

Danish Institute for International Studies

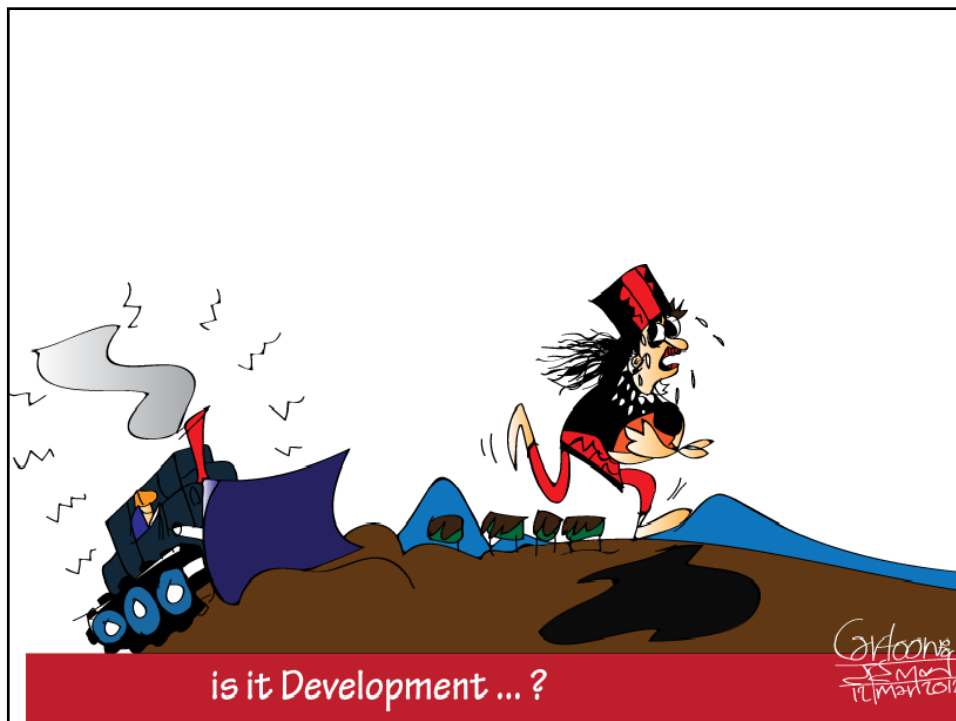
Conflict Resolution in Natural Resource Governance – the Role of Religion



05 November 2014

David Allan

(djallan777@gmail.com)



Overview

- A piece of cake...
- Benefit sharing thinking
- Typical public concerns on projects
- Human Rights & Land issues
- New Tools & Work Areas
- Overview Summary
- Discussion Summary





“Socio-Geo-Political-Economy Pie / Cake”



Is this slice of cake big enough? And the whole cake?

How satisfied do you think people and communities are, about the size of their piece of cake?

How do people think about fairness / wealth sharing?

Some Myanmar Data

3.6% was the states and regions cut of the national budget in 2012...

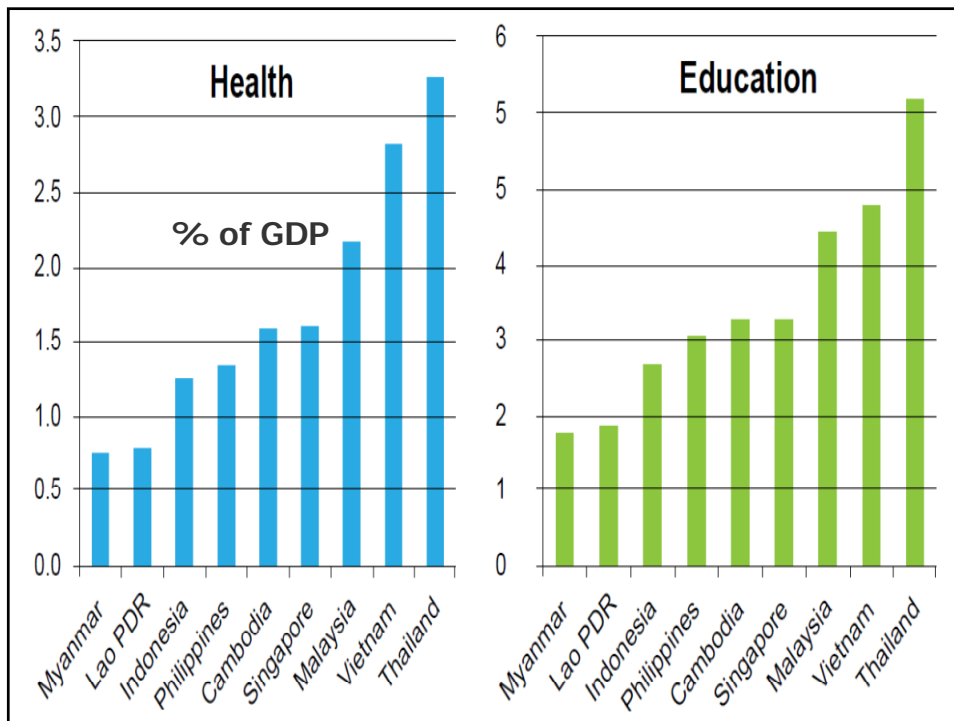
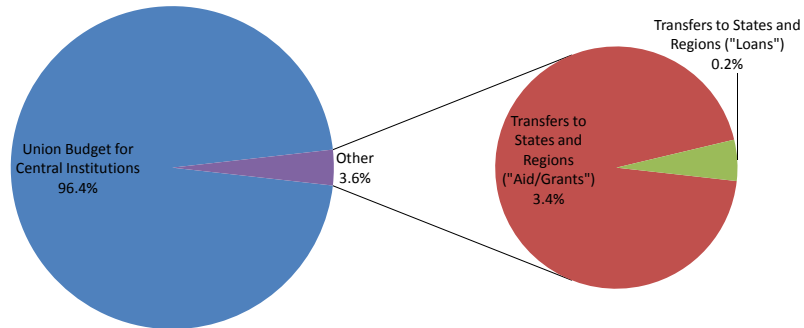
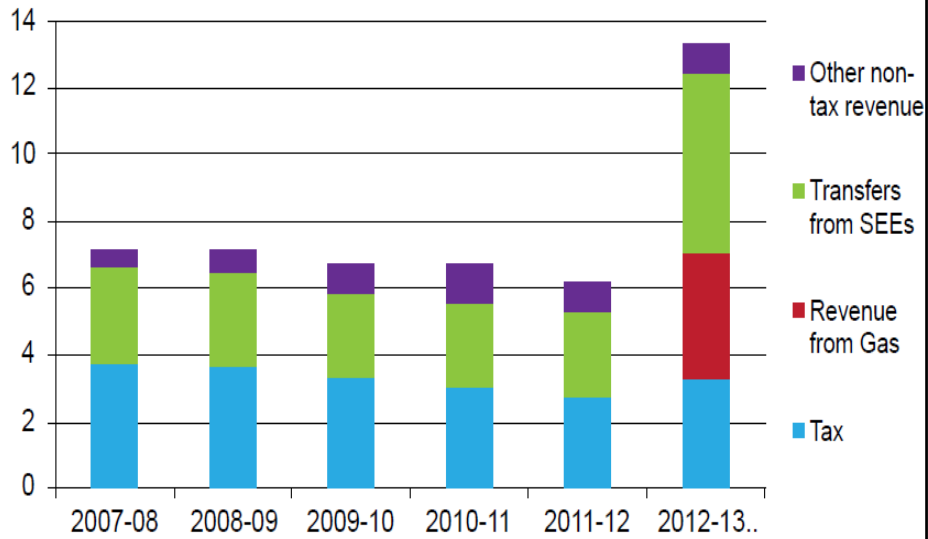


Figure 2: Government revenues as % of GDP in Myanmar: 2007-08 to 2012-13, MMK billion



Source: IMF 2011 Article IV Consultation (2012).

Simplified EITI Process

Companies publish what they pay and governments publish what they receive in an EITI Report.

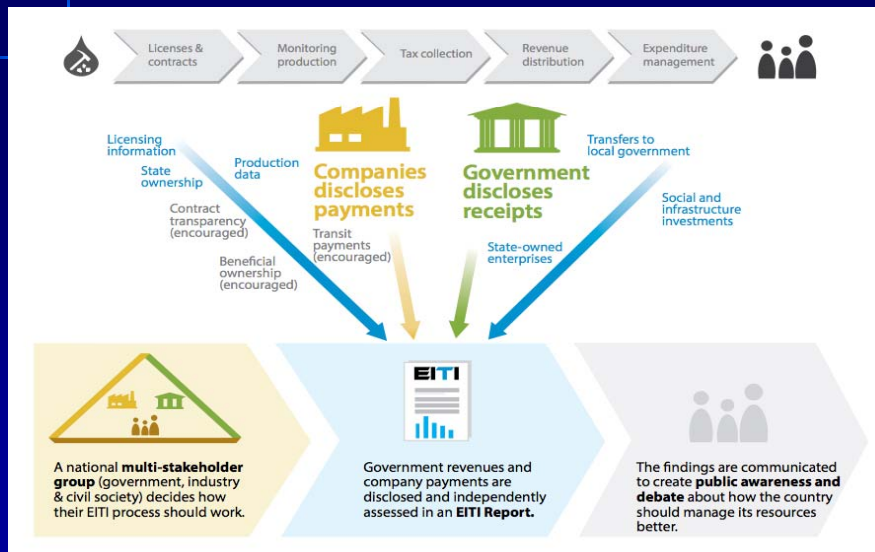


Multi-Stakeholder Group an ESSENTIAL Part of EITI Process

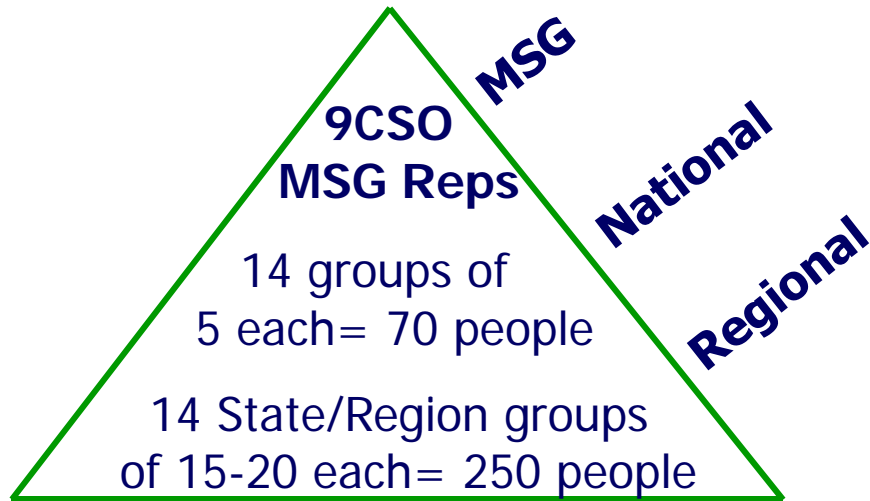
This process is overseen by a multi-stakeholder group of governments, companies and civil society.



EITI 2013 STANDARD



Civil Society structure - key in the Multi-Stakeholder Group



The **New Light of Myanmar**
 MYANMAR'S OLDEST ENGLISH DAILY

Volume XXII, Number 75 9th Waxing of Waso 1376 ME Saturday, 5 July, 2014

Myanmar achieves Extractive Industries Transparency Initiative candidacy

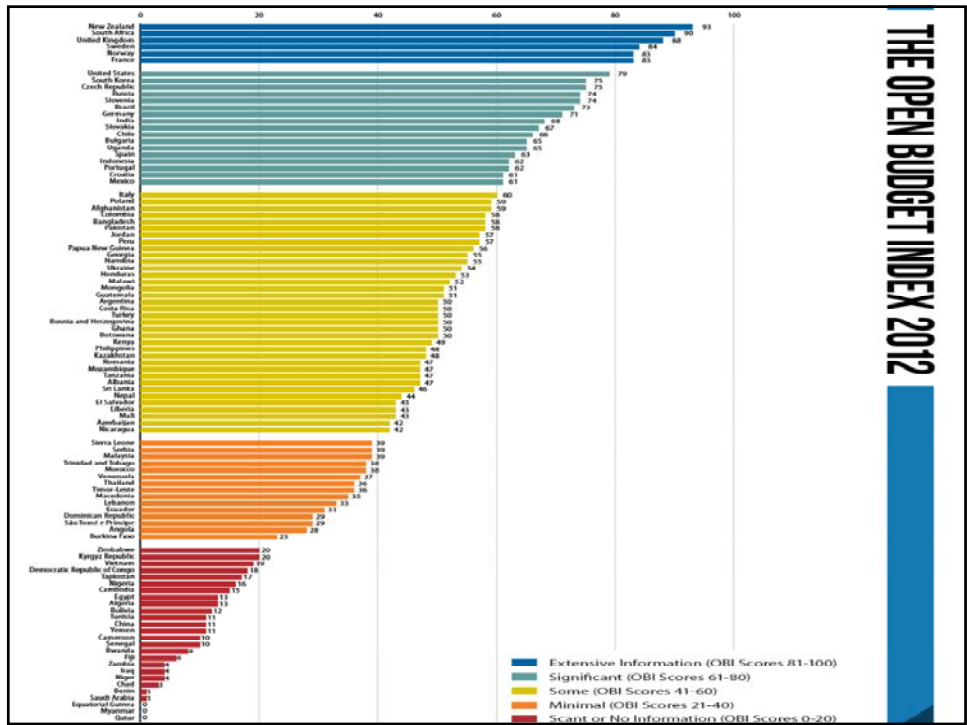
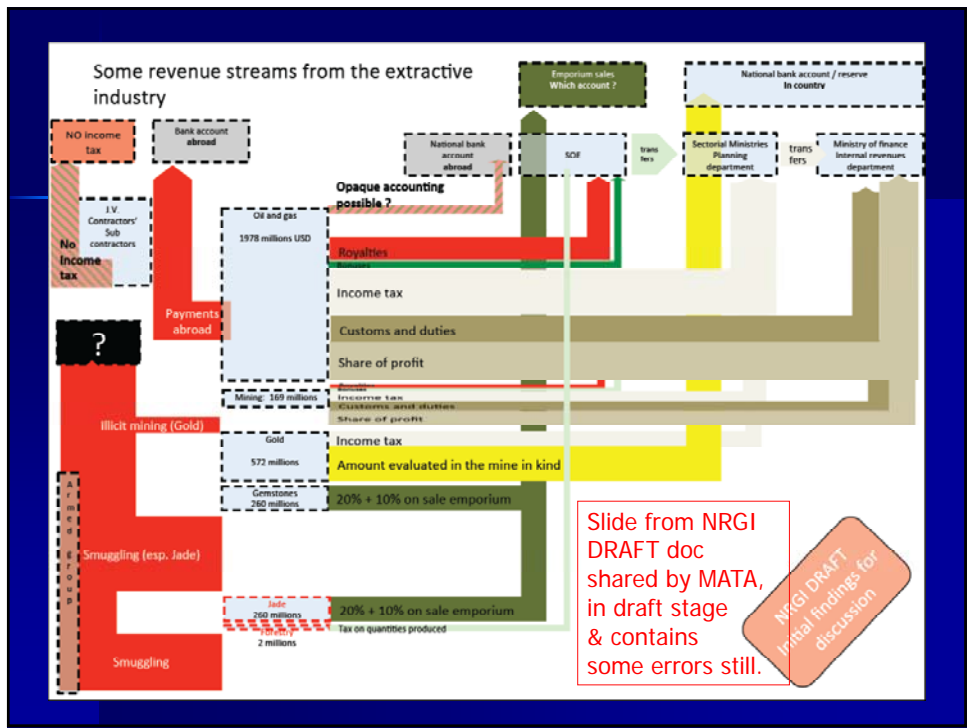


INSIDE

- Peacefully solving regional problems discussed PAGE-3
- Kyauk Phyu SEZ to create job opportunities PAGE-3
- Outstanding students, teachers honoured in Yezagyo PAGE-2
- Franchising opportunities of CP available now PAGE-2
- The Fifth Plenary Meeting of the Seventh State Sanghamahanayaka Committee of the Republic of the Union of Myanmar PAGE-3

As an EITI candidate country, Myanmar will publish information about its extractive sector, including disclosing payments made by oil, gas and mining companies to the government of Myanmar, and the revenues received by the government from these companies, in its first EITI report to be produced within 1.5 years, i.e. by 2 January 2016.—CREDIT TO MOGE

and the multi-stakeholder group is required to maintain a current workplan



What are key public concerns?

1. POOR CONSULTATION
2. NO SUPPORT FOR FUTURE LIVELIHOOD.
3. LACK OF PRO-ACTIVE ENGAGEMENT - CORPORATE CULTURE
4. LACK OF RESPONSIBILITY TO COMMUNITIES (safety, environment)
5. STANDARDS POOR, NEED RAISING
6. CULTURAL HERITAGE IMPACTS
7. IMPACT WAY OF LIFE
8. BUDGET-REASONABLE COMPENSATION.
9. HUMAN RIGHTS - NO PROPER ENFORCEMENT
10. LACK OF COMMUNITY INPUT (NEEDS ETC)
11. LOSS OF LAND - CULTURAL & ECONOMIC ASPECTS
12. LACK OF TRIPARTITE CONSULTATION - GOVT, BUSINESS, COMMUNITIES.
13. CONTINUOUS MONITORING
14. ETHICAL / CULTURAL CHANGE, CRIME
15. HEALTH, SAFETY IMPACTS - ENVIRONMENT POLLUTION.

Land Use Key Questions...

**IS THE LAND
REALLY EMPTY?**

More than 93% of Mining, Logging, Agriculture, Oil and Gas Developments Involve Land That Is Inhabited

October 30, 2014 - Author:



Rights and Resources Initiative

A global coalition of 14 partners and more than 150 collaborator organizations advancing forest and land tenure, policy, and market reforms

John Ruggie*
on Myanmar...

18 August 2012



" heightened due diligence is going to be required. " #

* Special Representative of the UN Secretary General on human rights and transnational corporations and other business enterprises, 2005-11.

Responsible Business in Myanmar: Operating Context, Sanctions, and International CSR Standards. Webinar. FOLEY HOAG LLP.

Protect, Respect, Remedy

- The **State Duty to Protect** Human Rights
- The **Corporate Responsibility to Respect** Human Rights
- The need for greater **Access to Remedy** for victims of business-related abuse. "

Rapid Sector Risk Assessment

Sector Grouping	Affect on the Overall Development Direction & Peace Processes	
	Benefits	Extra Risk #
	"MAY HELP"	"MAY HINDER"
Extractives (Oil, Gas, Mining, Timber, +) / Energy Export / Resource Exports		⊗⊗↔ ⊗⊗⊗
Basic Energy Services / Industrial Energy	⊕⊕↔ ⊕⊕⊕	
Forestry / Forest Products / Non-Timber Forest Products	⊕⊕↔ ⊕⊕⊕	⊗⊗↔ ⊗⊗⊗
Infrastructure, Reconstruction	⊕⊕⊕	
Agriculture, Livestock, Fisheries	⊕⊕⊕	
Fast Moving Consumer Goods (FMCG)	⊕↔ ⊕⊕	
Light Manufacturing / Industrial	⊕⊕↔ ⊕⊕⊕	
Heavy Industrial / Chemical		⊗⊗↔ ⊗⊗⊗
Education	⊕⊕⊕	
Services	⊕⊕↔ ⊕⊕⊕	

Note: For sectors with higher risk, specific mitigation strategies are recommended.

President Thein Sein... 30 Sep 2011



"Being the government elected by the people, it upholds the aspiration and wishes of the people," ...
"It is also responsible to solve the problems that worry the public. Therefore, the government will suspend the Myitsone dam project during its tenure. "

THE MYANMARTIMES

October 3 - 9, 2011

Myanmar's first international weekly

Volume 30, No. 595 1200 Kyats



An artist's impression of the completed Myitsone Dam project near the confluence of the Maykha and Malikha rivers in Kachin State. President U Thein Sein announced on September 30 that the project would be halted for at least the five years his government will be in office.

President halts dam

Government backs down following widespread public protest over dam project at Myitsone

President Thein Sein... 10 Jan 2013



“Regardless of ... reforms, the country has experienced a plethora of difficulties and challenges during the transition period.

Drawing on lessons learned from the experience in dealing with the problems associated with the Letpadaung Taung project, land rights, riots in Rakhine State and the breakdown of peace in Kachin state, the Government will continue to try to improve its management skills in the future.”

MM “Heat Mapping” - % of Sample Overall Perception of Corruption

1	Police	16.0%
2	Judiciary	15.9%
3	Land Department	14.6%
4	Tax Department	12.4%
5	Military	9.1%
6	Education	6.6%
7	Large Business	6.5%
8	Medical	4.8%
9	International Business	4.7%
10	Chamber of Commerce	3.3%
11	President's Office	2.1%
12	Media	1.3%
13	Parliament	1.1%
14	Faith Based Groups	0.9%
15	Small & Medium Business	0.8%



Overview Summary

- Land issues, transparency over land use and community consent over land use issues are important peace issues.
- Benefit sharing and high quality resource management are key issues to ethnic groups. Transparency improvement is needed to guide the dialogue, counter corruption, lower project risk, attract high quality investors, contribute to peace and improve national development for the long term.
- EITI candidacies and processes are advancing. This is allowing new information. Peace groups need involvement.
- Recommendations for improving of extractive and other sectors in line with Guiding Principles are available.
- Different sectors have a different risk and benefit profile. To help peace, more work on agreement between all parties of the priority of sectors for development and sectors to avoid, delay or take special precautions for is recommended.
- There are many business tools available to help!
- Strong case for focus on Investment & Human Rights to help consider how business may help or hinder peace.
- Religious and interfaith groups play important roles as a constituency and service providers. Accountability and professionalism are important.



Discussion Summary

- PANT Principles – (Participation, Accountability, Non-discrimination, Transparency)
- Corruption – related to investment, investors, parliamentarians, public officials, and much broader....
- “Gold, Gold, Gold.... Despite this we don’t benefit” Changing?
- Lack of Unity - issues considered a key Long term Commitment, Support, Mentoring needs
- Triggers of conflict – they are manifold, and diverse
- More greed – more grievances – Clear! HR a key.
- Facilitators...Mediators... ??? – what roles are to play?
- Political dialogue – important and will involve power sharing, resource sharing, equality aspects in religious discussion
- Constituency gaps – actually this is not just church leaders, and interfaith groups – many other constituencies lacking. That includes (faith/interfaith, youth, women, media, parliamentarians, etc, etc)
- INTEGRATION of agenda items is a key between high level work, and grass roots work. Constituency and inclusion important. Accountability and professionalism important.