the following four sectors: justice, media, the environment and politics.

- **Sectors on the rise: justice, media, environment, and politics**

Interviews mentioned civil society’s potential to operate on a wide range of ‘new’ sectors which were, formerly, well beyond reach. For example, CSOs can openly work on: access to justice, media training for journalists, advocacy for the respect of the environment (and the related human rights), as well as on some political issues. The ability to discuss such matters is a new phenomenon in Myanmar, as

² *The President acknowledges crucial role civil society organizations play in political development of Myanmar*, The New Light of Myanmar, Volume 20, Number 276, 21 January 2013.

³ Transnational Institute (TNI), Burma Center Netherland, *Civil Society gaining ground, Opportunities for changes and development in Burma*, 2011.

⁴ L. Desaine, *The politics of silence, Myanmar NGOs’ ethnic, religious and political agenda*, Occasional Paper 17, IRASEC, 2011.

previously former military governments either denied these issues, or effectively prevented these discussions on any level.

More specifically, from 2013, there has been a steady increase in discussions and activities to **strengthen capacity of the judicial system** (training of lawyers, international experts' deployment, open discussions and forums on the rule of law). **Media trainings** have also been on the rise. Political awareness raising and issue-based trainings have been carried out in a number of locales for journalists. Environmental issues, and their political implications on local populations (including the extractive industries and state or private large-scale investments) that used to be perceived as very sensitive issues, are also frequently discussed among CSOs, and raised with various stakeholders. One of the significant highlights in 2013 was that Myanmar hosted the first national civil society conference on the Extractive Industry Transparency Initiative in October 2013.

Finally, **political issues can be openly discussed by individuals and organisations**. They are now authorised – subject to prior agreement from local authorities – to organise demonstrations and public gatherings. The most significant, and highly symbolic, event was the celebration of the 25th anniversary of the 1988 uprisings in August, 2013 in Yangon.⁵ This was the first time the commemoration of this tragic event could take place. It attracted high-profile attendees, including hundreds of former and current activists and recently released political prisoners. Furthermore, political parties have been reauthorised to operate, and some of their members received trainings from CSOs. One more notable development in 2013 was the authorisation of the creation of additional ethnic minority-based political parties, such as the Kachin State Democracy Party, in October, in the Northern part of the country, where a conflict is raging between the Kachin Independence Organisation and the Myanmar Army. The ability of ethnic minority-based political opposition to organise and take part in the political process is, according to a number of local sources, a positive sign.⁶

- **New Freedom of Expression**

Indeed, there is a greater freedom of expression, due to the lifting of systematic press censorship. Media plays a key role in highlighting pertinent issues, as mentioned by an informant: *“The media drives the conversation. It cannot determine what stakeholders think, but it does determine what stakeholders think about.”*⁷ Media and other segments of civil society are well aware of their recently recovered freedom and attempt to maximise its impact. An international advisor of a consortium of CSOs said while summing up the role of media, *“Recently, civil society, especially urban-based organisations, has been using the media to generate public interest, to make issues public and to disseminate their narratives. Civil society groups are hosting a lot of press conferences.”*⁸

In addition, there is an increasingly large proportion of the population that has gained access to new technologies. Civil society has also made better use of communication technology to mobilise and attract funding. Social media in general, and Facebook in particular, became a central platform for

⁵ These demonstrations brought about the fall of Dictator General Ne Win, soon replaced by another Junta, the State Law and Order Council.

⁶ Interviews by the author, Kachin State, between September and November 2013.

⁷ Interview by the author, Yangon, 20 November 2013.

⁸ Interview by the author, Yangon, 5 November 2013.

sharing information about events and discussing issues. It became an advocacy tool, but also a new venue to discuss conflicting ideas and positions that may be difficult to discuss face-to-face.

Consequently, in line with trends observed in 2011 and 2012, CSOs are able to reach out to a wider audience with their advocacy messages. Their trust towards the state and its representatives is gradually improving, as they develop more confidence in the reform process and also an understanding of its limits. Overall, CSOs believe that they have greater access to decision-makers at present. Nonetheless, a number of interviewees expressed their frustration about the pace and modalities of change. They expect more visible and concrete changes. As a Yangon-based activist stated: *“We have space to discuss issues, we can send messages to the media, and also to the upper level of the government but we don’t always get a response.”*⁹

- **The new Association Law**

According to the 2008 Constitution, Myanmar citizens can form social organisations. Yet, many cited the registration of CSOs as a pivotal hindrance to an enabling environment for civil society. **Currently, the main tool for CSOs to be recognised by the state is to register with the Home and Religious Affairs Ministry, under the 1988 Association Law.** This restrictive law is applicable to *“a group of persons, in accordance with their own intention, who organise a club, organisation, committee, headquarter and any other association, formed in line with the same objectives.”* Even today, civil society practitioners need to go through complex, time-consuming and opaque bureaucratic processes to get registered. As a result of this many organisations choose to exist in a legal grey area. In fact, only about 3% of smaller CBOs were registered in 2009.¹⁰ This exposes all non-registered CBOs to potential sanctions and provides no legal basis to operate.

In 2013, the government committed to presenting a new draft Association Law. The first version of the text was heavily criticised by civil society representatives. Their main concern was a clause that proposed a punishment of up to six months imprisonment for joining an unregistered organisation. In September 2013, 500 CSOs issued a statement condemning this clause. According to Human Rights Watch: *“Burma’s draft Association Law fails to meet international human rights standards and should be significantly revised or discarded. If passed in its current form, the law would permit excessive government control over civil society groups, hindering freedom of speech and association at the expense of Burma’s reform and development.”*¹¹ Finally, the last draft submitted to the Lower House of the Parliament (Public Affairs Administration Committee) was based on the discussions and inputs from groups of lawmakers who had been interacting with a number of CSO leaders. According to the Director of the local CBOs’ consortium Paung Ku, who has been supporting this process: *“To our surprise... they [the government representatives] were receptive to the idea that it should be a voluntary-based*

⁹ Interview by the author, Yangon, 18 November 2013.

¹⁰ C. Jaquet and R. Caillaud, “Mapping Civil Society Organizations in Myanmar”, in *An ASEAN Community for all: Exploring the scope for civil society engagement*, Friedrich-Ebert-Stiftung, 2011, <http://library.fes.de/pdf-files/bueros/singapur/08744.pdf> [last accessed 2 December 2013].

¹¹ *Burma: Revise or Reject Draft Association Law, Legislation would severely constrain Non-Governmental Organizations*, Human Rights Watch, 25 August 2013, <http://www.hrw.org/news/2013/08/25/burma-revise-or-reject-draft-association-law> [last accessed 4 December 2013].

registration law and that the process should be simple and effective.”¹² However, the promulgation of the new Association Law in the Parliament and its enforcement remain yet to be seen.

...Yet, a number of significant constraints remain

In 2013, civil society in Myanmar has been able to explore and make use of expanding civic space, thanks to political change at the highest levels of government. This enabled the reform of the regulatory and legal framework, leading to noticeable advances in freedom of expression, assembly and association. The recent process of drafting the Association Law, taking into account sentiments and inputs of civil society representatives, appears to be ground-breaking. Nonetheless, not all the restrictions on Myanmar civil society have been lifted. The reform, as it currently is, is a highly centralised process. **A number of challenges remain as policy changes envisioned and discussed at the highest level of the government are not systematically and consistently implemented at the local level.**

- **An uneven space for civil society**

The environment of civil society in Myanmar is heterogeneous. The operational space for CSOs varies according to their location, and the relationship they manage to establish with administrative bodies of the state.

The first and main dichotomy is between the main cities (i.e. Yangon, Mandalay, and Nay Pyi Taw) and the rest of the country. In the main urban areas, it is easier to organise political mobilisations. In rural areas, the memory of state surveillance on the population is still vivid, mobilising tends to remain complicated. All over the country, authorisation to organise trainings and activities should be obtained at the village, township and, in some cases, district or regional levels, as for the old regulation. Even activities authorised by the central government can be blocked at the local level, due to the absence of clear guidelines for lower-level civil servants, and to a degree of arbitrariness. **Ensuring that reforms are adopted by the different levels of government remains a key challenge in a vast country, with a strongly hierarchical society.** An interviewee explained that his organisation attempted to facilitate a consultation process in a remote area, with the blessings of the Ministers of the Presidential Cabinet, but the implementers were questioned and threatened by local authorities at the field level.¹³ Such hindrances are often due to the lack of understanding by civil servants, as well as long lasting habits and the fear of change. In the absence of formalised and widely disseminated written policies, guidelines and procedures for all levels of administration, these disparities are likely to remain. They may ultimately result in a two-tier civil society: the Yangon-based organisations that would be able to move quickly and tackle sensitive issues; and the rest, struggling with old bureaucratic impediments.

¹² P. Vrieze, *Civil Society and MPs Draft ‘Progressive’ Association Registration Law*, The Irrawaddy, 21 October 2013, <http://www.irrawaddy.org/burma/csos-mps-draft-progressive-associationregistration-law.html> [last accessed 3 December 2013].

¹³ Interview by the author, Yangon, 20 November 2013.

The ability to nurture strategic relations with local state representatives is essential. The establishment of good relations with influential people impacts favourably on the operational space for organisations. Sometimes, civil servants or members of state-sponsored organisations are involved with CBOs to act as protectors and intermediaries with the state.

Nevertheless, there are some noticeable success stories in **local governance**, where, following effective advocacy from CSOs, local authorities have a more progressive attitude and keenness to proactively support the change within their constituency. Yet, governance needs to be improved, especially at the local level where human rights awareness is very low. An interviewee highlighted the current need for rule of law to complement ongoing legal reform. She stated, *“We do not only need new laws constantly, what we need is law enforcement. At the grassroots level, there is no enforcement of the law. There is rampant corruption too. There should be a proper use of power.”*¹⁴

- **Issues remaining overly sensitive**

Through 2013, it remains challenging and potentially risky to work on **some political issues, seen as ‘threatening’ by the authorities**. According to the interviewees, federalism was formerly one of these very sensitive issues. A critical turn in politics occurred when the Parliamentary speaker, Mr. Thura Shwe Man, announced a constitutional reform project in 2012. A number of CSOs, including political parties and foundations, collected inputs from their constituencies in 2013. This was meaningful progress. But other, smaller and less vocal, CSOs who wanted to work on this issue have been subject to intimidation and questions by local authorities. Some CSOs have been ordered to vacate their rented offices by owners who were afraid to be associated with what was viewed by the local authorities as “political activism”. In order to rent a room for workshops or seminars anywhere in Myanmar, CSOs still have to submit a detailed programme to the venue manager, who can refuse if the content is considered too political.

In many cases, CSOs are not encouraged to raise issues pertaining to unjust access to rights or resources involving the private sector (such as labour and land rights) and large-scale foreign investment projects. CBOs that dare to do so, may encounter strict restrictions, and, in some cases, serious sanctions. For example, CSOs struggle to get farmers’ voices heard in numerous cases of land confiscations all over the country. In 2013, several farmers were imprisoned for protesting, and hundreds have been charged.¹⁵ In spite of advocacy campaigns to exonerate them, many have not been freed. An interviewee stated: *“The government is very busy with all these reforms; but they need to take care of their people. There are many land confiscations nowadays. Only in one or two cases the activists, with the support of lawyers,*

¹⁴ Interview by the author in Yangon, 18 November 2013.

¹⁵ According to Nay Myo Zin, director of local NGO the Myanmar Social Development Network, 260 farmers are currently jailed and 1,000 have been charged for protesting the loss of their land, or returning to farm it. See S. Lewis and Y. Snaing, *Farmers travel to Rangoon to decry land seizures, trespassing charges*, The Irrawaddy, 20 January 2014, <http://www.irrawaddy.org/burma/farmers-travel-rangoon-decry-land-seizures-trespassing-charges.html> [last accessed 28 January 2014].

could win their cases in 2013.”¹⁶ According to some observers¹⁷, there is an alarming increase in the number of detained activists in 2013, mainly due to protests against large investment projects.¹⁸

- **The limits of media freedom**

New challenges have emerged because of increased access to rights. The media sector, which now has greater freedom of expression, illustrates some of these challenges. **Fewer restrictions on press have resulted in the spread of unchecked information in the best cases, and in hate speech in the worst cases.** In 2012 and 2013, Western Myanmar’s Rakhine State has been the site of deadly community violence opposing Buddhist and Muslim communities. Community tensions are not new in this region. In the last decades clashes between Muslim Rohingyas and Buddhist Rakhine have sporadically erupted. With the new press freedom, these tensions have been fuelled, by a partisan media. Some Buddhist monks have been preaching extremist anti-Muslim views, and a small number of them have been involved in perpetrating acts of violence, calling for the defence of their race and country in public and on social media. Rakhine CSOs and political parties also spread discriminatory messages through media. For example, the Rakhine Youth Association organised a demonstration to protest the visit of representatives of the Organisation of Islamic Countries in Yangon in November 2013.¹⁹ As such, the media has been seen as a mechanism for civil society to call for the use of violence and to justify the use of violence.

Finally, **the laws and regulations for various forms of media still need to be reformed.** The Internet law from 2000 is still in place. It includes an overly broad prohibition “*that may be detrimental to the interests of the Union [of Myanmar], its policies or security affairs.*”²⁰ Media and publishing laws still need to be revised. A new broadcasting law is being drafted, allowing private organisations to broadcast under the scrutiny of state bodies.²¹ There has been, to date, no reported discussions, or attempts to include CSOs’ views in the draft versions of these laws, in spite of the serious concerns expressed about draft versions of these texts.

¹⁶ Interview by the author in Yangon, 18 November 2013.

¹⁷ Interview by the author in Yangon, November 2013.

¹⁸ Most of them were detained because they had not applied for official authorisation to demonstrate. Many farmers and workers from rural areas do not know the process to apply. Yet, it is worth noting that these people would have probably not dared to demonstrate before the political reform took place.

¹⁹ <http://www.information.myanmaronlinecentre.com/tag/rakhine-youth-association/> [last access 29 January 2014]

²⁰ Chronology of Burma's Laws Restricting Freedom of Opinion, Expression and the Press, Irrawaddy, 1 May 2004, http://www2.irrawaddy.org/research_show.php?art_id=3534 [last accessed 5 December 2013].

²¹ H. Hindstorm, *Burma's draft broadcasting law fuels censorship concerns*, Democratic Voice of Burma, 11 October 2013, <http://www.dvb.no/news/burmas-draft-broadcasting-law-fuels-censorship-concerns-myanmar/33385> [last accessed 3 December 2013].

Discussion

- **The improvements within the enabling environment for civil society in 2013 resulted in increased leverage for some individuals and organisations.** There is a general awareness of this progress, and a sense of *momentum*. Yet, as most of the civil society actors are presently busy pushing their own agendas, **there are not enough discussions among them about this fluctuating environment and the way to support and expand it in the long-term.** While occasional and informal discussions about civil society space do take place between CSOs, they do not translate into a coordinated and strategic approach that could protect those groups that are working on the most sensitive issues. Also, there is, to date, limited recent academic and analytical research on the civil society environment and its determinants. Due to the reform process, the enabling environment for civil society is in flux and should be monitored more closely, by practitioners, and as well as by scholars.
- **Civil society is centralised and struggles to reach out to the remote areas.** The most vocal, visible and influential CSOs continue to be the urban-based organisations, which have access to nation-wide media, new technologies, strategic connections to decision-makers and donors. Yet, in a context of fast-paced economic liberalisation, where new inequalities emerge, CSOs may face increased challenges to remain connected to the communities they want to represent. In addition, there is a risk of increasing disparities between CSOs based in main cities, able to access government officials and funding and others, in rural areas, operating under more constraints, and with less support. In the long-term, this could potentially create a multi-tiered civil society. A scholar specialising in Myanmar civil society stated: *“While the momentum of the transition can be great, it can also leave behind the less advanced and prominent elements of civil society.”*²²
- **Sensitive issues change with time, and some may remain overly delicate to discuss.** Private sector interests are likely to prevail over public policy. The government will be likely continue to take decisions in light of its long-term economic and political interests. Yet, overall, freedom of expression which is related to most of Myanmar’s political issues, such as elections, and strengthening political parties, is likely to gradually improve, especially among the urban elites.
- **The implementation and impact of the new legal and regulatory frameworks remain to be seen in the long-term.** It would be interesting, in particular, to study the direct, and indirect, consequences of the new Association Law. Moreover, monitoring the persecution of activists and outcomes of advocacy campaigns to free them could also be a proxy for the capacity of CSOs to work on most delicate issues.
- **Recent media shortcomings in accurate, unbiased and neutral reporting and respecting basic ethics shows that there is a need to support critical and independent thinking across the sector, and beyond.** Journalists are not used to verifying information and refraining from using inflammatory terms. Furthermore, there is also a **need to promote tolerance and diversity** in a society where, until recently, the notion of cultural and religious difference often has a negative connotation.

²² Questionnaire submitted by email on 25 November 2013.

Recommendations

To the Government of Myanmar:

- **Fulfil obligations in respecting and promoting human rights in order to foster a conducive environment for civil society.** Among other measures, the new Association Law should promote voluntary and easy registration for CSOs.
- **New legal and regulatory frameworks should reflect stakeholders' concerns, including those voiced by CSOs.** Particularly, freedom of association, assembly and expression should be protected. CSOs should be able to meet and discuss any matter in public and private places, anywhere in the country.
- **Promote participative bottom-up approaches to democratic decision-making** and strengthen engagement with diverse CSO stakeholders.
- **The reform process should be transparent and inclusive of all stakeholders, at all levels of the state.** Encourage efforts by all stakeholders to improve transparency.
- **Rule of law should be introduced and enforced.** When required, technical and financial support should be provided for state representatives and functionaries at all levels.
- **Reconciliation among the communities should be supported.** Diversity should be promoted, not sanctioned.
- **A voluntary code of conduct for media,** instead of a set of restrictive laws, should be considered.

To Civil Society Organisations:

In order to protect the interests of the Myanmar people, the current reform momentum should be strategically used.

- **Empower and improve the capacities of the communities to participate in multi-stakeholder policy dialogue.**
- **Foster effective coordination mechanisms to build an enabling environment for civil society, including:**
 - Assessing and understanding of the current limits and ways forward;
 - Monitoring of main challenges for CSOs and individual activists (including detainees);
 - Documenting civil society advocacy and policy-making successes;
 - Monitoring of the impact and implementation of the legal reform.
- **Focus on peace and reconciliation at the community level** to establish professional and ethically responsible methods and tools to engage critically in supporting all possible efforts to strengthen the capacities in conflict transformation, but also in basic ethics.
- **Ensure inclusiveness of views of minority and marginalised groups** in elaborating advocacy strategies and key messages, with those concerned most.
- **Maintain efforts to support and enhance local governance by engaging with local power-holders and duty-bearers,** as often as possible, and to build on already identified good practices.
- **Strengthen CSO voluntary self-regulatory accountability mechanisms.**
- **Constructively engage with the government while maintaining neutrality and independence.**

This report was developed with technical and financial support from CIVICUS: World Alliance for Citizen Participation. The views and opinions expressed in this report do not necessarily reflect the views of CIVICUS. CIVICUS is an international alliance dedicated to strengthening citizen action and civil society around the world. For more information, please see: <http://www.civicus.org>.

This document is an output from research funded by the Australian Department of Foreign Affairs and Trade (DFAT). The views and opinions expressed in this document are those of the authors and do not necessarily reflect the views of DFAT or the Australian Government.